

# Local Development Framework Committee

Town Hall, Colchester  
16 August 2010 at 6.00pm

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

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# Local Development Framework Committee

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

**COLCHESTER BOROUGH COUNCIL  
LOCAL DEVELOPMENT FRAMEWORK COMMITTEE  
16 August 2010 at 6:00pm**

**Members**

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

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

**Agenda - Part A**

(open to the public including the media)

**Pages**

**1. Welcome and Announcements**

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

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

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

**2. Substitutions**

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

**3. Urgent Items**

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

**4. Declarations of Interest**

The Chairman to invite Councillors to declare individually any personal interests they may have in the items on the agenda.

If the personal interest arises because of a Councillor's membership of or position of control or management on:

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

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

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

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

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

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

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

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

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

## **6. Minutes**

**1 - 11**

To confirm as a correct record the minutes of the meeting held on 7 June 2010.

## **7. Policy Review and Development Panel - Minute Reference**

**12**

See minute no. 28 of the Panel's meeting held on 1 March 2010 and minute no. 4 of the Panel's meeting held on 14 June 2010.

## **8. Sustainable Design and Construction Supplementary Planning**

**13 - 17**

## **Document**

See report by the Head of Strategic Policy and Regeneration.

### **9. Little Horkesley Village Design Statement 18 - 47**

See report by the Head of Strategic Policy and Regeneration.

### **10. Inclusive Design and Access 48 - 53**

See report by the Head of Strategic Policy and Regeneration.

### **11. Impact of emerging Government Policy of 'localism' and the revocation of regional housing targets 54 - 72**

See report by the Head of Strategic Policy and Regeneration.

### **12. Exclusion of the Public**

In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

**LOCAL DEVELOPMENT FRAMEWORK COMMITTEE**  
**7 JUNE 2010**

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

*Substitute Member :-* Councillor Nigel Offen for Councillor Martin Goss

*Also in Attendance :-* Councillor Lyn Barton  
Councillor Nigel Chapman

**Councillor Elizabeth Blundell, Councillor Christopher Garnett and Councillor Colin Sykes (in respect of their respective memberships of Marks Tey Parish Council, Langham Parish Council and Stanway Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

### **3. Have Your Say!**

Mrs Louisa White addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). She had attended the recent public examination and wished to commend the skill and professional attitude of the officers representing Colchester Borough Council. They had no difficulty in responding to questions in a professional manner. Whilst she had not necessarily agreed with everything which took place she wished to record her appreciation of the attitude of Colchester Borough Council staff.

Patrick Mills, Chairman of Myland Parish Council, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He praised the excellent and highly professional services provided by the Spatial Policy Team. However, Myland Parish Council were concerned about transparency and leadership, in particular:- why the Committee was in the process of creating a huge housing development on land that was allocated as open space; why were the consultation papers issued over the Christmas period; why do only a handful of people attend the Committee's meetings; why, during public examinations, are draft documents altered without notifying the stakeholders; why did councillors not attend the public examination on the Core Strategy; and why are parish councils not a key party to Section 106 agreements at the conception stage nor are they included in negotiations with developers.

Bob Russell, MP, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He referred to the recent Government announcement that spatial strategies were to be abolished and considered that in the near future this would enable the Committee to determine the Council's own planning direction. He considered it inappropriate for this Committee to continue with the expansion of housing in Mile End for the sake of a few weeks when the situation would become clearer. He was particularly concerned about Chesterwell Wood in the North

Colchester Urban Extension area about which he did not recall being notified, neither had it appeared to have come to the attention of the public. He asked that the issue be deferred, response within minute no. 8 refers.

The Spatial Policy Manager explained that in instances where a consultation period includes the Christmas period the length of the consultation period has been increased to compensate. She also explained that this Committee meets in public and people are encouraged to have their say. She acknowledged that attendance at these meetings was not high, although there were one or two people who attended regularly. However, the forerunner of this Committee was the Local Plan Panel which did not meet in public.

#### **4. Presentation of Petition**

Catherine Clouston presented a petition containing 1,193 signatures from residents of Mile End and Braiswick in opposition to the building of thousands of homes in North Colchester in the following terms:-

“We, the under signed, petition Colchester Borough Council to:- 1. Withdraw the North Colchester Growth Area Supplementary Planning Document dated December 2009, on the grounds that an SPD is the wrong planning instrument for the proposed Myland development; and 2. Prepare an Area Action Plan DPD, which we believe to be the appropriate planning instrument under the terms of PPS12.

#### **5. Minutes**

The minutes of the meetings held on 1 February 2010 and 19 May 2010 were confirmed as a correct record.

#### **6. Local Development Framework Update**

The Committee considered a report by the Head of Strategic Policy and Regeneration together with an updated LDF project chart. The report set out the Council's adopted delegation arrangements and the appended project chart set out the progress made against LDF documents which had been adopted or were in the process of being developed prior to adoption.

Karen Syrett, Spatial Policy Manager, attended to assist the Committee in its deliberations. She explained that this document was provided for information only at the beginning of the municipal year and the Committee was requested to note the contents of the report. The report set out which decisions are made by which council body and it also identified the documents produced by officers.

Members of the Committee sought clarification on the current situation following the recent announcement by Eric Pickles, Secretary of State for Communities and Local



Government, that Regional Spatial Strategies would be abolished. Members sought advice on how planning policy would operate both in the interim period and after any further guidance was issued.

In response to this request, the Spatial Policy Manager proposed that a report be prepared for the Committee's next meeting in August by which time it was hoped there would be more information available upon which to base her advice to the Committee. She anticipated that a new system would be in place in due course which would enable Councils to determine the shape of their neighbourhoods. It was likely that local councils would put forward local housing targets and she considered it unlikely that this Council would depart from the current targets. The LDF legislation remained in force and would prevail until such time as further guidance was issued. The growth targets adopted by the Council in the Core Strategy could not be set aside lightly because they were based on robust evidence and applications should not be refused on the basis of the letter because, although it is a material consideration, the RSS remains part of the development plan for now. The LDF is covered under PPS12 not PPS11 and Regional Spatial Strategy legislation; there has been no mention of unpicking or abolishing the LDF.

In respect of the two Development Plan Documents currently the subject of examinations in public, she had spoken to the Planning Inspectorate who had confirmed that the Inspector would be making a decision in the timescale set out and in doing so account would be taken of the letter from the Secretary of State; a response was expected in July.

Members of the Committee commented that it appeared that in the absence of any housing allocations imposed by a regional body local councils might be able to set their own targets. It appeared that the Council could decide it did not have to make provision for any increase in housing, however some members considered this was unrealistic because of the predicted population growth. Local councils have to plan ahead but at the moment there was no indication of how that would be achieved in the absence of the Regional Spatial Strategy. At this stage there was no information on the type of documentation that would be required.

*RESOLVED* (UNANIMOUSLY) that the Council's progress on the Local Development Framework and the adopted delegation arrangements be noted.

## **7. Boxted Joint Village Design Statement and Parish Plan**

The Committee considered a report by the Head of Strategic Policy and Regeneration together with the draft Boxted Joint Village Design Statement and Parish Plan. This document was intended to influence the planning system so that any new development in Boxted would be in keeping with its surroundings while conserving, and where appropriate, enhancing the immediate environment.

Beverley McClean, Coast and Countryside Planner, attended to assist the Committee in its deliberations. The Plan, which was driven by the community and prepared for the

community, had been through several rounds of consultation with the community and elsewhere. Once adopted it would be a material planning consideration and support decision making at all stages.

Councillor Chapman attended and, with the consent of the Chairman, addressed the Committee. His role had been to encourage the group who had worked on the document. He thanked the Planning Policy Team because they had provided very helpful and clear guidance to the local team, who were also to be congratulated. Boxted has been under threat from North Colchester with the development of the Park and Ride facility, the service station and wind turbines, which make a difference to how the village is seen from that side. There are very few facilities in Boxted and there was a need to maintain the village and ensure that residents' concerns were accepted. He commended the Joint Village Design Statement and Parish Plan to the Committee and requested that it be supported.

Members of the Committee commented that a village design statement was a planning document, unlike a parish plan which was not. The residents of Boxted were to be congratulated because the production of such a document was only possible because of the amount of hard work put into it by the local population. It was also recognised that, unlike many authorities, this borough council provides assistance to villages in the production of village design statements. Once adopted this document would become part of the Local Development Framework.

Beverley McClean explained that an Action Plan still needed to be prepared to complete the Parish Plan and that she would be meeting with the Plan authors shortly to discuss this issue.

*RESOLVED* (UNANIMOUSLY) that the Boxted Joint Village Design Statement and Parish Plan be adopted as a Planning Guidance Note.

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

#### **8. Colchester North Station Master Plan Supplementary Planning Document Public Consultation Results**

The Committee considered a report by the Head of Strategic Policy and Regeneration together with the results of the recent public consultation on the Colchester North Station Master Plan Supplementary Planning Document. The Committee was requested to note the results of the public consultation and to agree revisions in response to the consultation responses and additional traffic modelling work.

James Firth, Planning Policy Officer, attended to assist the Committee in its

deliberations. The Colchester North Station Master Plan set out key requirements in various areas. The consultation period on this document was from February to March and the results were summarised in an appendix to the report. It was anticipated that further information would be received from Essex County Council and the Commission for Architecture and the Built Environment (CABE) towards the end of June.

Tony Bland addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He considered that councillors will have followed the process properly and the Supplementary Planning Document (SPD) had been formulated in the right context. However, he did not believe that the SPD went far enough in creating a vision for transport for Colchester in the light of the assessment which deals with growth and changes over the next few years. The document was insufficient in respect of planning for issues such as street noise resulting from alcohol abuse and the misuse of bus lanes. He quoted an extract from the Essex County Council response to the document to the effect that they felt the document was too prescriptive and the proposals as presented required further work. He asked that rather than approve the document, the Committee should go further and do something more integrated. He considered that the two documents, North Station Master Plan SPD and North Colchester Master Plan SPD, were linked and should be taken together. He did not want the document as set out to proceed.

The Chairman responded that the Committee was not being asked to agree the document at this meeting; all the Committee was being asked to do was to take it forward for further work or refining.

Members of the Committee noted that the consultation had resulted in some very definite answers and a wide range of views which should be taken into account. They made a number of comments including those set out below:-

- a study should be made on the traffic flow from the north through the North Station area because the council needed to know how much traffic would come through;
- the North Station area was not a good gateway to Colchester and there were a number of issues which would have an impact on this area. Wider schemes should be investigated;
- traffic from the Park and Ride facility would travel into town through the worst bottle necks possible. There were doubts as to whether anything tangible could be done to solve the problem;
- if the Myland development went ahead what effect would it have and would that effect indicate the development should not go ahead;
- there was too much traffic crossing over each other;
- had a tunnel been considered from the northern approaches through to the exit to the A12 which would take a huge amount of traffic away;
- the permeability of the railway land was mentioned in respect of the tunnel to the westward side and one through to the Cowdray Centre;
- have tunnels been considered for pedestrians;
- there are areas where foot and cycle traffic could be separated out;
- there was some support for concerns expressed by National Express East Anglia regarding minimising risks. The plan placed significant emphasis on shared space at key locations around the station and this was questioned bearing in mind the

movements at peak periods. Segregation in these areas was necessary to avoid risks to all and this should be investigated more closely;

- it was difficult to see how a scheme would work when there was a conflict between the desire to speed up journey times and the desire for additional routes. Again more work was required;
- Colchester's North Station was criticised for its lack of facilities for disabled and for being bleak and windswept;
- it was noted that Cowdray Avenue and Colne Bank Avenue carry a tremendous amount of traffic into the town.

Paul Wilkinson, Transportation Policy Manager, responded to the effect that the borough council was working with Essex County Council on the highway model and movement in the area, specifically how the new junction would affect traffic and buses in the area. He acknowledged that there were very difficult issues about crossing the railway.

*RESOLVED (UNANIMOUSLY) –*

(a) The results of the recent public consultation on the draft Colchester North Station Master Plan Supplementary Planning Document as set out in Appendix 1 to the report by the Head of Strategic Policy and Regeneration be noted.

(b) The draft Colchester North Station Master Plan Supplementary Planning Document be revised in response to the consultation responses and additional traffic modelling work.

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

**Councillor Elizabeth Blundell, Councillor Christopher Garnett and Councillor Colin Sykes (in respect of their respective memberships of Marks Tey Parish Council, Langham Parish Council and Stanway Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)**

## **9. North Colchester Urban Extension Supplementary Planning Document Public Consultation Results**

The Head of Strategic Policy and Regeneration submitted a report together with the results of the recent public consultation process on the proposed North Colchester Urban Extension Supplementary Planning Document (SPD). The Committee was requested to note the results of the public consultation and to agree further work on the

SPD in response to the consultation responses, to include additional detail and technical work.

Karen Syrett, Spatial Policy Manager, attended to assist the Committee in its deliberations. She explained that this report was now set against the background of the recent Government announcement that Regional Spatial Strategies (RSS) are to be abolished. Legal advice has been sought on the status of the RSS and the advice suggests that it remained part of the Development Plan, and the letter from Eric Pickles, Secretary of State for Communities and Local Government was a material consideration. She indicated that other local documents can be used to inform forward planning, for example the Community Strategy and Strategic Plan, both of which identify the need to improve the supply of housing and provide safe and secure homes for all. Although the regional housing targets are set to be abolished, 1,425 new homes per year were needed to deal with the backlog and increasing need. She was not aware that the Government had announced anything to disable the locally agreed documents.

The Spatial Policy Manager explained that the intention at this stage was not to go straight to adoption of this SPD; the recommendation at this meeting was to carry out additional work and to continue working with Myland Parish Council to revise the document. She acknowledged the role that the parish council had played in raising awareness of the SPD locally and alerted the Committee to the danger in doing nothing which would put the Council in the position of not being able to resist development. Referring to comments made earlier in the meeting, she explained that the parcel of land in Mile End was allocated as proposed open space in the Local Plan but nowhere in that document was reference made to the area being safeguarded to meet open space needs of population growth in North Colchester.

