

Local Plan Committee Meeting

**Moot Hall, Town Hall, High Street,
Colchester, CO1 1PJ
Monday, 13 June 2022 at 18:00**

The Local Plan Committee deals with the Council's responsibilities relating to the Local Plan

Information for Members of the Public

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COLCHESTER BOROUGH COUNCIL
Local Plan Committee
Monday, 13 June 2022 at 18:00

The Local Plan Committee Members are:

Councillor Martin Goss	Chairman
Councillor Kayleigh Rippingale	Deputy Chairman
Councillor Tracy Arnold	
Councillor Lewis Barber	
Councillor Richard Kirkby-Taylor	
Councillor Jocelyn Law	
Councillor Sam McLean	
Councillor Patricia Moore	
Councillor Gerard Oxford	
Councillor Paul Smith	
Councillor William Sunnucks	

The Local Plan Committee Substitute Members are:

Other than the Local Plan Committee members, all members of the Council who are not members of the Planning Committee.

AGENDA
THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING
(Part A - open to the public)

Members of the public may wish to note that Agenda items 1 to 5 are normally brief.

Live Broadcast

Please follow this link to watch the meeting live on YouTube:

[\(107\) ColchesterCBC - YouTube](#)

1 Welcome and Announcements

The Chairman will welcome members of the public and Councillors and remind everyone to use microphones at all times when they are speaking. The Chairman will also explain action in the event of an emergency, mobile phones switched to silent, audio-recording of the meeting. Councillors who are members of the committee will introduce themselves.

2 Substitutions

Councillors will be asked to say if they are attending on behalf of a Committee member who is absent.

3 Urgent Items

The Chairman will announce if there is any item not on the published agenda which will be considered because it is urgent and will explain the reason for the urgency.

4 Declarations of Interest

Councillors will be asked to say if there are any items on the agenda about which they have a disclosable pecuniary interest which would prevent them from participating in any discussion of the item or participating in any vote upon the item, or any other pecuniary interest or non-pecuniary interest.

5 Minutes of Previous Meeting

The Councillors will be invited to confirm that the minutes of the meeting held on 13 December 2021 are a correct record.

13.12.2021 Minutes of meeting

7 - 20

6 Have Your Say! (Hybrid meetings)

Members of the public may make representations to the meeting. This can be made either in person at the meeting or by joining the meeting remotely and addressing the Council via Zoom. Each representation may be no longer than three minutes. Members of the public wishing to address the Council remotely may register their wish to address the meeting by e-mailing democratic.services@colchester.gov.uk by 12.00 noon on the working day before the meeting date. In addition a written copy of the representation will need to be supplied for use in the event of unforeseen technical difficulties preventing participation at the meeting itself.



There is no requirement to pre register for those attending the meeting in person.

7 Colchester Local Plan Section 2 - Adoption

21 - 430

The Committee will consider a report proposing that Section 2 of the Local Plan is recommended to Full Council for adoption.

8 Adoption of the Marks Tey Neighbourhood Plan and Adoption of the West Mersea Neighbourhood Plan

431 - 632

The Committee will consider a report that proposes that the Committee notes the Neighbourhood Plans were made (adopted) following approval at referendum and the Council decision, under the urgency procedure rule 18 (8th April) and as reported to Council 25th May 2022.

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|----|---|--------------|
| 9 | <p>Great Horkesley Neighbourhood Plan - Area Designation</p> <p>The Committee will consider a report proposing to formally designate the Great Horkesley Neighbourhood Plan Area, in accordance with Section 61 (G) of the Town and Country Planning Act 1990.</p> | 633 -
638 |
| 10 | <p>National Updates - Levelling Up and Regeneration Bill</p> <p>The Committee will consider a report providing an update on the Levelling Up and regeneration Bill published by the Government on 11 May 2022.</p> | 639 -
646 |
| | <p>Local Plan Committee information sheet</p> | 647 -
650 |
| 11 | <p>Exclusion of the Public (not Scrutiny or Executive)</p> <p>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).</p> | |

Part B
(not open to the public including the press)

Local Plan Committee

Monday, 13 December 2021

Attendees: Councillor Lewis Barber, Councillor Adam Fox, Councillor Jeremy Hagon, Councillor Derek Loveland, Councillor Andrea Luxford Vaughan, Councillor Patricia Moore, Councillor Gerard Oxford, Councillor Julie Young
Apologies: Councillor Phil Coleman
Substitutes: Councillor Nick Cope (for Councillor Phil Coleman)

228 Minutes of Previous Meeting

RESOLVED that the minutes of the meetings held on 2 August 2021 and 21 September 2021 be confirmed as a correct record.