Peter Hewitt addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He spoke in favour of the benefit that parks and green spaces confer on the population in terms of providing a sense of place and contributing to health and well being. In recent years North Colchester has taken an enormous growth of houses; Turner Village has just started and the Severalls site is due to start in the future. He considered it imperative that Chesterwell Wood should not be built upon because it was rich in wildlife and of significant benefit to residents in the wider community. There was no longer any political demand to build there and it would be a tragedy if it was built upon.

Councillor Jean Dickinson, Myland Parish Council, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). The parish council had not approved the Master Plan at this time. The parish council and the design statement team had generated 476 responses to the consultation on the draft SPD but only 366 appear to have been received by Colchester Borough Council; a total of 1,050 people had responded. She requested that the site for 2,220 dwellings be removed from the Core Strategy because this site was the fifth major site to be developed in that area over the plan period. This would allow time for the current situation to become clearer and to give time to work on the scoping documents. She did not want to see this SPD adopted.

Ted Gittins addressed the Committee pursuant to the provisions of Meetings General

Procedure Rule 5(3) on behalf of Essex Playing Fields Association. At the beginning of the process of formal statutory allocations, 54 acres were provided as an extension to the playing fields and a further 66 acres to develop as an area of open space. During the full setting of the SPD those allocations have evaporated and yet they were statutorily in the Local Plan. He was not certain that it was a conscious decision to replace the provision of open space with blanket housing. The alternative open space straddles the A12 which is not an ideal situation and he considered that the open space provision had been devalued in terms of commitment and quality. If there was to be a period of reflection in the current situation he hoped that this specific provision in the document be reviewed to get closer to the commitment in the Local Plan.

Stuart Cock, Managing Director of Mersea Homes, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He had read the green paper on the planning requirement and having sought clarification he had received a response by letter from Bob Neill, the then Shadow Minister for Local Government and Planning. This year the country is expected to deliver fewer homes than at any time since 1924. Mr Neill identified a chronic lack of housing with a requirement for solutions. The Conservative Group is pro-development and the country needs to increase building to lead an economic recovery by the private sector. Any application that is accompanied by the usual documents will have no reason for refusal. A strategy for a longer period is required to ensure Colchester can deliver the homes required otherwise there would be no more jobs or homes. To change now would be a retrograde step. He stated there was not an unlimited supply of brownfield land which meant that greenfield land must be delivered for the future supply of homes.

Catherine Clouston addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3) representing lovemyland. She had presented a petition signed by 1,193 residents of Mile End and Braiswick in opposition to the building of thousands of homes in North Colchester. The community was asking for further meaningful consultation; they were not biased against new development. Martin Goss had asked for a halt on the SPD for six to twelve months and she asked that the Committee support that request.

David Clouston addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). A recent article was published quoting Councillor Paul Smith on the future of Colchester "it is essential to make it clear that people already living in Colchester will not be disadvantaged by growth". Mr Clouston stated that this was impossible because whatever growth there was would impact on the existing population. There was tremendous pressure to deliver housing quickly and profitably; he was speaking for the status quo. He appreciated the work done by officers at the council. In his professional capacity he was aware that when traffic modelling gets it right it can design out a problem but what happens when it gets it wrong.

Bob Russell MP addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He endorsed the comments of Myland Parish Council and those from Ted Gittins and Mr and Mrs Clouston. He supported requests for a pause in the process as there was a need for clarification on whether this document was in line with the new Government's strategy. He referred to the playing field being extended in the early part of 1994 and questioned when and who decided to omit the

extended playing field; he considered this was not a democratic decision by elected councillors.

In responding to comments, the Spatial Policy Manager explained that the Local Plan was adopted in 2003/04 and showed some areas as proposed open space. The proposals map for the site allocations document and key diagrams for the strategy have all been to this Committee, so it is this Committee which has changed the allocations on those maps at which time those concerned could have made representations. She believed the site was to be included in the Local Plan a few years ago until the Government produced minimum density requirements and the greenfield land was not required. In respect of Councillor Jean Dickinson's representation, the 476 responses by the parish council have not been included because the parish council used a different questionnaire and different plans making it difficult to know what those respondents were commenting on.

The Chairman explained that this matter was a separate issue from the previous item. This draft SPD concerns proposed development land and the Committee needs to take a different approach. In the light of the statement by the Secretary of State, local authorities will have the power and duty to determine their own housing and land allocations. It may be that because of the statement, the Core Strategy may need to be revised so the issue may need to be parked for a period of time, however, the background work on traffic impacts and development at Severalls needs to continue.

Some members of the Committee were concerned that people such as the Member of Parliament, borough and parish councillors may not have kept themselves informed about the progress of work at this Committee and it was hoped that if this was the case this situation would be corrected. There were other concerns that Mile End had taken much of the development in Colchester and there was a view that that area had taken enough. There was a general recognition that a considerable amount of further supporting work needed to be undertaken before the Master Plan could be brought back to the Committee and this period of time would provide an opportunity to obtain more clarity about the future of the LDF process in the light of the statement by the Secretary of State. It was also generally recognised that it would be undesirable to see all development halted and even that the Council may be open to a legal challenge. The land the subject of this report is in private ownership and resisting development might be difficult without a Master Plan to provide guidance. There was also an awareness that new development in the borough had to continue to satisfy demand, which at the high end of predictions was 1,400 units per annum in the strategic housing market assessment. It may be that allocations already in the Core Strategy were satisfactory; if not it was suggested that one way to formulate a view on a reasonable position for Colchester to take on its housing targets would be to discuss the situation with other districts, in the meantime the Council had to determine planning applications in the current situation. In this respect it was noted that the Inspector's report on the Site Allocations DPD was anticipated in July and if it proved to be sound that too would become a material planning consideration.

Councillor Barton, Portfolio Holder with responsibility for Planning and Sustainability, attended and, with the consent of the Chairman, addressed the Committee. She was concerned that the document would be parked so she was pleased that the Committee

wanted to continue working on important issues which comprised a transport strategy, community provision and education. She wanted the background work to continue but with no further consultation until clarification had been received from the Government about how to move forward.

The Spatial Policy Manager responded that the Inspector will issue a decision in respect of the Site Allocations Development Plan Document (DPD). If the document is sound it becomes a material planning consideration and part of the development plan along with the Regional Spatial Strategy (RSS), the Core Strategy, saved local plan policies and SPDs which have been adopted. Guidance suggests that the Council should determine applications in accordance with the Development Plan. If the Development Plan contains material policies or proposals and there are no other material considerations, an application should be determined solely in accordance with the Development Plan. Where there are other material considerations, the Development Plan must be the starting point. One such material consideration will be whether the plan policies are relevant and up to date. The 2004 Planning Act provides that if there is a conflict between any policies, then the most recent policy will take precedence. The Core Strategy is more up to date than the RSS and the Site Allocations DPD could not be more up to date. Section 5 of the report sets out the additional work which needs to be progressed and she reassured the Committee that the additional work would provide a pause of some months. She was reassured to hear that Councillor Mrs Dickinson supports everything apart from the Master Plan at this time. They were awaiting more guidance from Essex County Council on education matters which would feed into the Master Plan. The transport work would take months in its own right and Essex County Council were about to commence work with a compliance study and identify suitable sites for primary and possibly secondary schools. Throughout this time consultations could be undertaken with the parish council and others such as the Health Authority.

*RESOLVED* (MAJORITY voted FOR) that –

(a) The results of the recent public consultation on the North Colchester SPD as set out in Appendix 1 to the report be noted.

(b) Further work be undertaken on the North Colchester SPD in response to the consultation responses to include additional detail and technical work, detailed in the report and set out below:-

- analysis of the consultation responses and meeting with consultants to discuss incorporation of findings;
- independent facilitated workshop with developers, consultants, Myland Parish Council and lovemyland group representatives. The University of Essex are being contacted to act as facilitators;
- preparation of a Master Plan providing more certainty for local community;
- undertaking additional technical work including a transport strategy together with work relating to traffic flows from North Colchester, education and health needs.

(c) A further report be submitted to the next committee meeting in respect of the future policy framework for planning in the light of the letter from Eric Pickles, Secretary



of State for Communities and Local Government.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE  
POLICY REVIEW AND DEVELOPMENT PANEL  
HELD ON 14 JUNE 2010**

**4. Work Programme 2010 / 11**

The Panel considered a report by the Head of Corporate Management explaining that by the end of the last Municipal Year the Policy Review and Development Panel had completed a number of very important tasks and received presentations on various interesting and stimulating subjects and presenting a preliminary work programme for the forthcoming year. A number of Task and Finish Groups had previously been set up by the Panel ....

At the last meeting of the Panel representations had been made by Parish Councillor John Gili-Ross on the consultation on the development of North Station as part of the Council's Supplementary Planning Document. It was considered that this subject was a matter for the Local Development Framework Committee and any additional involvement by this Panel would lead to unnecessary duplication of work.

*RESOLVED* that -

.....

(ii) That Parish Councillor Gili-Ross' request regarding the consultation on the development of North Station as part of the Council's Supplementary Planning Document be not accepted on the grounds that this was a matter for the Local Development Framework Committee and Parish Councillor Gili-Ross be informed accordingly.

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE  
POLICY REVIEW AND DEVELOPMENT PANEL  
HELD ON 1 MARCH 2010**

**28. Have Your Say! Development in North Colchester**

Parish Councillor John Gili-Ross addressed the Panel, pursuant to the provisions of Meetings General Procedure Rule 5(1), on the consultation on the development of North Station as part of the Council's Supplementary Planning Document. The Council was seeking people's views on priorities for the area, opinions about proposed improvements and redesign and about development of existing services in the area. Mr Gili-Ross was a member of the Council's 20mph Task and Finish Group and was aware of the effective contributions such Groups could make to the decision making of the Council. He was of the view that the Panel members should consider setting up a Task and Finish Group to look into the implications of residential development in the North of Colchester. He felt that the setting up of a Task and Finish Group would be of great benefit to the residents of North Colchester.

The Chairman thanked Mr Gili-Ross for his representations and confirmed that his request would be included in the Panel's consideration of items for the work programme for the following municipal year.



## Local Development Framework Committee

Item

8

16 August 2010

<b>Report of</b>	<b>Head of Strategic Policy and Regeneration</b>	<b>Author</b>	<b>Shelley Blackaby</b>
<b>Title</b>	<b>Progress on Sustainable Design and Construction Supplementary Planning Document</b>		
<b>Wards affected</b>	All		

**The Local Development Framework Committee is asked to note the progress on the Sustainable Design and Construction Supplementary Planning Document**

### 1. Decision(s) Required

- 1.1 To note the progress on the Sustainable Design and Construction Supplementary Planning Document as set out in section 4 below.

### 2. Reasons for Decision(s)

- 2.1 To ensure that the Committee are up to date and support the progress of this Supplementary Planning Document.

### 3. Alternative Options

- 3.1 The Committee could decide not to progress with this Supplementary Planning Document. This approach would fail to address the importance of the implementation of sustainable design and construction measures within the Borough.
- 3.2 The Committee could decide to produce a topic based Development Plan Document on climate change setting out targets in advance of those set nationally and included in the Core Strategy. Such an approach would require evidence as to why Colchester should implement standards in excess of national targets and regulations. This could be difficult to justify, particularly in the current economic climate, and would require outside expertise on the viability of various sustainable construction measures and renewable technologies.

### 4. Supporting Information

- 4.1 There are a number of measures that planning currently undertakes to mitigate and adapt to the effects of climate change. In terms of mitigation the adopted Core Strategy and submitted Site Allocations and Development Policies Development Plan Documents (DPDs) direct development to accessible locations, promote mixed use development to reduce the need to travel and promote sustainable modes of travel. In terms of adaptation the adopted Core Strategy and submitted Site Allocations and Development Policies DPDs require green infrastructure as part of development, require the use of sustainable drainage systems and seek to avoid development in areas of flood risk. The exception to this is East Colchester, where regeneration and redevelopment has been accepted in principle by the Department of Communities and Local Government and the Environment Agency, despite the flood risk.

- 4.2 The Council adopted a Sustainable Construction Supplementary Planning Document in October 2007. This document encourages applicants and those carrying out work under permitted development to incorporate sustainable design and construction measures into development. The Supplementary Planning Document includes information on reducing demand for fossil fuels, renewable energy technologies, water efficiency, demolition and construction waste, domestic recycling, sustainable urban drainage systems and site layout and building design.
- 4.3 Since this Supplementary Planning Document was published the Core Strategy has been adopted and policy ER1 of the Core Strategy includes targets in terms of sustainable design and renewable energy. The policy states that development will “be encouraged to provide over 15% of energy demand through local renewable and low carbon technology sources” and “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’”. Despite being included in adopted policy however, these targets are not being implemented.
- 4.4 The revocation of the Regional Spatial Strategy (RSS) has resulted in the loss of regional policies relating to energy and water. Policy ENG1 of the RSS stated that development should be encouraged to supply energy from decentralised, renewable or low carbon sources; innovation should be promoted through master planning; and local authorities should maximise opportunities for development to achieve and exceed national energy targets. Policy WAT1 of the RSS required year on year reductions in per capita water consumption.
- 4.5 The Spatial Policy team has therefore identified a need for an update to the Sustainable Construction Supplementary Planning Document to include information about the Code for Sustainable Homes, BREEAM and renewable energy and address the loss of RSS energy and water policies. Whilst these topics are currently included in the Sustainable Construction Supplementary Planning Document there is a need for guidance on exactly what the Council will expect from development. This will assist both development management and developers. The updated Supplementary Planning Document will also include more practical information on sustainable drainage systems.
- 4.6 The Planning Advisory Service (PAS) published a document in May 2010 outlining the ways that local authorities are using Supplementary Planning Documents to respond to climate change issues. Many local authorities are setting sustainable design targets in DPDs and justifying these in Supplementary Planning Documents; the approach that your officers are advocating. It is important to note that national planning guidance states that sustainable design targets must be set in DPDs and the role of Supplementary Planning Documents is to provide additional detail; Supplementary Planning Documents cannot set targets. The PAS document suggests that sustainability Supplementary Planning Documents can address climate change and sustainable development by:
- Providing more detail on policies in the Core Strategy.
  - Giving local evidence guidance to applicants on the requirements and opportunities in an area.
  - Being flexible enough to account for changing local, regional and national policies.
  - Helping development management officers implement strategic policies.
  - Forming the basis for collaboration and internal training with officers, councillors and external partners.
  - Making the case for sustainable development by outlining the benefits to developers and the community.

4.7 As part of the work to date on the update to the Sustainable Construction Supplementary Planning Document your officers have carried out research into the requirements of the Code for Sustainable Homes and BREEAM, the costs of achieving various levels, the targets other local authorities in the East of England have set, policy under the new government and the necessary training required. This is summarised below.

#### 4.8 Requirements of the Code for Sustainable Homes and BREEAM

The Code for Sustainable Homes is a national standard for the sustainable design and construction of new dwellings. The Code aims to reduce carbon emissions and create dwellings that are more sustainable. It measures the sustainability of new dwellings against the following nine categories; energy and CO<sub>2</sub> emissions, water, materials, surface water run-off, waste, pollution, health and wellbeing, management and ecology. There are six levels under the Code for Sustainable Homes and Core Strategy policy ER1 encourages development to achieve a minimum of level 3. The Code for Sustainable Homes is partly linked to Building Regulations, which is set to require increased standards of energy efficiency in residential development with requirements of a 25% reduction in CO<sub>2</sub> emissions (from 2006 levels) in 2010 (level 3), 44% in 2014 (level 4) and 100% in 2016 (levels 5 and 6).

4.9 BREEAM (Building Research Establishment Environmental Assessment Method) is the most widely used environmental assessment method for non-residential buildings. Buildings are assessed against the following eight categories; management, health and wellbeing, energy, transport, water, materials and waste, land use and ecology, and pollution. Buildings achieve a rating of poor, good, very good, excellent or outstanding. There are currently no firm proposals to increase the energy efficiency of non-residential buildings through building regulations.

#### 4.10 Costs of achieving various levels

The Department of Communities and Local Government commissioned a study looking into the costs of achieving the various levels of the Code for Sustainable Homes for four different dwelling types. Whilst the study found that there was variation in costs between dwelling types and across development scenarios the typical costs above the base build costs were identified as:

- < 1% for level 1;
- 1-2% for level 2;
- 3-4% for level 3;
- 6-8% for level 4; and
- 30 – 40% for levels 5 and 6.

4.11 A study carried out for the Department of Education and Skills looking at the cost of achieving BREEAM credits found that achieving a rating of 'good' can be done at little extra cost above the base build costs. A rating of 'very good' can be achieved at an extra cost of £18/m<sup>2</sup> and a rating of 'excellent' can be achieved at an extra cost of £60/m<sup>2</sup>.

#### 4.12 Other local authorities

Of the other local authorities in Essex only eight have targets requiring development to meet certain levels under the Code for Sustainable Homes and BREEAM. Of these eight it is understood that only three authorities (Braintree, Chelmsford and Uttlesford) successfully implement the targets.

4.13 The targets other Essex authorities have set broadly concur with those targets Colchester has set through Core Strategy policy ER1. Some authorities require only major development to achieve level 3 of the Code for Sustainable Homes and a BREEAM rating of 'very good'. Some authorities stress the importance of certain aspects of the Code for Sustainable Homes and BREEAM. For example, Castle Point expect residential development to reduce CO<sub>2</sub> emissions by 25% and water consumption to 105 litres per person per day, which are requirements under level 3 of the Code for Sustainable Homes.

4.14 Uttlesford has taken a unique approach by requiring cost effective energy efficiency measures to be implemented as part of all householder applications. Building Inspectors specify what improvements each householder is required to take and these are capped at a maximum of 10% of the development cost. Your officers consider that it is important to address the energy efficiency of existing dwellings; as of 1 April 2009 there were 72,724 dwellings within the Borough and from that date to 2023/24 12,702 new dwellings are forecast to be built. This means that in 2023/24 only 14.9% of dwellings will have been built since 1 April 2009. However, it is considered that the Uttlesford scheme would be too onerous for this Council to implement. Your officers suggest that householders should be encouraged to carry out energy efficiency improvements as part of extensions to dwellings. Rather than building inspectors advising on a case by case basis applicants could be required to obtain a Home Energy Report from the Energy Saving Trust which is submitted along with all planning applications and an explanation provided setting out which recommendations will be incorporated into the development.

#### 4.15 Government policy on sustainable build

The governments draft Structural Reform Plan includes an action to “develop options to ensure continuous improvements in energy efficiency of new housing looking specifically at zero carbon homes and non-domestic buildings”. This Supplementary Planning Document will be flexible in order that it is able to respond to future national requirements.

4.16 Whilst the government has removed the requirement for a Code for Sustainable Homes certificate as part of scrapping Home Information Packs the Department of Communities and Local Government website states that the Code for Sustainable Homes is still operational and is the national sustainability standard for new homes.

#### 4.17 Training

One of the barriers faced by local authorities in implementing Code for Sustainable Homes and BREEAM targets is the lack of knowledge. It is therefore proposed that as part of the launch of the Sustainable Construction Supplementary Planning Document a training session is held for planners. It is also proposed that the planning committee are given training on the Code for Sustainable Homes and BREEAM and other sustainability measures that planning undertakes to mitigate and adapt to the effects of climate change.

## 5. **Strategic Plan References**

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

## **6. Consultation**

- 6.1 At this stage your officers are merely updating you on the progress of the Sustainable Construction Supplementary Planning Document. Once the document is drafted, following Committee approval, the draft document will be published for consultation in accordance with regulation 17 of the Town and Country Planning (Local Development) (England) Regulations 2004.

## **7. Publicity Considerations**

- 7.1 None

## **8. Financial Implications**

- 8.1 It is proposed that production of the Sustainable Construction Supplementary Planning Document continues to be carried out in-house. There are therefore expected to be no financial implications associated with the preparation of the document. There would be costs associated with training and there would be resource implications if Building Inspectors were required to undertake additional work.

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

- 9.1 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.

## **10. Community Safety Implications**

- 10.1 None

## **11. Health and Safety Implications**

- 11.1 None

## **12. Risk Management Implications**

- 12.1 None

## **Background Papers**

None



## Local Development Framework Committee

Item

9

16 August 2010

Report of	Head of Strategic Policy and Regeneration	Author	Beverley McClean 282480
Title	Little Horkesley Village Design Statement		
Wards affected	Little Horkesley		

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

### 1. Decision(s) Required

- 1.1 To agree the adoption of the Little Horkesley Village Design Statement as a Planning Guidance Note.

### 2. Reasons for Decision

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

### 3. Alternative Options

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

### 4. Supporting Information

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



- 4.2 The Little Horkesley Village Design Statement aims to establish the principles of conservation, preservation and good design which the local community wish to see adopted within all new proposed developments within the parish. The document is not intended to nor will it stop change from happening, but as adopted guidance it is intended to influence how any new development, renovations or extensions fit into the existing parish vernacular. Village Design Statements are intended to influence the planning system, so that new development is in keeping with its surroundings while conserving and where appropriate enhancing the immediate environment.
- 4.3 A copy of the Village Design Statement for Little Horkesley is attached as an Appendix. Although Little Horkesley is not targeted for significant growth in the Core Strategy the residents are keen to ensure that any infill development, renovations or alterations to existing properties respect the rural character and the dominant built characteristics of Little Horkesley village.

## **5. Proposals**

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

## **6. Strategic Plan References**

- 6.1 Colchester's three corporate objectives are:

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

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

- 6.2 This Village Design Statement has enabled the residents of Little Horkesley to become involved in planning how their parish develops. In doing so they will be instrumental in helping the Council progress its strategic priorities. As the Village Design Statement covers many of the actions underlying the three objectives it will also be a useful tool in the realisation of these goals.

## **7. Consultation**

- 7.1 No additional consultation is proposed before the Village Design Statement is adopted as a Guidance Note.
- 7.2 During the production of the document several consultation exercises and events were held. This enabled the community group developing the plan to gather views from local residents which helped influenced the content of the final document. An explanation of the various consultation exercises undertaken is discussed on page 3 and 4 of the Little Horkesley Village Design Statement.

## **8. Publicity Considerations**

8.1 None

## **9. Financial Implications**

9.1 None

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

10.1 The document was produced using a range of methods in order to enable as many people as possible to respond regardless of gender, gender reassignment, disability, sexual orientation, religion or belief, age and race/ethnicity.

10.2 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 None

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

12.1 None

## **13. Risk Management Implications**



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

## **Background Papers**

No additional documents



# Little Horkesley Village Design Statement



*A Village Design Statement (VDS) is an assessment of a village's character and qualities, prepared by the villagers and formally accepted by the Borough Council. It identifies what the villagers value about their area, and what they consider are the important character and features to be retained as part of any new development.*

*It is intended to provide local information about the village, its environs and the wishes of its population and should complement national and local planning policies when any development is planned in the village.*

*A VDS provides guidance and recommendations to property owners and developers on future changes - large and small - in the village. It also provides additional information and guidance to Borough Council officers and Members considering planning applications.*



## **VILLAGE DESIGN STATEMENT PROCESS**

The production of a VDS for Little Horkesley was initiated by the Parish Council in 2009 when a team of volunteers was recruited to act as a VDS Steering Committee.

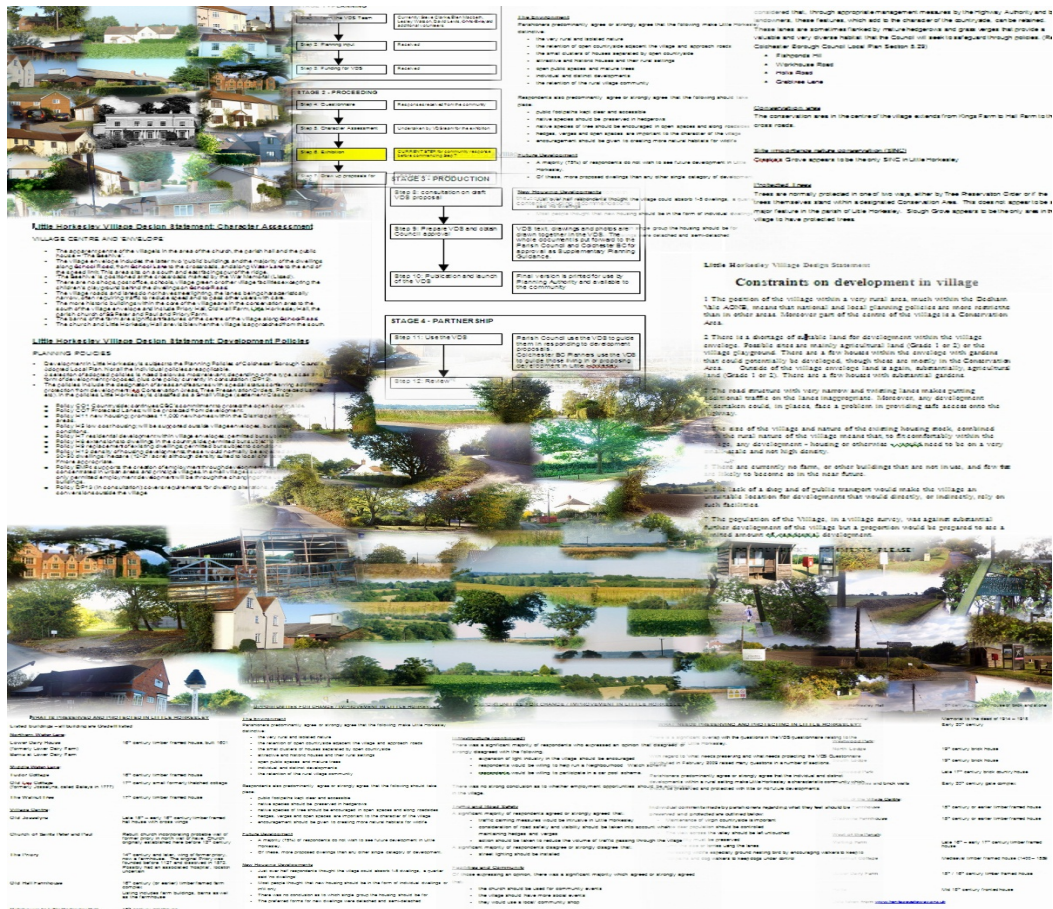
The first stage was the production of a questionnaire asking opinions about a wide range of matters affecting the character and qualities of the village. This was distributed to all adults in the village in the Spring of 2009 and 59 replies; representing 34% of the then adult population were received. Due to the very small population of the village and with no school in Little Horkesley the questionnaire did not include questions specifically for the children of the parish.

The results of this survey were presented to the village in a public exhibition and meeting in April 2009. Feedback and further comments were elicited and the VDS Steering Committee was endorsed and asked to continue work.

The next step was the production by the Steering Committee and other volunteers of an assessment of the buildings, landscape, roads and constraints on development in the village, taking into account the results of the survey and subsequent feedback. This material, along with the history of the village, was presented to the village in a public exhibition held over a weekend in October 2009.

Again feedback was encouraged. The amended assessment was then used as the basis for a first draft VDS, circulated to the entire village in May 2010 for additional comments.

A final draft was submitted to Colchester Borough Council in July 2010.