229 Have Your Say! (Hybrid meetings)

Sir Bob Russell addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(1). The continued inclusion of Middlewick ranges in the Local Plan by the Council was contrary to government policy as set out by the Prime Minister. The Council should write to the Prime Minister and give him an opportunity to honour his word and withdraw Middlewick as a housing site. This was an opportunity to present a united all party front on the issue. The site should be handed over to Essex Wildlife Trust and Colchester Borough Council to safeguard on behalf of Colchester's residents. The Chancellor of the Exchequer had also recently extolled the benefits of green spaces and the need to develop on brownfield sites. Will Quince, MP, had also stated that the development ran counter to the policies put forward in the Prime Minister's recent speech. Why was Colchester Borough Council seeking to include the site in the Local Plan when it was contrary to the pledge of the Prime Minister, supported by the Chancellor. Matters had moved on since its initial inclusion and it should be removed.

Sandra Scott, Place Strategy Manager, and Karen Syrett, Lead Officer Planning, Housing and Economic Growth, responded and highlighted that the report on the Update on Section 2 of the Local Plan was for information only and the Committee was not being invited to decide on the inclusion of Middlewick in the Local Plan at this stage. The Council had been successful in encouraging development on brownfield sites and therefore there was no option but to look at greenfield sites. The Prime Minister's statement about not building on greenfield sites was unrealistic. Until housing targets and the standard methodology was changed there was no option but to allocate greenfield sites.

The Committee noted that it had extended an invitation to Will Quince MP to attend this meeting to discuss issues relating to Middlewick. It was confirmed that an

invitation had been sent but no response received. The Committee also sought clarification as to whether the Inspector could take account of further submissions now that the consultation had closed. The Place Strategy Manager explained that the Inspector was now considering the submissions received during the consultation and could not receive further submissions.

The Committee discussed whether it should write to the Prime Minister as suggested by Sir Bob Russell. The lead officer for Planning, Housing and Economic Growth advised that writing in these terms was not a planning matter and therefore outside of the remit of the Committee. The Committee therefore agreed that it should write to the Leader of the Council asking him to write to the Prime Minister seeking clarification on the comments he made in his speech, when he had stated that housing development should not be allowed on greenfield sites, and new houses should be delivered only on brownfield sites and in respect of the role of former Government owned sites such as MOD land in delivering homes, even where this is greenfield land, and to agree the sale of Middlewick ranges for housing purposes be reconsidered in the light of these comments.

RESOLVED that the Chair of the Committee write to the Leader of the Council asking him to write to the Prime Minister seeking clarification on the comments he made in his speech when he stated that housing development should not be allowed on greenfield sites, and new houses should be delivered only on brownfield sites and in respect of the role of former Government owned sites such as MOD land in delivering homes, even where this is greenfield land, and to agree the sale of Middlewick ranges for housing purposes be reconsidered in the light of these comments.

William Sunnucks addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(1) in respect of the Infrastructure Funding Statement. This needed to be scrutinised carefully by the Committee as it went to the root of housing delivery and seemed to show that little was collected and even less spent through section 106. The decision to write to the Prime Minister in respect of Middlewick was likely to decrease the credibility of Colchester's Local Plan and decrease likely section 106 contributions. A list of detailed questions had been sent the Chair which he hoped would be responded to, but the basic point underpinning them was that too much attention was being paid to the "pretty" aspects of planning and too little to funding and delivery. The Infrastructure Funding Statement showed that £7.7 million remained unallocated. Whilst he was unaware of the size of Colchester's infrastructure deficit it was suspected it was high. Across Essex as a whole it was £11 billion on transport alone. More needed to be collected from developers and spent promptly and a well-designed lobbying machine to raise funding from external bodies was also necessary.

Councillor Scordis attended and with the consent of the Chair addressed the Committee. Colchester was united on the issue of Middlewick. More than 900 objections had been received making valid points. It was the only large green lung in the south of Colchester and a vital space for biodiversity. He supported Sir Bob

Russell's comments. There was no reason why the Committee could not write to the Prime Minister. The proposal to develop on Middlewick also went against the principles of the Climate Emergency declared by the Council. Whilst the site had not yet been bought, developers were awaiting the approval of the Local Plan before seeking to do so. A site in Marks Tey had been mooted as suitable for a large scale development and he proposed that the 1000 homes due to be delivered on Middlewick be delivered at that site instead.

The Lead Officer for Planning, Housing and Economic Growth explained that an application for 1000 homes at Marks Tey had not been submitted. A representation had been submitted to the modifications consultation which suggested an early review of the Local Plan on the basis of questions about the deliverability of certain sites, but the site had not been put forward for inclusion at this stage.

230 Supplementary Planning Document for the ABRO Site

The Committee considered a report inviting it to consider formally adopting the Development Brief for the ABRO site as a Supplementary Planning Document (SPD)

Sandra Scott, Place Strategy Manager, introduced the report and assisted the Committee with its deliberations. At its meeting on 2 August 2021 the Committee had adopted the Development Brief for the site as Supplementary Planning Guidance but had requested that it be upgraded to an SPD. This would give it more weight in the planning system. The additional requirements for an SPD, including further consultation and a Strategic Environmental Assessment, had been carried out. Twelve responses to the consultation had been received and a number of these had been incorporated.