Examples of the displays at the public exhibition

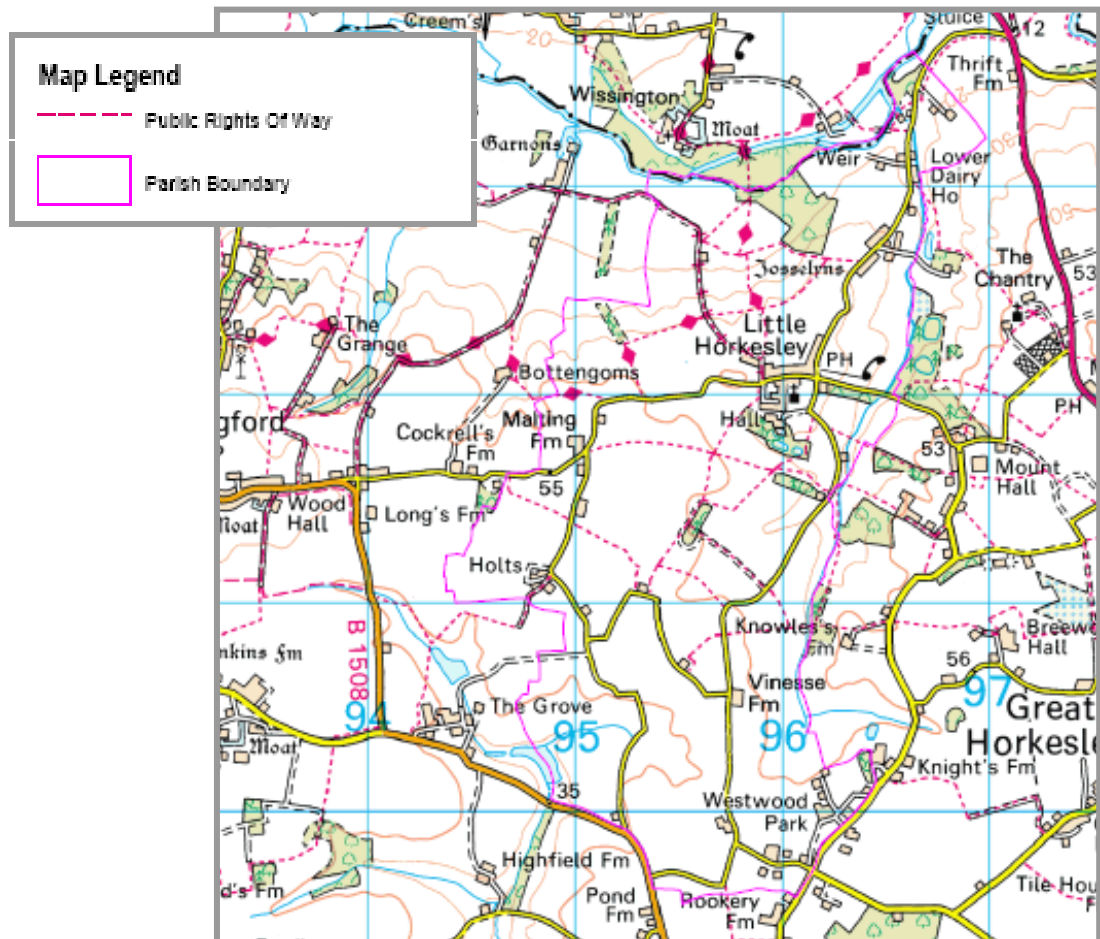
Once formally adopted as guidance the VDS will be provided to all households and businesses in the village. It will also be available on Colchester Borough's website ([www.colchester.gov.uk](http://www.colchester.gov.uk))


The VDS is not intended as a static document; it will be reviewed by the Parish Council at three year intervals or earlier in the event of changes to national planning guidance and relevant local planning policies for Colchester Borough.

The recommendations in the following sections should be read in the context of Colchester Borough Council planning policies.

## INTRODUCTION

Little Horkesley is one of the smallest villages in north Essex, some 6 miles north west of Colchester, bordering on Suffolk to the north.



 Colchester	<p>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.</p> <p>Colchester Borough Council Licence No 100023706, 2010.</p>	<p>23/07/2010 Not to scale</p>
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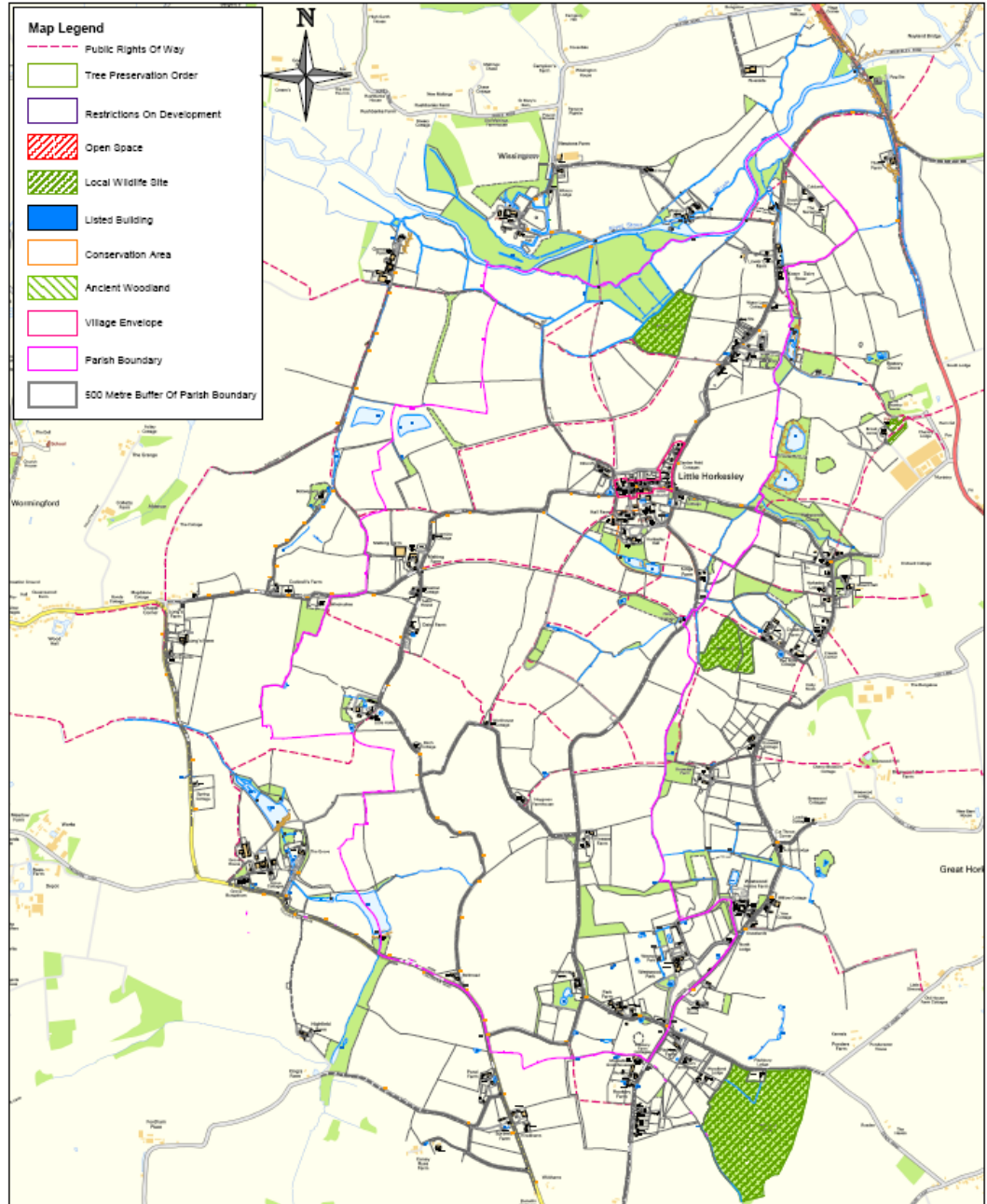
The majority of the parish is on the higher ground to the south of the River Stour and stretches down the slopes to this river plain and to subsidiary valleys. Partly within the Dedham Vale Area of Outstanding Natural Beauty, the countryside of the parish is characterised by the broad, open river valley of the Stour to the north, the narrower valleys of its tributaries to east and south west and the relatively flat hill tops matching those of the upper ground north of the Stour


The rolling nature of the land provides views to and from the village across these valleys. There are small woods and many of the country lanes retain their hedgerows on one or both sides, although removal of hedgerows has increased the openness of the views in the east to and from the village. The land use is of mixed agriculture with a proportion of the pastoral land used for paddocks and stabling as well as for cattle grazing. The countryside has a relatively high density of footpaths compared to adjacent areas. These paths connect between outlying former agricultural dwellings and the winding country lanes and include parts of the Stour Valley Path.





# Little Horkesley Parish Map



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The apparent centre of the village is in the area of the Church, the Village Hall and the public house – ‘The Beehive’. Other village community facilities include the playground and the mobile police unit which visits the village on a fortnightly basis. There is insufficient capacity to support any other permanent community facilities.

The defined ‘village envelope’ is very small and includes the latter two ‘public’ buildings and the majority of the dwellings along School Road, from School Lane to the crossroads, and along Water Lane to the end of the speed limit. This core area sits on a south and east facing spur of land to the south of the Stour Valley. The Beehive is positioned at the crossroads marked by the War Memorial (Listed). An area of Little Horkesley village is designated as a Conservation Area where building renovations or alterations are governed by tight planning control. Outside the designated Conservation Area are buildings with similarly interesting or important architectural features: the VDS recommendations regarding development proposals shall also be applied to these buildings.

### Plan of the Centre of the Village





There are no longer any shops, post office, schools, village green or other village facilities excepting the children's playground behind the dwellings on School Road. There are few other open spaces available to the public: the graveyard to the Church is officially counted as open space and there is a small green sward/ parking area adjacent the Village Hall.

The village roads and lanes do not have street lighting, the lanes being characteristically narrow, often requiring traffic to reduce speed and to pass other users with care, even within the core of the village.

There are fewer than 75 dwellings, some in small clusters in and around the centre of the village, the rest spread through out the area. The population is stable with around 150-160 adults plus a variable number of children. The vast bulk of the parish is fields.

## HISTORY OF LITTLE HORKESLEY

The name Horkesley was first recorded in 1130. It combines 'ley' meaning a woodland clearance with a word meaning either dirty or a temporary shelter.

At the time of the Domesday Book, Little Horkesley was a sub manor of Nayland. In 1129 the Cluniac priory was founded and although it was small (only 2-4 monks) it must have been an important part of the community up to Dissolution in 1586. The parish has always been dominated by agriculture. It had been well wooded but the woods were consistently being cleared from Saxon times onward. In 1086 there were 4 ploughs in the parish, and by 1266 the arable area had increased at the expense of woodland. In the seventeenth century new field names such as Upper, Middle, and Nether Stubbs (referring to the felled stumps) indicate continued clearance. Little Horkesley today is left with one old wood, Creeks Grove, of under 20 acres in total.

Settlement was dictated by the agricultural necessity of the time. In 1377, 78 people paid Poll tax to Richard II – to qualify you had to be over 16 years old. Most of the settlement we know of at this time was around the church, which had been built in 12<sup>th</sup> century on the hilltop close to the Priory, and the medieval manor was most probably on the site of the current Old Hall Farm.

In later periods settlement spread out over the parish. It took the form of dispersed farms, many of which are still in existence, and small green side settlements. In Little Horkesley we had the small settlement of Hay Green, first noted in 1329. It was still in existence at the beginning of the twentieth century and said to be able to produce two cricket teams, though now only Workhouse Cottage is still standing, and otherwise just the remains of the tofts in the adjoining fields and some old plum trees in the wood indicate past habitation. Westwood Tye, another green settlement right on the border with Great Horkesley, gave its name to Westwood Park.

By 1778 there were 30 houses recorded in the parish, including the new hall built in 1710 on the site of the current Horkesley Hall. In 1801 201 people lived in the parish. The population peaked in 1861 with 253. Six farms were recorded at that time with over 50 acres. It was still an agricultural parish with a dispersed settlement pattern.

At the end of the nineteenth century and during the twentieth century the pattern changed. There was an obvious need for housing, and the Government built a large number of council houses in School Road and Water Lane. These concentrated the main settlement of Little Horkesley along these two lanes.

In 1870 the school house was built with accommodation for 72 children. The school continued until 1936 when there were only 12 children attending and it was closed. The Beehive pub was first recorded in 1859 and for a short time in the nineteenth century there was a beerhouse in the cellars of the old Horkesley Hall, and also there was a beerhouse in the Walnut Tree on Water Lane.

On the 21<sup>st</sup> September 1940 both the Beehive and the church were hit by bombs dropped by returning German aircraft. The pub was rebuilt in 1954 and the church in 1958.



The parish remains a small rural settlement and is lucky to still have 5 working farms.





One of the finest examples of the higher status houses is “Old Josselyns” on Water Lane. The house has had many extensions added to its original hall house through the centuries, with much of the frame exposed, interesting projecting windows and the whole capped with plain clay tile roofs in gabled and hipped forms.



Other timber framed farm houses are also noteworthy, including the attractively fenestrated and sloping frame of King’s Farmhouse on Vinesse Road. Upper Dairy Farm, Holts, Old Hall Farm and Lower Dairy House are also interesting timber framed buildings, the latter demonstrating its original status by its finely carved frame showing a local dragon and the date of the former farmhouse – 1601.



The grandest residences are Little Horkesley Hall – an 18<sup>th</sup> century classical house set in a landscaped valley including two lakes in the valley below – and Westwood Park, a brick country house originating in the late 17<sup>th</sup> century and with matching brick gatehouses. This is now the estate office for the Westwood Park Centre for Business





The later buildings in the Parish – nearly all dwellings – are usually of simple pitched roof form, predominantly two storey, although there is a group of single storey houses on School Road built in the mid-20<sup>th</sup> century. A few individual houses have been added to the Parish from time to time but there have been few periods of significant expansion of the village; there are no housing estates. A few small groups of houses – mainly by the Council - were built during the 20<sup>th</sup> century; ‘Baileys Cottages’ mid way along Water Lane, the semi-detached houses on Water Lane in the core of the village and the School Road group noted above.



The 'public' buildings in the Parish are few; the former school (now the Village Hall) in School Lane, the Church of Saints Peter and Paul in the centre of the village and the public house – "The Beehive" at the village crossroads. The two latter were re-built after their destruction by landmine during the Second World War. The church is of relatively simple architectural form on the plan of the medieval church. It has a rendered and crenellated square tower, with stone dressings to openings and long-and-short work to corners. The nave, aisle and chancel have copper roofs and are rendered similarly to the tower, with simple fenestration of hooded stone lights plus stone-dressed piers.





The older buildings are roofed in plain clay tiles, clay pantiles or thatch. Later houses use slates, concrete tiles or artificial slates. The external walls of dwellings are usually finished externally in render without the timber frame exposed, in local orangey-red brick or are 'half-timbered' (the older properties).

The older agricultural buildings are clad in timber boarding and also have red plain clay tiles or more modern sheet cladding and roofing materials where re-roofed. Later farm buildings typically use profiled steel or asbestos cement sheet roofing and cladding. Some farms (e.g. Malting Farm) and larger houses (eg Hillcroft) have single storey outer ranges built with plain clay tiled pitched roofs, brick walls or timber boarded frames to match the main building. The local palette of external materials therefore reflects the vernacular architecture of the area.

There is a wide range of windows and doors used, from the classically proportioned sash windows of Little Horkesley Hall, to the mullioned oak windows fitting the timber frame of King's Farmhouse and the modern 'standard' timber casement windows and later PVCu replacements on many of the 20<sup>th</sup> century houses. Apart from the front entrance portico to the 18<sup>th</sup> century brick and stone Little Horkesley Hall and the brick detailing of Westwood Park, most buildings' front entrances are unremarkable.

There is a range of property frontages within the village including hedges fences and brick walls with no single form predominating



## RECOMMENDATIONS

- new developments should only take place within the Village Envelope
- any development should reflect the characteristics of the village; its rural and isolated nature, open countryside adjacent the village, the open spaces and mature trees, small clusters of housing separated by countryside, the historic country houses and their rural settings.
- any development should be sympathetic - in style, scale, mass and design – with adjacent properties
- any development (including extensions) should generally be limited to 2 storeys, use matching materials, and respect the established building line
- new residential developments should be detached or semi-detached
- conversions of agricultural buildings are preferred to be to residential use. The conversions should retain the character of the original building.
- traditional roofing materials should be used (eg plain clay tiles, pantiles, slates, as appropriate) where these are the dominant materials used on existing buildings
- the playground should be retained as an area of Public Open Space and should not be built upon

## ROADS AND TRAFFIC

The road users in the village are a mix of:

- private cars, both local and longer distance traffic using the lanes as a rat run to the A12 south of Colchester;
- farm equipment - from the farms in the village, but also from a major farm on the other side of the A134 farming land on the other side of the village;
- horse trailers, general delivery and other large vehicles;
- cyclists - from the village and also from further away;
- horse riders - including from the various commercial stables in the village;
- walkers - local and also from further away.

All the roads in the village are narrow country lanes, mostly single track.

There are some limited stretches where two cars may pass comfortably but only one very small stretch in the middle of the village where two larger vehicles can pass. Otherwise, informal passing places are used. There are three Protected Lanes - Workhouse Rd, Holts Rd and Crabtree Lane

There are no roadside footpaths and the verges, where they exist, are largely unsuitable for walking on. Pedestrians necessarily use the road.



The increase in traffic and particularly of larger vehicles in the village - farm vehicles and others - combined with an increase in drivers unused to the lanes mean that verges are constantly being eroded.



This brings additional problems - ruined drainage systems leading to flooding, mud on the road and potholes. Moreover the post and chain fences around two small greens are damaged frequently.

## RECOMMENDATIONS

- parking should always be off-road or where this cannot be accommodated comply with Essex County Council Parking Standards.
- development that would increase the traffic passing through the village should be resisted. There is a preference for measures which reduce traffic through the village.
- measures that urbanise the roads, such as road calming measures, street furniture, lighting, paving, etc, should be avoided.
- consideration should be given to extending the speed limits.
- consideration should be given to road safety when maintaining hedges and verges.
- the County Council should address the problem of deterioration of rural road surfaces caused by heavy traffic

## FOOTPATHS

There are no roadside footpaths, but there is an extensive network of footpaths and bridle paths throughout the area of the village crossing fields and into copses, both within and outside of the AONB.



## RECOMMENDATIONS

- the Parish Council should actively encourage landowners to maintain footpaths in good order, liaising with Essex County Council where needed.



## THE VILLAGERS' VIEWS

*The following is based on the results of the survey of the village conducted in Spring 2009. As with many surveys, results can appear to be, and in some cases are, contradictory. In 2007 there was also a survey of the needs of children in the parish;*



It was very clear from the survey that the vast majority of adult residents of the village value highly its very rural, underdeveloped and quiet nature and nearly 80% said they did not want any future development in Little Horkesley.

If there is to be development, the consensus was that between one and five houses, preferably individual houses or in small clusters and/or as infill would be acceptable. Detached or semi-detached houses were preferred with families, followed by first time buyers and then accommodation for the elderly as the target occupants. People with local connections were considered desirable. New houses should be within the village envelope, sympathetic in scale, massing, character and design, and with provision for off-street parking. Any redundant farm buildings should be converted to residential use in preference to anything else, with a minority preferring light industrial use.

In principle, more local employment was welcomed by just over half the respondents. However, a similar proportion said they were not aware of employers/employment opportunities within the village despite 11 separate such opportunities being cited by others. Moreover there was little support for developing facilities to provide employment with light industry, office and non-residential institutions being the sectors that gained limited support.

### RECOMMENDATION

- the village's rural character and quality should be maintained



The state of the roads and the volume of traffic in the village were significant concerns. The majority wished to see existing speed limits extended and action taken to reduce the volume of traffic passing through the village. However, a large majority considered that traffic calming measures would be intrusive on the environment. Virtually no one wanted street lighting. Both of these views are consistent with the desire to maintain a rural feel to the village. It was thought important, however, that road safety and visibility be taken into account when maintaining hedges and verges.

A significant proportion cites walking as a village-based recreation. Indeed, everyone who stated an opinion feels that it is important for footpaths to be kept in good order. In addition, groups of ramblers are frequently to be seen. Horse riders, many from commercial stables in the village, use the bridle paths as well as the lanes.

Whilst a significant majority said a bus service should be considered, almost two thirds then went on to say that they would use it rarely or never and only a tiny proportion would expect to use a bus service more than weekly.

A significant majority claimed they would use a community shop if there were one, with a sizeable minority saying they would volunteer to run one.

## **FUTURE DEVELOPMENT**

The conclusions drawn from the analysis of Little Horkesley village questionnaire (see “Villagers’ Views”) indicate that there are unlikely to be any areas in the Parish where a significant scale of development is either suitable or desirable. There was a strong preference (75%) for no further development in the village.

Should development be proposed then just over half of the population thought it would be expected to be small scale (1-5 dwellings). Most people thought that new housing should be single dwellings or infill.

Any development, whether new building or extensions/ alterations to existing buildings, was strongly preferred to be sympathetic in scale, design and materials to the adjacent properties. Parking should be off-street. Where buildings are proposed to be extended the extensions should be in keeping with the scale, design and materials of the main building, and use traditional roofing materials. Any conversion of agricultural buildings to residential use should retain the character of the original buildings.

The population expressed a strong preference to safeguard the characteristics of the village. These characteristics include its rural and isolated nature, the open countryside adjacent the village and its approach roads, the open spaces and mature trees, the extensive footpath network, the small clusters of houses separated by open countryside, the attractive and historic houses and their rural settings.


## **APPENDIX 1: LISTED BUILDINGS IN LITTLE HORKESLEY**

- The Priory
- Barn north of Priory House
- Little Horkesley Hall
- Gatehouse to Little Horkesley Hall
- Church of Saints Peter and Paul
- Old Hall Farmhouse
- Barn west of Old Hall Farmhouse
- Barn north of barn west of Old Hall Farmhouse
- War Memorial
- Old Josselyns, Water Lane
- Tudor Cottage, Water Lane
- Lower Dairy House, Water Lane
- Barns north of Lower Dairy House, Water Lane
- The Walnut Tree, Water Lane
- Kings Farmhouse, Vinesse Road
- Old Barn Cottage
- Gladwins Farmhouse, Vinesse Road
- Westwood Park
- North Lodge and South Lodge, Westwood Park
- Entrance Gates and brick walls, Westwood Park
- Malting Farm
- Chestnut Cottage, Holt's Road
- Upper Dairy Farm, Holt's Road
- Holts Farmhouse


## **ACKNOWLEDGEMENTS**

The Little Horkesley Village Design Statement has been produced with the inputs of many individuals. The VDS Steering Committee is extremely grateful for the contributions of those individuals, including the following;

- Colchester Borough Council Planning Department staff and officers, including Beverley McClean
- Rural Community Council of Essex; Clare Nagle and Sarah Sapsford
- Little Horkesley Parish Council
- Local businesses
- The Parishioners of Little Horkesley

We would also like to thank ITV/ Rural Action East for providing/ arranging financial support



## Local Development Framework Committee

Item  
**10**

16 August 2010

<b>Report of</b>	<b>Head of Strategic Policy and Regeneration</b>	<b>Author</b>	<b>James Firth</b>
<b>Title</b>	<b>Inclusive Design and Access</b>		<b>01206 508639</b>
<b>Wards affected</b>	All		

**The Local Development Framework Committee is asked to agree that a guidance note on inclusive design and access is produced.**

### 1. Decision(s) Required

- 1.1 To note the current procedures and policies on inclusive design and access as set out in the report below.
- 1.2 To agree that a guidance note on inclusive design and access is produced to ensure that Colchester's policy requirements are better addressed in planning applications. The guidance note will be made available to those submitting planning applications.

### 2. Reasons for Decision(s)

- 2.1 To help ensure the requirements for inclusive design in Colchester's Local Development Framework are implemented in the design of schemes by applicants. The guidance note will draw attention to equality and diversity issues and help ensure appropriate access is provided to all development.

### 3. Alternative Options

- 3.1 The Committee could decide not to produce a guidance note on inclusive design and access. This approach would fail to highlight the importance of incorporating appropriate inclusive design and access measures into development, an issue which has already been identified as a concern by the Equality and Diversity Members' Liaison Group.
- 3.2 The Committee could decide to produce a full Supplementary Planning Document on the issue. Such an approach would require evidence as to why Colchester should have requirements for access that are more stringent than national standards and therefore could be difficult to justify. Planning applications are made for a range of types of development and such an approach is also likely to be too prescriptive. The most appropriate level of inclusive design and access will depend on the individual circumstances such as the type of building, the context, and the proposed use.

### 4. Supporting Information

- 4.1 This report has been produced in response to a request from the Equality and Diversity Members' Liaison Group that consideration be given to producing a Supplementary Planning Document on Access (Equality and Diversity Members' Liaison Group Meeting 26 May 2010).

4.2 The report outlines the policy context for inclusive design and access; current building regulations concerning access; current planning application procedures relating to design and access statements; consider the potential for additional local access requirements or guidance; and draw conclusions and recommendations.

#### 4.3 Policy context for inclusive design and access

Planning Policy Statement 1 (PPS1) summarises six key principles of sustainable planning which are also referred to on page 10 of Colchester's Adopted Core Strategy. PPS1 also states that planning policies should promote high quality inclusive design and that development plans should contain clear, comprehensive, and inclusive access policies. The creation of equal opportunities for all and the avoidance of social exclusion is a theme that runs through PPS1. PPG13: Transport (2001) and PPG17: Planning for Open Space, Sport and Recreation (2002) also seek to ensure that the needs of disabled people are addressed. The importance of removing unnecessary physical barriers and exclusions imposed by poor design of buildings and places is also covered by the ODPM good practice guide 'Planning and Access for Disabled People' (March 2003).

4.4 At a local level Colchester's adopted Core Strategy includes a number of requirements relating to accessibility and inclusive design. Core Strategy Policy UR2 (Built Design and Character) states that: (*emphasis added*)

"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".

4.5 Core Strategy Policy SD2 (Delivering Facilities and Infrastructure) also states that "New facilities and infrastructure must be located and designed so that they are accessible and compatible with the character and needs of the local community".

4.6 Policy DP12 (Dwelling Standards) in the emerging Development Policies DPD also includes a requirement for flexibility in the construction of dwellings. The explanatory text explains that this can be achieved through lifetime homes standards although it is not currently a requirement that all homes meet the standard. As explained in the text it is expected that the lifetime homes standard will become a mandatory national requirement in order to meet the code for sustainable homes standards over the coming years.

4.7 The need to provide well designed developments that are inclusive and usable by all the community is therefore already well established in national and local planning policy.

#### 4.8 Current procedures on access – building regulations

Part M of the building regulations covers access and inclusive design issues. It includes requirements for both non-residential buildings and new dwellings. The requirements of part M themselves are relatively succinct and can be set out on a single page. The rest of the part M approved document gives guidance and best practice as to how the regulations can be complied with. It is common practice that an access statement is requested by building control officers where a different approach has been taken to that set out in the approved document. This access statement should set out why the proposed approach is appropriate and how it meets the building regulations. If the approved guidance has been followed there is usually no need for an access statement to be produced.