This was one of the last significant projects that the late Alistair Day had undertaken. It reflected his knowledge and commitment to preserving and enhancing Colchester's heritage. It was proposed that a tribute be included to Alistair in the SPD.

John Burton MBE, President of Colchester Civic Society, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(1). He asked that it be formally recorded in the Committee's minutes that Colchester Civic Society presented its condolences to the family, friends and colleagues of Alistair Day. Colchester had benefited greatly from his professionalism and skills. A recent example of this was the work he had undertaken advising the Committee on the complex ABRO site. He had given the Civic Society and other groups the opportunity to share ideas with him as he developed the Development Brief. Colchester would sorely miss his planning skills. The Civic Society often voiced objections to development proposals and he always responded to these with understanding and if he took a different approach, this was always clearly explained. The Civic Society proposed that a building or principal road on the ABRO site be named after him as a lasting memorial.

Sir Bob Russell addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(1) and endorsed the Civic Society's comments. The quality of work on the ABRO site Development Brief was very impressive and tribute was paid to Alistair Day's work in general and the ABRO site in particular. It was pleasing that the Council had made a bid for the site, but whoever bought the site should not be allowed to dilute the principals set out in the Development Brief drafted by Alistair Day. His lasting memorial would be the ABRO site developed in line with the principles he had set out.

Councillor Cox attended remotely and with the consent of the Chair addressed the Committee and echoed the tributes paid to Alistair Day. The adoption of the development brief as an SPD was welcomed but an assurance was sought that integrated sustainable traffic management between the site and other local sites would be secured. What assessment had been made of the impact on the surrounding neighbourhoods of the increase in traffic should an additional 300 homes be built? As there would not a strategic environmental assessment of the site itself, how would the environmental impact on the surrounding areas be assessed and mitigated?

The Place Strategy Manager explained that a more detailed assessment of the traffic impact and a strategic environmental assessment would be undertaken at the planning application stage.

In debate the Committee welcomed the SPD which would have greater weight in the planning system and provide greater protection to the site. Clarification was sought as to what would happen if a major archaeological find was made on the site and it was suggested it would be preferable for the Council to purchase the site so it had greater control. The suggestion made in the consultation about the use of a building on the site as a museum for the Armed Forces was noted. It was hoped that the quality of the build on the site would match that of other developments on the old garrison site.

It was highlighted that the Development Brief referred to policy DM25 when there were more up to date policies relating to the use of water in section 1 of the Local Plan, and further information was sought about the impact of water supply issues on new development. The Place Strategy Manager confirmed that the reference should be to DP23 and that the Development Brief would be updated accordingly. Anglia Water had not raised in principle concerns about the ability of infrastructure to cope with the ABRO development. A response would be sent on the wider point but there was sufficient capacity in the system for all the proposed allocations in the Local Plan. In terms of the quality of the design, the Development Brief would help secure a high quality of design and it would be for the Planning Committee to ensure that any approved scheme met the principles of the Brief.

The Lead Officer for Planning, Housing and Economic Growth emphasised that it was a site with a lot of heritage considerations. It had not been subject to previous archaeological investigations but the Brief set out a list of the considerations needed before any development commenced.

The Committee thanked the speakers for the sentiments expressed about Alistair Day. It paid tribute to his work and expressed its sadness at his untimely death. It sent its condolences to his family, friends and colleagues. It concurred with the suggestion that a road or building on the ABRO development should be named after him as a lasting memorial and requested that officers liaise with his family to discuss their preferred option.

RESOLVED (UNANIMOUS) that:-

(a) The ABRO Development Brief be adopted as a Supplementary Planning Document.

(b) A building or road on the ABRO site be named after the late Alistair Day as a lasting memorial and tribute to his work on the site and his contribution towards securing and enhancing the heritage of Colchester.

231 Colchester Local Plan Section 2 Modifications/Examination Update

The Committee considered a report providing an update on the latest position on the suggested modifications to Section 2 of the draft Local Plan.

Nick Chilvers addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(1). He invited the Committee to complement those members of the public who had submitted well-reasoned arguments against development on Middlewick in response to the consultation, and welcomed those members who responded, sometimes against party lines. In view of the likely impact on traffic in the area did the Committee still consider there would be a modal shift towards sustainable transport? He did not believe that the Council would be able to implement the necessary changes to make sustainable transport a reality. The Panel should use its local knowledge to challenge the conclusions of the expert reports. In the light of the responses, did the Panel members still believe that the benefits outweighed the harm?

John Akker addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(1) in a personal capacity to support the recommendation in the report and to stress the dangers of delay in adopting the Local Plan to Mersea, other villages and rural Colchester. It was vital to help officers defend against speculative development. There were lessons to be learnt from the process of developing the Plan but the Council needed to recognise the professionalism and commitment of its officers and adopt the plan soon.

Richard Kilshaw addressed the Committee pursuant the provisions of Remote Meetings Procedure Rule 5(1). Middlewick provided the same benefits for recreation

and physical and mental health as other valuable sites such as the Castle Park but with added ecological value. The cost of restarting the Plan could not be compared with the ecological value put at risk. In the light of the acceptance that climate change needed to be addressed, biodiversity collapse, the Environment Act and the legally binding target to end natural decline and a coroner's landmark ruling that air pollution was a cause of death for a young girl, the proposal should not still be under consideration. Given the large number of objections and the expertise contained within them, Middlewick should be removed from the Plan.

Lisa Cross, representing Friends of Middlewick, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(1) and highlighted the significant legal risks associated with the Middlewick allocation. These risks arose from the deficiencies in the ecological assessment, errors in the Stantec report and failure to give reasons for changes proposed in the modifications that departed from the existing approach to biodiversity. The Committee should be discussing these risks. It was the view of Friends of Middlewick that development on this rare acid grassland could never be made lawful and it should be removed. This would only lead to a shortfall of 48 houses per annum. Over the past three years the Council had over-delivered by 192 homes each year, and therefore the shortfall could be taken up through windfall allocations. A pragmatic approach needed to be taken. The Council should write to the Inspector withdrawing the site from the Plan.

A statement from Andrew Wilkinson was read to the Committee pursuant to the provisions of Remote Meetings Procedure Rule 5(1). A number of Councillors had changed their opinion on the inclusion of Middlewick in the Local Plan, as they had not been unaware initially of the ecological importance of the site. Councillors should have been made aware of this from the outset. There was a surplus of around 1000 homes in the Local Plan. If it remained in the Local Plan this would lead to a planning review with the possibility of large costs awarded against the Council. In view of the sensitivities of the site and the fact that many Councillors had changed their view, the Committee should write to the Inspector giving their opinion that the site should be withdrawn and advising that the site was not necessary to fulfil the Council's housing allocations.

A statement from Grace Darke was read to the Committee pursuant to the provisions of Remote Meetings Procedure Rule 5(1). When Middlewick had been put forward for the Local Plan the site plans were submitted with out of date reports and inaccurate ecological surveys. Independent surveys completed since then had shown the true diversity of the site. Natural England and a number of other credible organisations were supportive of the site's ecological value and the withdrawal of the site from the Local Plan. The Inspector had been presented with out of date and poor evidence leading to unsound and inaccurate decisions. The Council should have the courage to change its mind.

Rob Smith, Butterfly Conservation, Cambridgeshire and Essex Branch, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(1).

This year's invertebrate study showed that Middlewick was of much higher ecological value than previously acknowledged by the Council. This weakened the mitigation strategy. The inclusion of Middlewick in the Local Plan seemed to run counter to policy ENV1 as it would cause significant harm to protected species. Policy SC2 also undermined policy ENV1 and would set a dangerous precedent and put other Local Wildlife Sites at risk of housing development. This year's survey data from Middlewick gave the Council a robust defence against any development of the site, enabling it to preserve its ecology and its amenity value for local residents with a number of sites in favourable SSSI condition. Policy SC2 should therefore be removed from the Local Plan.

A statement from Peter Harvey, Essex Field Club, was read to the Committee pursuant to the provisions of Remote Meetings Procedure Rule 5(1). The whole Middlewick site was of SSSI quality and no Masterplan could be developed which would be consistent with the National Planning Policy Framework. The site's allocation for housing would not allow the Council to safeguard the borough's biodiversity, geology, history and archaeology and which help define the borough's landscape character. Therefore there should be no housing allocation or development masterplan for Middlewick. The report before the Committee did not alert the Committee to many of the fundamental issues with the allocation or the legal issues raised by many respondents. The inclusion of Middlewick would very likely be subject to legal challenge.

William Joliffe addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(1) to stress that no one locally wanted to see Middlewick developed. The beauty and value of the area to local residents was stressed. The Council should stand firm against the development. The area already suffered from congestion and heavy traffic and further development would be contrary to work to tackle climate change. Many Councils were now looking to rewild sites rather than develop.

The Chair stressed that the Committee were grateful to all those who had engaged with the consultation process. However, the information before the Committee at this meeting was simply to note and no decision on the inclusion of Middlewick in the Local Plan would be taken at this meeting. The Inspector was currently considering the responses to the consultation and he would submit a final report to the Council in due course.