4.9 It should be noted that the building regulations requirements can cover very detailed issues and officers will check details related to the interior of buildings such as colour contrasting doors. Common part M considerations are the availability and location of disabled car parking spaces, distances to building entrances, door widths, doors opening outwards, and accessible WCs. If works involves the alteration of a dwelling or other building then the building regulations do not allow the resulting building to be any worse in terms of compliance with part M than the original. There is no building regulations control over more general internal layout issues such as room sizes or storage space.

4.10 The building regulations requirements in part M are set nationally and there is therefore no opportunity to implement local building requirements. In addition to this the Council's building control officers operate in a commercially competitive environment whereby buildings can also be approved by buildings inspectors working for other companies.

4.11 A national revision of the building regulations for Part L (conservation of fuel and power) is expected shortly. This is expected to bring the building regulations requirement for code for sustainable homes up to code 3 for all new build homes. Higher code levels in the future will include requirements for lifetime homes although currently it is not certain when these are expected.

#### 4.12 Current procedures on access – design and access statements

A design and access statement is a requirement for all planning applications except those which only involve:

- a material change in the use of land or buildings
- engineering or mining operations
- development of an existing dwelling house ie. an extension, outside of a site of special scientific interest, conservation area or area of outstanding natural beauty

4.13 Guidance on producing design and access statements is available from a number of sources. The 'making a planning application' page of the Colchester Borough Council website already gives guidance on the issue of access and inclusive design. The Council also has a current guidance document on entitled 'Guide to producing design and access statements (Sept 2007)'. This includes specific guidance on the access part of the statement and the need for inclusive design. It states that successful places should be designed so everyone can use them safely, easily and with dignity.



4.14 The Commission for Architecture and the Built Environment (CABE) has also produced a guidance document entitled 'Design and Access Statements: How to write, read and use them'. Relevant parts of the guidance include:

- A design and access statement will need to cover two potential aspects of access, vehicular and transport links, and inclusive access.
- The statement should show that the person applying for permission (the applicant) has thought carefully about how everyone, including disabled people, older people and very young children, will be able to use the places they want to build.
- The statement should set out the policy and approach that the applicant has adopted towards access, with particular reference to the inclusion of disabled people. This should include how relevant policies in local development documents have been taken account of.

4.15 In the case of Colchester, therefore, design and access statements should set out how the policies listed in the policy context section above have been taken into account. The most relevant policies for access issues are Core Strategy Policy UR2 (Built Design and Character), SD2 (Delivering Facilities and Infrastructure) and emerging DP12 (Dwelling Standards) as set out above.

#### 4.16 Potential for additional access requirements

As building regulations requirements are applied nationally any additional access requirements in Colchester would need to be applied through the planning process. The design and access statement submitted with the planning application provides an opportunity to assess if the scheme meets relevant local policies on inclusive design and access.

4.17 There are, however, a number of potential difficulties in implementing this approach if there is a desire to implement more stringent requirements on inclusive design than that set out by national building regulations standards. If a proposal meets the building regulations criteria it can be difficult to argue that the design of the proposal is such that it justifies a refusal of planning permission on inclusive design grounds.

4.18 The production of a local SPD on access could provide more detail but would likely be difficult to justify with robust evidence as well as being too prescriptive for the wide range of developments that are assessed through planning applications. In addition SPD cannot introduce new policies.

4.19 The most appropriate approach to improving access is therefore likely to be highlighting the need for inclusive design that is appropriate to its context. This would depend on nature of use of the building, with public halls for example being likely to need to demonstrate higher levels of accessibility and inclusive design. Consideration of whether an appropriate level of inclusive design has been achieved could be made through the planning application process. If developments fail to achieve an adequate level of inclusive design this could justify a reason for refusal against the Council's existing adopted policies.

4.20 It should be noted, however, that planning applications cannot consider very detailed requirements such as hearing loops or other internal issues through the planning process. There is no requirement to provide this level of detail as part of the planning application process and the consideration of the suitability of the development would need to be generally based on the proposed layout of the scheme. These detailed issues are addressed through the building regulations process described earlier.

## **5. Proposals**

- 5.1 As set out above, national and local guidance on design and access statements already require planning applications to set out how they meet local policies on inclusive design and access. The validation criteria for design and access statements are, however, set nationally and such a statement may not always include adequate information.
- 5.2 It is therefore suggested that the most appropriate approach is to produce a new guidance note to applicants to highlight the Council's policies on inclusive design and access to potential applicants. Schemes that fail to meet the Council's policies on inclusive design can be refused planning permission. Implementation of requirements on inclusive design and access will always be specific and need to be tailored to the individual circumstances of each case. This is supported by recent appeal decisions concerning access which show the outcome of appeals are often largely determined by the circumstances of the case rather than meeting any set prescribed standards.

## **6. Strategic Plan References**

- 6.1 Producing a guidance note on inclusive design and access will help ensure the Council is listening and responding to people's needs. In particular it will help address the Council's priorities of addressing older people's needs, addressing younger people's needs, homes for all, and healthy living.

## **7. Consultation**

- 7.1 The Council's policies on inclusive design and access, as set out above in section 5, have been subject to a number of stages of consultation. The policies contained in the adopted Core Strategy were consulted upon at the issues and options, preferred options, amended preferred options, and submission stages of the document's production. The emerging Development Policies DPD has followed a similar process and the Inspector's report is expected in September 2010.
- 7.2 The intention of the proposed guidance note would be to highlight these existing policy requirements to ensure they are better addressed in planning applications. The guidance note would be made publically available to applicants including on the Council's website.

## **8. Publicity Considerations**

- 8.1 Production of a guidance note for applicants should raise the profile of the inclusive design and access requirements of existing LDF policies.

## **9. Financial Implications**

- 9.1 It is proposed that production of the guidance note can be carried out in-house and the note can be made available to applicants on the Council's website. There are therefore expected to be no financial implications.

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

- 10.1 This report has been produced in response to a request from the Equality and Diversity Members' Liaison Group. The production of a guidance note on inclusive design and access will have positive impacts on equality and diversity in the borough by ensuring development gives proper consideration to inclusive design and access.

10.2 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 The production of a guidance note will help ensure the design of development is suitable for all, improving safe use of the area for all members of the public.

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

12.1 The production of a guidance note will have positive health and safety implications ensuring the design of development is inclusive, safe and suitable for all members of the public.

## **13. Risk Management Implications**

13.1 A decision to note the Council's current policies and procedures on inclusive design and access, and to agree the production of the a guidance note on the issue, should help ensure the Council's policies on inclusive design are better taken into account by applicants when designing schemes and submitting planning applications.

13.2 A decision not to produce a guidance note on inclusive design and access would fail to highlight the issue to applicants, the Council's policies on inclusive design may not be implemented to the same extent, and the concerns of the Equality and Diversity Members' Liaison Group would remain unaddressed.

## **Background Papers**

None



## Local Development Framework Committee

Item  
**11**

16 August 2010

<b>Report of</b>	<b>Head of Strategic Policy and Regeneration</b>	<b>Author</b>	<b>Karen Syrett 01206 506477</b>
<b>Title</b>	<b>Impact of emerging government policy of 'localism' and the revocation of regional housing targets.</b>		
<b>Wards affected</b>	All		

**The Local Development Framework Committee is asked to consider the governments emerging policy of localism, the revocation of regional housing targets and the implications for Colchester's Local Development Framework (LDF).**

### 1. Decision(s) Required

- 1.1 To consider the coalition governments emerging policy of localism, the revocation of regional housing targets and the implications for Colchester's LDF. To make recommendations to Cabinet for discussion at its meeting in September.

### 2. Reasons for Decision(s)

- 2.1 Cabinet agreed at its meeting on 30.6.2010 to ask officers to prepare a report for the Cabinet meeting in September. The agreed minutes requires the report to set out the following;

*'the position regarding the Core Strategy, whether it was possible for it to be abandoned or revoked and if so exploring the potential benefits and risks in doing so. In particular the impact on social housing was to be addressed in the report.'*

### 3. Alternative Options

- 3.1 Members have a number of options available to them at this stage;
- The Core Strategy could be retained unchanged.
  - The Core Strategy, or parts of it, could be reviewed. This would require;
  - Parts or all of the evidence base on which the Core Strategy is based to be reviewed.
- 3.2 Development Plan Documents (DPDs) are subject to an examination process which assesses both whether they have been produced in accordance with the legislative process and for 'soundness'. Soundness is explained in PPS12 at paragraph 5.2. One of the tests of soundness is whether the content is 'justified' by reliable, up to date and convincing evidence. This is reinforced by PPS12 which requires DPDs to be 'founded on a robust and credible evidence base.' It therefore follows that the Council cannot in accordance with the regulations, act to review, revoke or abandon the Core Strategy without new evidence.

## 4. Supporting Information

### 4.1 Revocation of the Regional Spatial Strategy

On the 27<sup>th</sup> May the Rt Hon Eric Pickles MP, Secretary of State (SofS) for Communities and Local Government indicated his intention to abolish Regional Spatial Strategies (RSS). This announcement was followed up on 6<sup>th</sup> July by the SofS announcing the revocation of Regional Spatial Strategies with immediate effect. In the same statement the SofS made it clear that 'it will be important for local planning authorities to carry on delivering local development frameworks and making decisions on applications.' A document attached at Appendix 1 sets out further details and explains that new ways for local authorities to address strategic planning and infrastructure issues will be introduced. Interim guidance sets out how Local Authorities (LA's) can continue to bring forward LDFs and make planning decisions in the transitional period. The key issues to come out of this are;

- In determining planning applications LA's must continue to have regard to the Development Plan. This now consists of adopted DPDs (the Core Strategy) and saved policies from the Local Plan. LA's should also have regard to other material considerations including national policy and evidence used to prepare the RSS.
- Local Planning Authorities should continue to develop LDF documents.
- Adopted DPDs, such as the Core Strategy will continue to provide the statutory planning framework. LA's may wish to review their adopted documents now that the RSS has been revoked. There is no need to review the whole LDF, only those issues or policies which the LA wishes to revisit.
- There is still a requirement to provide a 5 year land supply of deliverable/viable housing sites and plans should identify sufficient sites and broad areas for development to deliver their housing needs for at least 15 years.
- Housing numbers will be determined by local authorities based on robust evidence, in line with current policy in PPS3 ie Strategic Housing Market Assessments and Strategic Housing Land Availability Assessments.
- If amendments are sought to housing numbers and associated policies they should be based upon robust evidence.

### 4.2 Localism

The new Government has indicated their intention to introduce new legislation on this matter through the Localism Bill. The 'Draft Structural Reform Plan' prepared by the Department for Communities and Local Government in July 2010 includes the action:

*Radically reform the planning system to give neighbourhoods much greater ability to determine the shape of the places in which their inhabitants live, based on the principles set out in the Conservative Party publication "Open Source Planning". Local Planning Authorities are able to begin working in new ways on local plans in advance of the passing of the Localism Bill.*

4.3 However, this action is not timetabled to start until November 2010, it has an end date of November 2011, therefore the detail of how the localism agenda will work in practice with regard to the Development Plan process is still unclear. Speaking at the National Planning Forum, the Under Secretary of State set out the Government's vision for the future where councils and local people work together with developers and planners to deliver new development in their area.

#### 4.4 Material Changes arising from the Ministerial Statement

The main change centres on the abolition of Regional Spatial Strategies (RSS) and the top down housing targets. The Ministerial Statement now allows individual local planning authorities the opportunity to review their current housing targets and associated strategies if they believe they are inappropriate for their areas' needs.

4.5 The Question and Answer note attached to the Ministerial Statement (Appendix 1), however, outlined the following parameters to assist local authorities in this process:

- Evidence supporting the revoked RSSs still remains a material consideration;
- There is an opportunity to review documents but the emphasis is on consultation and sustainability appraisal.
- In setting an area's housing target the local authority will have to justify it with evidence and this would still have to be defensible at an Independent Examination. If the Inspector rejects the council's evidence or accepts other stakeholders evidence that housing need is higher or lower, he/she still has the power to impose the revised target;
- Sufficient sites for at least a 15 year housing supply should be identified in broad terms and a detailed 5 year supply of deliverable site is also still required;
- The same guidance, PPS3, which governed the production of Colchester's current housing target and supporting policies is still relevant.
- In effect the Council now has the ability to set its own housing targets, although the formal process for doing this and the governing parameters are virtually the same. Any amendments to housing numbers will need to be justified by a robust evidence base and would be subject to formal Examination in Public. The result of this process could affect the now revoked housing targets in either way i.e. decrease or increase the Council's housing target.

4.6 The overall housing target for the period 2001-2023 of 19,000 new dwellings (830 dwellings per annum) contained within the adopted Core Strategy is still considered to be a relevant target. This assessment is based upon:

- In the period 1974 - 2009 the average annual housing completion figure has been between 830 - 845 dwellings;
- Demographic projections and economic evidence used to underpin the East of England Plan housing targets were found sound when the RSS was approved;
- The housing demand identified in the Council's Strategic Housing Market Assessment (SHMA) 2008 is 1425 dwellings per annum - far in excess of the Core Strategy target.
- Decreasing the housing supply would not provide for regeneration and support the economy of the borough associated with new house building.

4.7 In addition to housing targets, the revocation of the RSS has left a policy vacuum in several key areas eg renewable energy targets. An initial assessment of RSS policies has been undertaken to establish where there are gaps which should be addressed through local policies in a review of our DPDs or in new single issue documents. A report will be produced for the next LDF Committee in September which identifies these and makes a series of recommendations.