In discussion, members of the Committee sought clarification on the following points:-

- Whether all submissions had been sent to the Inspector or just those in the summary report?
- What would be the process if the Local Plan was found unsound by the Inspector?
- Could the Council legally challenge the inclusion of the Middlewick site should the Inspector find it sound without triggering a Local Plan review?

- What were the legal risks to the Council if the Plan was found sound with the inclusion of Middlewick in Section 2 of the Plan?
- Was it possible to trigger an immediate review in relation to the Middlewick site only following the adoption of section 2?

Sandra Scott, Place Strategy Manager, and Karen Syrett, Lead Officer for Planning, Housing and Economic Growth, introduced the report and responded to the queries from Councillors and members of the public. The Inspector had before it evidence submitted by the Council and other parties to consider. Many of the issues had been raised before and were considered by the Inspector at the hearing stage. Given that the report was to note and the Inspector was currently considering the responses to the consultation, it would not be appropriate to give detailed responses to all the points raised. It was his role to consider these issues at this stage of the process. In terms of legal challenge, decisions around the Local Plan were subject to judicial review, like most decisions of the Council.

The Lead Officer for Planning, Housing and Economic Growth addressed the questions raised by the Committee. It was confirmed that all responses had been sent to the Inspector, in the form of a summary report with links through to the actual responses. If the Plan was found unsound then the process would start again under the updated National Planning Policy Framework and guidance. The Council could challenge a decision, although it would need to consider the reasons around any decision it was seeking to challenge carefully. In terms of a challenge to the Council, planning decisions were always subject to some risk. The potential risk of challenge needed to be balanced against the risks of not proceeding with the Plan. A review would start soon after adoption given the timescales involved in agreeing a Local Plan. If the Local Plan was found unsound the borough would be at risk of speculative development and development by appeal. Without up to date policies or a 5 year housing supply the borough would be very vulnerable. Middlewick and other sites could still come forward for development, without policies in place to control the development.

The Committee thanked the contributors and acknowledged the concerns of residents but also recognised the risks facing the Council should a Plan not be agreed. Some concerns were expressed about the inadequacy and inflexibility of the planning system and how difficult it was for the Committee to change its mind as and when circumstances changed. It was also recognised that the inclusion of limited development on the site with the Local Plan could prevent speculative applications for much larger development on the site and that had been a primary factor in the inclusion of the site with the draft Local Plan.

RESOLVED that:-

- (a) The information in the Assistant Director's report summarising the response to consultation on the main modifications Appendix A of the Assistant Director's report) be noted.

(b) The information in the Assistant Director's report summarising responses to the consultation on the updates to the Sustainability Appraisal (SA) incorporating a Strategic Environmental Assessment (SEA) and a Habitats Regulations Assessment (HRA) for the Modified Section 2 Local Plan (Appendix B of the Assistant Director's report) be noted.

(c) The information in the Assistant Director's report summarising the response to consultation on the additional modifications and Policies Maps (Appendix C of the Assistant Director's report) be noted.

232 Tendring Colchester Borders Garden Community Development Plan Document Update

The Committee considered a report providing an update on the Tendring Colchester Borders Garden Community Development Plan Document (DPD). Shelley Blackaby, Garden Community Planner, presented the report to the Committee and assisted the Committee with its deliberations.

In discussion, it was noted that proposals for the Joint Committee had now been approved by Full Council and the first meeting of the Joint Committee for the Garden Community was likely to take place in early February 2022.

Clarity was sought on whether information about the Masterplan would still come to the Local Plan Committee as well as the Joint Committee to enable it to have continued input on its development. Feedback from the engagement sessions was being used to inform the Masterplan and it was suggested that the overriding concern of residents at the sessions was the inclusion of a reasonably sized buffer zone. Concern was expressed that these concerns were not being considered which lessened the value of the engagement sessions. Concern was also expressed about the lack of information about the Rapid Transit System. It was also suggested that Environment and Sustainability Implications section of the report failed to take account of the decision to approve the Link Road, which it was asserted was contrary to the Climate Emergency. It was also queried whether the level of expenditure could be justified given that there was no legal agreement in place on the numbers of housing that was expected. Clarity was also needed on final housing numbers rather than relying on the original estimate of 9000 homes. The Garden Community Planner indicated that a written response would be sent.

Committee members sought clarity on the relationship between the Joint Committee and the Local Plan Committee. In particular members queried whether the Local Plan Committee would also see the draft Masterplan before it went out to consultation and whether the Local Plan Committee would receive reports on the work of the Joint Committee. The Garden Community Planner confirmed that the decision to publish the Masterplan for consultation would be taken by the Joint Committee and the consultation would therefore follow the establishment of the Joint Committee.

RESOLVED that the contents of the report be noted.

233 The Environment Act

The Committee considered a report which provided an overview of the recently published Environment Act. Karen Syrett, Lead Officer for Planning, Housing and Economic Growth, presented the report and assisted the Panel in its deliberations.

The Act was very wide ranging. It had received Royal Assent on 9 November 2021 and parts relating to the creation of the Office for Environmental Protection had come into force on 17 November 2021. Some of the key issues that would arise for planning as a consequence of the Act were:-

- Once the relevant sections were enacted all new development would be required by law to increase biodiversity by 10%. This was an increased commitment to Biodiversity Net Gain than was contained in the National Planning Policy Framework. As this would be a legislative requirement it would not need to be repeated in the Local Plan.
- There would be a duty on each local authority to report every five years on Biodiversity Net Gain.
- Local Nature Recovery Strategies would be introduced as a national system of strategies designed to aid nature's recovery. The Secretary of State would appoint responsible authorities to prepare these strategies, probably at County level.
- The Office of Environmental Protection would be established as a watchdog with powers to hold ministers and local authorities to account should they fail to comply with environmental law.

RESOLVED that the contents of the report be noted.

Councillor Barber (in respect of his membership of Dedham Vale (AONB) and Stour Valley Joint Advisory Committee) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

234 Dedham Vale AONB and Stour Valley Project Management Plan 2021-2026

The Committee considered a report relating to the requirement for the Council to compile and agree a Management Plan for the Dedham Vale Area of Outstanding Natural Beauty (AONB) and Stour Valley Project. Karen Syrett, Lead Officer for Planning, Housing and Economic Growth made a presentation to the Committee. This was a protected landscape of national importance. Under section 89 of Part IV of the Countryside and Rights of Way Act 2000 the Council was under an obligation to agree prepare, publish and regularly review a management plan for the area. This was managed and prepared by the Dedham Vale AONB and Stour Valley project

team. It set out a vision for the Stour Valley and included a delivery plan of co-ordinated activity to maintain and enhance the quality of the area. It sat within and sought to fit into the Council's own framework of strategies and policies that impact on the AONB. The plan had lifetime of five years. Members and the Landscape Officer had been heavily involved in the preparation of the Plan. No adverse comments had been received during the period of consultation.

Members of the Committee explored how the new Plan differed from the previous plan. Adam John, Landscape Adviser, explained that the key changes was the Plan had been revised to consider issues relating to climate change. He also highlighted the value of the work done by the Partnership which far outweighed the costs to the Council of being a member.

RESOLVED that the Dedham Vale AONB and Stour Valley Management Plan covering the period 2021 to 2026 be approved.

235 Infrastructure Funding Statement

The Committee considered a report providing a summary of the amount of developer contributions obtained, allocated and spent in the 2020-21 financial year.

Karen Syrett, Lead Officer for Planning, Housing and Economic Growth presented the report and assisted the Panel in its deliberations and stressed that the report only included details of the contributions made towards the services the Council was responsible for. Contributions relating to highways and education, for example, would be reported to Essex County Council. The statement did not provide a monetary value for the affordable housing delivered. The total value of contributions secured in this period was almost £6 million and 160 new affordable homes were secured.

A detailed response would be sent to Mr Sunnucks and circulated to the Committee in respect of the points raised under Have Your Say! However there was always a delay in between the signature of the section 106 agreement, the receipt of the funding and the delivery of the infrastructure. Occasionally funding needed to be pooled before infrastructure could be delivered so there was often a delay between receipt of funds and spend. However the Council had a robust monitoring system in place to ensure contributions were received and were properly allocated and spent.

The Committee welcomed the reassurance provided about the robust monitoring which would ensure contributions were spent and not returned. It was suggested that it would be sensible for the Statement to refer to the fact that contributions to Essex County Services were not included and were subject to a separate report by ECC. The Lead Officer for Planning, Housing and Economic Growth agreed that would be sensible and that a link to the Essex County Council Statement could be included in the Statement. The Committee also discussed the monitoring and whether the

Statement should include an “at risk” figure but the Lead Officer for Planning, Housing and Economic Growth did not think this would be helpful and that the key was to ensure effective monitoring.

Members stressed the importance of borough members and officers being involved in discussions on highways improvements funded through section 106 contributions, as they had the best local knowledge of what was needed. It was confirmed that the Council worked closely with Essex County Council highways and education departments to ensure that contributions met local need.

A member of the Committee also raised the value of travel plans secured under section 106 from the University of Essex and clarification was sought as to who would negotiate the section 106 agreement for Tendring Colchester Borders Garden Community? The Lead Officer for Planning, Housing and Economic Growth explained that in terms of travel plans these could be agreed with Essex County or the Borough Council. The Council looked to use section 106 to provide a bespoke package to students to encourage them to use public transport or other sustainable forms of transport. In terms of the Garden Community, some of the biggest areas of contribution, highways and education, were for Essex County Council. In terms of education, facilities would be delivered on site rather than financial contributions for off site improvements.

RESOLVED that the contents of the report be noted.