#### 4.8 Strategic Housing Market Assessment

A Strategic Housing Market Assessment (SHMA) is defined in Planning Policy Statement (PPS)3: Housing (November 2006) as a process, carried out within a Housing Market Area (HMA). Its purpose is to help local authorities develop a shared evidence base to inform the development of spatial housing policies. In addition, it will help to inform decisions about the policies required in housing strategies. They can provide valuable insights into how housing markets operate both now and in the future. They should provide a fit for purpose basis upon which to develop planning and housing policies by considering the characteristics of the housing market, how key factors work together and the probable scale of change in future housing need and demand. Strategic housing market assessments are a crucial aspect of the evidence base in terms of preparing local development documents and local housing strategies. The value of the SHMA is in assisting policy development, decision-making and resource-allocation processes by:

- enabling local authorities to think spatially about the nature and influence of the housing markets in respect to their local area;
- providing robust evidence to inform policies aimed at providing the right mix of housing across the whole housing market – both market and affordable housing;
- providing evidence to inform policies about the level of affordable housing required, including the need for different sizes of affordable housing;
- supporting authorities to develop a strategic approach to housing through consideration of housing need and demand in all housing sectors – owner occupied, private rented and affordable – and assessment of the key drivers and relationships within the housing market;
- drawing together the bulk of the evidence required for local authorities to appraise strategic housing options including social housing allocation priorities, the role of intermediate housing products, stock renewal, conversion, demolition and transfer; and
- ensuring the most appropriate and cost-effective use of public funds.

#### 4.9 The Core Outputs from a Strategic Housing Market Assessment are;

1. Estimates of current dwellings in terms of size, type, condition, tenure
2. Analysis of past and current housing market trends, including balance between supply and demand in different housing sectors and price/affordability. Description of key drivers underpinning the housing market
3. Estimate of total future number of households, broken down by age and type where possible
4. Estimate of current number of households in housing need
5. Estimate of future households that will require affordable housing
6. Estimate of future households requiring market housing
7. Estimate of the size of affordable housing required
8. Estimate of household groups who have particular housing requirements eg families, older people, key workers, black and minority ethnic groups, disabled people, young people, etc.

#### 4.10 Colchester commissioned an assessment with Chelmsford and Braintree and the report was published in Spring 2008. It has been updated regularly with the last update produced in June 2010. When the SHMA was produced a linked report looking at affordable housing viability was also produced. This would need to be reviewed alongside any review of the SHMA and it must be borne in mind that viability at the current time is unlikely to compare favourably to that in July 2007. This could result in evidence suggesting the Affordable Housing targets should be changed.

4.11 The traditional way to measure housing need (defined as ‘the quantity of housing required for households who are unable to access suitable housing without financial assistance’) is by the CLG Needs model. In 2008 according to this model the resultant annual need for new affordable housing was 1082 new dwellings per annum. An alternative model based more directly on the realities of the market was also applied and is known as the Balancing Housing Market (BHM). This looks at inflows and outflows of households as well as internal newly forming households, dissolutions and deaths. The overall growth from this model is 1425 new households per annum, which can be broken down as follows;

<b>Table S9 Balancing Housing Markets results for Borough of Colchester (per annum)</b>					
Tenure	Size requirement				TOTAL
	1 bedroom	2 bedrooms	3 bedrooms	4+ bedrooms	
Market housing	159	442	132	171	904
Intermediate	73	83	38	0	193
Social rented	71	9	89	158	328
<b>TOTAL</b>	<b>303</b>	<b>534</b>	<b>259</b>	<b>329</b>	<b>1425</b>

Source: Table 16.11 of the Colchester SHMA Fordham Research 2008

This suggests that 63% of future housing should be market and 37% affordable. Of the affordable housing about 37% could be intermediate in the BHM perspective.

4.12 The average price of a 3 bed property at the time the fieldwork was undertaken (2007/8) was £161,000. There had been a 64% price increase since 2001. The average household income in the Borough was £31,396 in 2007. The median income was £23,874. The median household income is a closer reflection of the level of income which households in housing need are living at. In 2010 the average price for a 3 bed property was £189,205 (an increase of 17.52 %.) For someone to pay a mortgage on a 3 bed property at the lower end of the market they would need an annual household income of £33,220, well above the median income for the Borough but close to average income for the Borough. In addition to this they would need a deposit of £32,435, equivalent to over a years salary, to be able to purchase a home in this way. Incomes now are broadly similar to levels reported in the original SHMA in 2008. The data does however show that there has been a 40% increase in the number of Housing Benefit claims made by tenants in the Private Rented Sector. The most recent data shows that 3,705 private tenants in Borough are claiming housing benefit to help pay their rent. As at 18.5.10 the number of people on the Housing Register was 4859. There is therefore a very real and pressing requirement to deliver more homes in Colchester to meet local needs.

#### 4.13 Affordable Housing

The table overleaf shows the trends in delivering the different tenures of affordable housing over the past decade. The high point of delivery was in 2007/08 prior to the credit crunch and the recession when 265 affordable units were built. The impact on delivery since has been extensively minimised by additional Government funding which has now come to an end. Colchester will now need to go back to delivering it's affordable homes through Section 106 agreements. Affordable Rented continues to be the most important tenure in meeting housing need in the Borough. Intermediate homes are more useful in supporting households who wish to move towards becoming home owners.



Year	Affordable Rented	Intermediate Tenures	Shared Ownership	HomeBuy Direct	Total
2009/10	118	15	8	15	156
2008/09	97	23			120
2007/08	211		54		265
2006/07	146	42			188
2005/06	32	52			84
2004/05	143	15			158
2003/04	33	1			34
2002/03	85	35			120
2001/02	40	3			43

4.14 Core Strategy Policy H4 sets out the Councils commitment to improving housing affordability in Colchester. The policy sets out that 35% of new dwellings will be provided by the developer, as affordable housing (normally on site) subject to the following thresholds;

- In Colchester Town, Stanway, Tiptree, Wivenhoe and West Mersea, affordable housing will be required on housing developments of 10 or more dwellings
- In the other villages, affordable housing will be required on housing developments of 3 or more dwellings
- A financial contribution will be sought for developments below this threshold.

Support is also given to rural exception schemes.

#### 4.15 The Core Strategy

The Council adopted its Core Strategy in December 2008. The strategy has three main strands – what we build, where we build it and the infrastructure required. The Core Strategy identified a Borough-Wide housing target of 17,100 new dwellings for the period between 2001 and 2021 (rounded up to 19,000 to cover the longer period up to 2023 to provide a 15 year supply.) This target was based upon work carried out by the East of England Regional Assembly (EERA) and was incorporated into the Council's Core Strategy in advance of the finalisation of the East of England Plan. The Council was consulted during the preparation of the Plan and did not object to the 17,100 figure although it shared ECC concerns about infrastructure delivery and the balancing of housing and jobs. It also advocated the "plan, monitor manage" approach.

4.16 The 19,000 target represents an annual figure of 830 dwellings per annum. Through Policy H1 and Table H1a of the Core Strategy, the Council identified a potential housing provision of 19,000 units to ensure a robust supply to meet the agreed dwelling target. The policy identifies just over 3000 dwellings on greenfield land to the north of Colchester and in Stanway. Broad locations for this development were shown on Key Diagram 2, also within the Core Strategy. Public consultation took place on four occasions as part of the preparation of the Core Strategy in March 2006, November 2006, July 2007 and November 2007.

4.17 The Core Strategy also contains a policy covering the provision of affordable housing. In the absence of a regional policy dealing with this it is the only policy which requires developers to provide affordable housing as part of their development.

4.18 If the Core Strategy did not exist it would leave the Council in a policy vacuum. The only local policies on which planning applications could be considered are those within the local plan which have been 'saved' in agreement with the Government Office. There would be no policies covering the following subject areas; broad location of housing, affordable housing, coastal protection, protection of the countryside, provision of community facilities (including schools), provision for walking, cycling and off street parking provision, employment provision, town centre and retail uses. This situation would render it difficult to determine planning applications and could leave the Council vulnerable to planning by appeal.

4.19 Earlier this year the Planning Advisory Service (PAS) published a report which looked at the benefits of having an adopted Core Strategy. At the end of 2009, only 14 per cent of authorities were in this position. Their report is based on the experiences of a range of authorities to highlight the benefits of having an adopted core strategy. Case study authorities reported that an adopted core strategy allows them to:

- move from plan-making to place-shaping: the core strategy sets a clear planning framework that enables planners to get on and deliver the vision and objectives unique to their area
- provides certainty for developers, businesses and utility providers: people investing in an area value the strategic clarity that a core strategy provides
- influence corporate decisions: an adopted core strategy is a crucial document for the wider council, and the case study authorities are using it to drive change
- help colleagues and partners to deliver: it's not just planners that recognise the value of an adopted core strategy – other departments and external organisations are using it for their own benefit too
- access more funding and attract investment: the clarity of the planning framework set out in an adopted core strategy has helped the case study LPAs to make the case directly and indirectly – for more money to be spent in their areas.

4.20 To summarise, there are a number of good reasons to retain the Core Strategy:-

- The need for an adopted strategy to provide for market and affordable housing, regeneration, economic needs and environmental needs of the borough.
- The evidence base could be considered to be out of date and would need to be revisited if the Core Strategy was reviewed which would be both costly and time consuming.
- Abandoning the Core Strategy could lead to 'planning by appeal' with developers submitting applications outside development boundaries, or contrary to policy, challenging the 5 year housing supply in the absence of housing allocations in the Core Strategy.

#### 4.21 Decision Making Process

It is proposed below that a number of recommendations are made in a report to Cabinet at their meeting in September. That report will set out the decision making process that needs to be followed for whatever cause of action they decide. Adoption, preparation of or a revision of a Development Plan Document is a Full Council function, although it was previously agreed that some of these functions be delegated to the LDF Committee, as set out in the constitution.

## **5. Proposals**

- 5.1 The letter from the Secretary of State for Communities and Local Government, Eric Pickles MP, has been followed by a number of high profile speeches, decisions and interpretations. Whilst the letter removed the East of England Plan's top down housing targets, the Core Strategy still contains housing figures which accord with that document. Whilst the emerging guidance confirms that housing numbers can be reviewed, it makes it clear that any review must be based on evidence concerning housing need, a five year land supply and that any changes must be subject to an Examination in Public as happened with the adopted Core Strategy. Any revised housing numbers must be based upon sound evidence which is robust enough to withstand external scrutiny. Officers are currently exploring the detail behind the various options for housing need and capacity. The current evidence in the Strategic Housing Market Assessment indicates that if the Councils housing figures are reviewed it would more than likely lead to increased numbers, not least to meet the need for affordable housing. Whatever the outcome of any review, there will still be a need to deliver housing to meet the needs of future generations, those people that already live here and to support the economic vitality of the borough. There is a popular misconception that housing delivery can stop but this would not address housing needs within the Borough. Concentrating development on brownfield sites and the identified greenfield sites has already been found to be the most appropriate strategy by an independent Inspector. By retaining the Core Strategy we also maintain maximum control of the development process which will be relied upon to deliver affordable housing.
- 5.2 This report sets out a number of potential options. However, it is felt to be inadvisable to consider reviewing the Core Strategy, until a review of the Evidence Base has been undertaken and the implications arising have been fully assessed. It is therefore recommended to Cabinet that;
- The Adopted Core Strategy should remain. The development plan and the ability to retain control over the determination of planning applications would be seriously undermined without it.
  - Consideration should be given to reviewing the Strategic Housing Market Assessment to ascertain current and future housing needs across all tenures in the borough.
  - Consideration be given to a review of the Strategic Housing Land Availability assessment.
  - An options appraisal be undertaken looking at housing targets.
  - A review of the Sustainability Appraisal be undertaken if necessary as a result of the revised evidence base.
  - David Couttie, Managing Director of DCA be invited to attend the Cabinet meeting to share his experience and expertise (CV attached at Appendix 2.)

## **6. Strategic Plan References**

- 6.1 The Local Development Framework contributes to all the Strategic Plan priorities.

## **7. Consultation**

- 7.1 Any decision to review the Core Strategy and/or other parts of the LDF will necessitate consultation. This will as a minimum need to comply with the Town and Country Planning (Local Development) (England) Regulations 2004 and 2008. Members have expressed a desire to enhance consultation procedures which could have financial implications.

## **8. Publicity Considerations**

- 8.1 Decisions could prompt publicity concerning changes to documents and the costs involved.

## **9. Financial Implications**

- 9.1 Any further work reviewing the LDF and/or the evidence base will have financial implications. The SHMA is a detailed piece of work which needs to be commissioned externally and is estimated to cost approximately £30,000. Although the annual updates to the SHLAA have been done internally if an independent and fresh look is required this may need to be an external report costing in the region of £40,000. If the Core Strategy or parts of it are to be reviewed the evidence base would need to be updated which could involve additional updates to studies not detailed above. There are also the associated costs of publication and consultation (at three stages) and formal examination. The previous examination cost in the region of £100,000 including £63,000 paid to the Planning Inspectorate. If the Core Strategy is reviewed it will also necessitate a review of the Site Allocations DPD which in itself will require consultation and examination.

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

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

## **11. Community Safety Implications**

- 11.1 None

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

- 12.1 None

## **13. Risk Management Implications**

- 13.1 If the Core Strategy is revoked there is a risk that a policy vacuum will result. This will make it difficult to determine planning applications and could result in more appeals.

## **Background Papers**

Adopted Core Strategy 2008  
Secretary of State letter dated 6.7.10  
Table of revoked RSS policies

The Chief Planning Officer  
Local Planning Authorities in England

6 July 2010

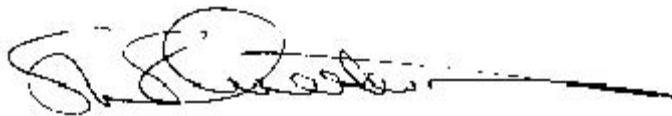
**Chief Planning Officer Letter:**

**REVOCAION OF REGIONAL STRATEGIES**

Today the Secretary of State announced the revocation of Regional Strategies with immediate effect.

I have attached some 'questions and answer' advice on immediate issues that may arise from this announcement. It will be important for local planning authorities to carry on delivering local development frameworks and making decisions on applications and the attached document focuses on how to continue taking these forward.