236 Authority Monitoring Report

The Committee considered a report inviting it to approve the Authority Monitoring Report 2020-21 which provided an annual summary of key statistics that allowed the Council to monitor the effectiveness of the Local Plan.

Bethany Jones, Planning Policy Officer, presented the report and assisted the Committee with its deliberations. Whilst there was no longer a statutory duty to produce an Authority Monitoring report there was still a duty to monitor policies and the compilation and publication of report helped meet that duty by providing a consistent statistical record. The report highlighted key milestones such as the adoption of section 1 of the Local Plan and the examination of the Tiptree Neighbourhood Plan. It also showed statistical trends such and demonstrated that had been a slight decrease in the number of planning applications and in the number of dwellings built from the previous reporting period. This was a consequence of the impact of the Covid 19 pandemic on the housing market. Other initiatives highlighted included the no idling campaign and the Colchester Woodland Project.

Members of the Committee highlighted the benefits of RAMS in supporting coastal paths, which had been a key asset in the pandemic,. This was administered

through Chelmsford City Council and contact details would be circulated to members of the Committee. The Committee acknowledged that the report demonstrated the breadth and value of the work undertaken by the Planning Service and expressed its thanks for their hard work.

RESOLVED that the 2020-21 Authority Monitoring Report (AMR) be approved for publication on the Council's website.



Local Plan Committee

13 June 2022

Report of	Assistant Director of Place and Author Client Services	Sandra Scott ☎ 282975
Title	Colchester Local Plan Section 2 - Adoption	
Wards affected	All wards	

1. Executive Summary

- 1.1 Following virtual examination hearings in April 2021, and consultation on the Inspector's Main Modifications in October / November, the Planning Inspectors Jameson Bridgewater (and Anne Gordon), have issued their final report on the soundness and legal compliance of Colchester Local Section 2 Plan.
- 1.2 With the incorporation of the Inspector's final, slightly adjusted, set of recommended Main Modifications, the Colchester Local Plan Section 2 is sound and legally compliant. This allows the Council to adopt the Plan.

2. Recommended Decision

- 2.1 Local Plan Committee are asked to recommend the modified Colchester Local Plan Section 2, attached as Appendix C to this Report, and the accompanying Policies Maps (as appended to this Report as Appendix D) to Council for formal adoption.
- 2.2 To authorise the Lead Officer for Planning and Place Strategy to make minor corrections should any be required prior to publication of the final Plan and formal notification as required under the Planning Regulations.

3. Reason for Recommended Decision

- 3.1 To facilitate adoption of a Local Plan for the Borough in order to provide an up to date, robust and sustainable basis for guiding future growth and development across the Borough.

4. Alternative Options

- 4.1 The Council cannot adopt the Local Plan contrary to the Inspectors findings. Therefore, the only alternative option is to withdraw the Section 2 Plan and start again.
- 4.2 The alternative of not proceeding with the Adoption of a new Local Plan would leave the Council in a vulnerable position going forward with no clear steer for the future growth and development of the Borough. It would result in existing policy becoming outdated and not in accordance with national policy requirements. The Council may not be able to demonstrate a 5-year supply of housing land and could be subject to more speculative planning applications and the presumption in favour of development.
- 4.3 Local Planning Authorities (LPAs) are required to have an up-to-date local plan in place by the end of 2023 or face government sanction/intervention. Officers do not believe it would be possible to meet this deadline if Section 2 was withdrawn and the process started afresh.

5. Background Information

- 5.1 The Local Plan for Colchester Borough was submitted to the Government in October 2017. The Plan is in two parts with Section 1 of the submitted Local Plan ('the Section 1 Plan'), being adopted in February 2021. This sets out an overarching strategy for future growth across Braintree, Colchester and Tendring – the 'North Essex Authorities' ('NEAs'). It also includes policies setting the overall housing and employment requirements for North Essex up to 2033.
- 5.2 The Colchester Local Plan Section 2 contains all other Boroughwide site allocations and policies including a comprehensive policy framework for Development Management. It provides detailed guidance for how allocated sites may be developed and specific considerations and infrastructure requirements which apply to particular sites.
- 5.3 Before a Local Plan can be formally adopted by a Council, it must be examined by a government-appointed Inspector whose job it is to check that 1) the plan has been prepared in line with various legal requirements and 2) that the policies and proposals in the plan comply with the 'tests of soundness' contained within the National Planning Policy Framework (NPPF).
- 5.4 Two Government Inspectors were appointed to consider the Colchester Local Plan Section 2 - Jameson Bridgewater PGDip TP MRTPI and Anne Gordon BA(Hons) MRTPI, with the former taking the lead for Colchester. Following the Examination Hearing sessions in April 2021, the Inspectors recommended a schedule of Main Modifications which were considered necessary for the soundness of the Plan.
- 5.5 These Main Modifications were subject to consultation for a period of just over 6 weeks, as required by and in accordance with, the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012. An accompanying Sustainability Appraisal (update) and Habitats Regulations Assessment (update) were also subject to consultation over the same period. Alongside these the Council also prepared the consequential changes required to the Policies Maps to reflect the Main Modifications and any corrections necessary as well as a schedule of Additional Modifications which were very minor in nature / factual corrections. These were also subject to consultation.
- 5.6 Having considered the comments received on the Main Modifications, the Inspectors have issued their Final report to the Council which contains the final conclusions on the legal compliance and soundness of the Colchester Local Plan Section 2. The Inspectors have concluded that, subject to the incorporation of the final set of Main Modifications (Appendix B), the Colchester Local Plan Section 2