Please address any queries to Eamon Mythen at CLG in the first instance ([Eamon.Mythen@communities.gsi.gov.uk](mailto:Eamon.Mythen@communities.gsi.gov.uk)).



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## **Guidance for Local Planning Authorities following the revocation of Regional Strategies**

The Secretary of State for Communities and Local Government confirmed today that Regional Strategies will be revoked (see the attached copy of the Parliamentary Written Statement). In the longer term the legal basis for Regional Strategies will be abolished through the “Localism Bill” that we are introducing in the current Parliamentary session. New ways for local authorities to address strategic planning and infrastructure issues based on cooperation will be introduced. This guidance provides some clarification on the impact of the revocation; how local planning authorities can continue to bring forward their Local Development Frameworks (LDFs); and make planning decisions in the transitional period.

### **1. Under what powers are Regional Strategies being revoked?**

Regional Strategies have been revoked under s79(6) of the Local Democracy Economic Development and Construction Act 2009 and no longer form part of the development plan for the purposes of s38(6) of the Planning and Compulsory Purchase Act 2004. This guidance covers the period between revocation of Regional Strategies and legislation to abolish them altogether.

### **2. Do Planning Policy Statements (PPSs) remain in force?**

Yes. The Policy Statement on Regional Strategies (February 2010) is cancelled, and references to Regional Strategies in other Policy Statements are no longer valid. But all other PPSs will continue to apply until they are replaced by the National Planning Framework.

### **3. Will this affect the London Plan?**

The London Plan will continue to provide the planning framework for London boroughs. As part of a wider process of decentralisation in London, we are reviewing how powers and discretion can be shifted downwards from central government to the Mayor and Assembly, to London Boroughs and to local neighbourhoods. This will include reviewing the scope for devolving power from the Greater London Authority down to the Boroughs and below.

*The following sections provide advice on some of the issues likely to arise following revocation of Regional Strategies, until the “Localism Bill” and the new National Planning Framework are in place. This guidance should be regarded as a material consideration by local planning authorities and the Planning Inspectorate in their decisions.*

### **4. How will this affect planning applications?**

In determining planning applications local planning authorities must continue to have regard to the development plan. This will now consist only of:

- Adopted DPDs;
- Saved policies; and

- Any old style plans that have not lapsed.

Local planning authorities should also have regard to other material considerations, including national policy. Evidence that informed the preparation of the revoked Regional Strategies may also be a material consideration, depending on the facts of the case.

Where local planning authorities have not yet issued decisions on planning applications in the pipeline, they may wish to review those decisions in light of the new freedoms following the revocation of Regional Strategies. The revocation of the Regional Strategy may also be a material consideration.

## **5. Should we continue preparing LDF documents?**

Yes – the revocation of Regional Strategies is not a signal for local authorities to stop making plans for their area.

Local planning authorities should continue to develop LDF core strategies and other DPDs, reflecting local people's aspirations and decisions on important issues such as climate change, housing and economic development.

These local plans will guide development in their areas and provide certainty for investors and communities. Local authorities may wish to review their plans following the revocation of Regional Strategies. We recommend reviews should be undertaken as quickly as possible.

## **6. How does this affect adopted local plans / LDFs?**

Adopted DPDs and saved policies will continue to provide the statutory planning framework. Local authorities may decide to review these now that Regional Strategies have been revoked. There is no need to review the whole LDF, only those issues or policies which local authorities wish to revisit. When undertaking consultation and sustainability appraisal on their draft policies, authorities should take an approach that considers the stage reached, the extent of work already undertaken and the scope of the policy changes they are making.

## **7. What if my LDF document is still being prepared?**

Where local planning authorities are currently bringing forward development plan documents they should continue to do so. Authorities may decide to review and/or revise their emerging policies in the light of the revocation of Regional Strategies. Where authorities decide to do this they will need to ensure they meet the requirements for soundness under the current legislation. When undertaking consultation and sustainability appraisal on their draft policies, authorities should take an approach that considers the stage reached, the extent of work already undertaken and the scope of the policy changes they are making.

## **8. Will Examinations in Public continue for DPDs?**

Yes – where local planning authorities are bringing forward new development plan documents or reviewing adopted plans they should present evidence to support their plans. The examination process will continue to assess the soundness of plans, and Inspectors will test evidence put forward by local authorities and others who make representations.

## **9. Will data and research currently held by Regional Local Authority Leaders' Boards still be available?**

Yes. The regional planning function of Regional LA Leaders' Boards – the previous Regional Assemblies – is being wound up and their central government funding will end after September this year. The planning data and research they currently hold will still be available to local authorities for the preparation of their local plans whilst they put their own alternative arrangements in place for the collection and analysis of evidence. Notwithstanding, the new Government regards the Regional Leaders' Boards as an unnecessary tier of bureaucracy.

### **Clarification on policy issues**

*There are a number of areas where Regional Strategies supplemented the national policy framework. Further clarification on these areas is set out below.*

## **10. Who will determine housing numbers in the absence of Regional Strategy targets?**

Local planning authorities will be responsible for establishing the right level of local housing provision in their area, and identifying a long term supply of housing land without the burden of regional housing targets. Some authorities may decide to retain their existing housing targets that were set out in the revoked Regional Strategies. Others may decide to review their housing targets. We would expect that those authorities should quickly signal their intention to undertake an early review so that communities and land owners know where they stand.

## **11. Will we still need to justify the housing numbers in our plans?**

Yes – it is important for the planning process to be transparent, and for people to be able to understand why decisions have been taken. Local authorities should continue to collect and use reliable information to justify their housing supply policies and defend them during the LDF examination process. They should do this in line with current policy in PPS3.

## **12. Can I replace Regional Strategy targets with “option 1 numbers”?**

Yes, if that is the right thing to do for your area. Authorities may base revised housing targets on the level of provision submitted to the original Regional Spatial Strategy examination (Option 1 targets), supplemented by more recent information as appropriate. These figures are based on assessments undertaken by local authorities. However, any target selected may be tested during the examination process especially if challenged and authorities will need to be ready to defend them.



### **13. Do we still have to provide a 5 year land supply?**

Yes. Although the overall ambition for housing growth may change, authorities should continue to identify enough viable land in their DPDs to meet that growth. Strategic Housing Market Assessments and Strategic Housing Land Availability Assessments can help with this. Local planning authorities should continue to use their plans to identify sufficient sites and broad areas for development to deliver their housing ambitions for at least 15 years from the date the plan is adopted. Authorities should also have a five year land supply of deliverable sites. This too will need to reflect any changes to the overall local housing ambition.

### **14. How do we determine the level of provision for travellers' sites?**

Local councils are best placed to assess the needs of travellers. The abolition of Regional Strategies means that local authorities will be responsible for determining the right level of site provision, reflecting local need and historic demand, and for bringing forward land in DPDs. They should continue to do this in line with current policy. *Gypsy and Traveller Accommodation Assessments* (GTAAs) have been undertaken by all local authorities and if local authorities decide to review the levels of provision these assessments will form a good starting point. However, local authorities are not bound by them. We will review relevant regulations and guidance on this matter in due course.

### **15. How do we establish the need for minerals and aggregates supply without Regional Strategy targets?**

Minerals planning authorities will have responsibility for continuing to plan for a steady and adequate supply of aggregate minerals to support economic growth. They should do this within the longstanding arrangements for minerals planning. Technical advice provided by the Aggregate Working Parties, including their current work in sub-apportioning the CLG guidelines for 2005-2020 to planning authority level will assist with this.

Planning authorities in the South East should work from the apportionment set out in the "Proposed Changes" to the revision of Policy M3, published on 19 March 2010.

Planning authorities can choose to use alternative figures for their planning purposes if they have new or different information and a robust evidence base. We will work with the minerals industry and local government to agree how minerals planning arrangements should operate in the longer term.

### **16. How do we establish the need for waste management without Regional Strategy targets?**

Planning Authorities should continue to press ahead with their waste plans, and provide enough land for waste management facilities to support the sustainable management of waste (including the move away from disposal of waste by landfill). Data and information prepared by partners will continue to assist in this process. For the transitional period this will continue to be the data and information which has been collated by the local authority and industry and other public bodies who

currently form the Regional Waste Technical Advisory Bodies. We intend for this function to be transferred to local authorities in due course.

**17. Does the abolition of the hierarchy of strategic centres mean the end of policies on town centres?**

No. Local authorities must continue to have regard to PPS 4: *Planning for Sustainable Economic Growth* in preparing LDFs and, where relevant, take it into account in determining planning applications for retail, leisure and other main town centre uses.

In assessing any planning applications proposing unplanned growth in out of town shopping centres, particularly those over 50,000 sqm gross retail floor area, local authorities should take account of the potential impacts of the development on centres in the catchment area of the proposal.

**18. What about regional policies on the natural environment?**

Local authorities should continue to work together, and with communities, on conservation, restoration and enhancement of the natural environment – including biodiversity, geo-diversity and landscape interests. Authorities should continue to draw on available information, including data from partners, to address cross boundary issues such as the provision of green infrastructure and wildlife corridors.

**19. What about regional policies on Flooding and Coastal Change?**

Local authorities should continue to work together across administrative boundaries to plan development that addresses flooding and coastal change. For flooding matters local authorities already have a duty to co-operate under the Floods and Water Management Act. The Environment Agency will continue to work with local authorities individually and/or jointly to provide technical support on these matters. The Coalition agreement is clear that we should prevent unnecessary building in areas of high flood risk.

**20. What about regional policies on Renewable and Low Carbon Energy?**

Through their local plans, authorities should contribute to the move to a low carbon economy, cut greenhouse gas emissions, help secure more renewable and low carbon energy to meet national targets, and to adapt to the impacts arising from climate change. In doing so, planning authorities may find it useful to draw on data that was collected by the Regional Local Authority Leaders' Boards (which will be made available) and more recent work, including assessments of the potential for renewable and low carbon energy.

**21. What about regional policies on Transport?**

Local authorities should continue to ensure their land use and local transport plans are mutually consistent, and deliver the most effective and sustainable development for their area. Local authorities should work with each other and with businesses and communities to consider strategic transport priorities and cross boundary issues.

## **22. Does the end of Regional Strategies mean changes to Green Belt?**

No. The Government is committed to the protection of the Green Belt and the revocation of Regional Strategies will prevent top-down pressure to reduce the Green Belt protection. Local planning authorities should continue to apply policies in PPG2. As part of their preparation or revision of DPDs, planning authorities should consider the desirability of new Green Belt or adjustment of an existing Green Belt boundary, working with other local planning authorities as appropriate.

## **Parliamentary Statement Revoking Regional Strategies**

Today I am making the first step to deliver our commitment in the coalition agreement to “*rapidly abolish Regional Spatial Strategies and return decision-making powers on housing and planning to local councils*”, by revoking Regional Strategies.

Regional Strategies added unnecessary bureaucracy to the planning system. They were a failure. They were expensive and time-consuming. They alienated people, pitting them against development instead of encouraging people to build in their local area.

The revocation of Regional Strategies will make local spatial plans, drawn up in conformity with national policy, the basis for local planning decisions. The new planning system will be clear, efficient and will put greater power in the hands of local people, rather than regional bodies.

Imposed central targets will be replaced with powerful incentives so that people see the benefits of building. The coalition agreement makes a clear commitment to providing local authorities with real incentives to build new homes. I can confirm that this will ensure that those local authorities which take action now to consent and support the construction of new homes will receive direct and substantial benefit from their actions. Because we are committed to housing growth, introducing these incentives will be a priority and we aim to do so early in the spending review period. We will consult on the detail of this later this year. These incentives will encourage local authorities and communities to increase their aspirations for housing and economic growth, and to deliver sustainable development in a way that allows them to control the way in which their villages, towns and cities change. Our revisions to the planning system will also support renewable energy and a low carbon economy.

The abolition of Regional Strategies will provide a clear signal of the importance attached to the development and application of local spatial plans, in the form of Local Development Framework Core Strategies and other Development Plan Documents. Future reform in this area will make it easier for local councils, working with their communities, to agree and amend local plans in a way that maximises the involvement of neighbourhoods.

The abolition of Regional Strategies will require legislation in the “Localism Bill” which we are introducing this session. However, given the clear coalition commitment, it is important to avoid a period of uncertainty over planning policy, until the legislation is enacted. So I am revoking Regional Strategies today in order to give clarity to builders, developers and planners.

Regional Strategies are being revoked under s79(6) of the Local Democracy Economic Development and Construction Act 2009 and will thus no longer form part of the development plan for the purposes of s38(6) of the Planning and Compulsory Purchase Act 2004.

Revoking, and then abolishing, Regional Strategies will mean that the planning system is simpler, more efficient and easier for people to understand. It will be firmly

rooted in the local community. And it will encourage the investment, economic growth and housing that Britain needs.

We will be providing advice for local planning authorities today and a copy has been placed in the house library.

## **David Couttie, Managing Director, DCA**

David Couttie advised Ministers at the launch of PPG3 in 1993 and had already negotiated affordable housing in S106 Agreements in two major new settlements in Peterborough and Cambridge in 1990, before Guidance was issued.

He was an advisor to the Housing Minister for five years on Estate Action to regenerate the most difficult social housing estates in England.

David Couttie also has significant experience as a practitioner in the market place with Executive responsibility for mortgage lending products and policy at the Halifax. He was personally responsible for the introduction of fixed rate mortgages into the UK market and pioneered private funding of social renting and for intermediate housing.

David Couttie completed over 240 Housing Need Surveys, including 8 in Essex and 17 sub-regional and single market Strategic Housing Market Assessments.

He has significant planning and affordable housing experience and has successfully assisted over 150 Councils at Local Plan Inquiry and Appeals and has already provided the robust evidence to successfully support 12 Councils at LDF Examinations, all of which were found to be sound.

He has also advised major landowners and developers in the creation of balanced communities in both large new settlements and rural parish housing projects.

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