will meet the required tests which enable it to proceed to formal adoption. The Inspector's report is attached in full as Appendix A to this report.

5.7 The final Main Modifications are mostly unchanged from those published for consultation with just a small number of changes that respond to specific comments received during the consultation. These include amendments to reflect clarity and consistency in respect of the following;

- MM18 - Paragraph 13.9 (Hedgerows) correction for accuracy and to reflect the position agreed in the Statement of Common Ground with Essex County Council (SCG2)
- MM66 - Policy SS12b Coast Road West Mersea has been amended to replace "or" with "and where appropriate" in criterion (iii) of the Policy which relates to the Recreational Avoidance and Mitigation Strategy (RAMS). This will ensure the policy is effective and reflect the comments from Natural England.
- MM69 – Tiptree - Paragraph 14.221 an alteration the advertised modifications by adding 'a minimum of' before 400 dwellings in the explanatory text to ensure consistency within the policy
- MM71 - Policy SS14 -Tiptree, further amendment replacing the requirement for a "detailed transport assessment" with "strategic transport appraisal" which is more proportionate and flexible. This is consistent with comments received from Essex County Council as the Highway Authority
- MM73 - Policy SS16- Wivenhoe, altered the modification to assist with clarity in relation to the Neighbourhood Plan area deleting the reference to the parish.
- MM81 Paragraph 15.32, amending the paragraph for clarity reflecting comments from Natural England regarding development in close proximity to habitat sites.

5.8 The responses to the Policies Maps and Additional Modifications are for the Council to consider because of their minor nature. Limited further minor amendments to have been made to reflect accuracy and clarity. In respect of the Policies Maps a number of corrections or updates have been made including;

- Policy Map WC1-5 West Colchester-

- For clarity a different shading is used to distinguish the Tollgate District Centre from other District Centres across the Borough.
- The retail frontage within the Tollgate District Centre is no longer relevant. The Policy Map will be updated accordingly.
- Policy Map SS9 Langham- The Policy Map is updated to correctly show the Lodge Lane employment designation.
- Policy Map SS11- Marks Tey - The Policy Map is updated to correctly show the employment designation at Timbers Yard.
- Policy Map SS16 Wivenhoe – The Policy Map is updated to include the conservation area designation
- Policy Maps, for North Colchester (NC1 and NC2-4) Boxted (SS2), Eight Ash Green (SS5), Marks Tey (SS11), Mersea Island (SS12a, 12b and 12c), West Bergholt (SS15) and Wivenhoe (SS16) have had a note added to state that a Neighbourhood Plan has been made.
- Policy Map Dedham and Dedham Heath- amended title to include Policy OV1 and SG1

5.9 A revised Introduction has been drafted to reflect the separate Adoption of Sections 1 and 2 of the Colchester Local Plan and amend any consequential updates as a result of this. In addition, it incorporates a short tribute to two individuals who have contributed and supported the Council in the preparation of the Plan but who sadly passed away during the examination. It is hoped that Members will support the inclusion of the following;

Tributes

This Local Plan like all others has benefitted from a significant number of contributors over a number of years. There are 2 individuals who sadly passed away during 2021, who both had a significant influence on shaping and informing the content or process, which has enriched the final Plan;

- *Stephen Ashworth- (1963 – 2021) Planning Law Partner at Dentons). Stephen worked with the Council and other partners for many years to support and guide the Plan preparation for both Sections of the Local Plan. Stephen's intellect, passion, dedication and pragmatic, solution focused approach to planning provided a steer throughout the process. Without a doubt, the Plan is better for all his contributions.*

- *Alistair Day – ((1970- 2021)– Principal Planning & Specialists Manager). Alistair worked tirelessly as an Officer at Colchester Borough Council for over 20 years and it is without doubt a better place for his involvement. Alistair quietly influenced the plan making team with understated contributions to many of the policies, which will ensure his legacy continues to live on for many years to come, well beyond the Plan period.*

- 5.10 A clean copy of the Colchester Local Plan Section 2, and accompanying Policies Maps are attached to this report as Appendix C and D respectively. These incorporate all of the final Main Modifications, attached as Appendix B as well as the final additional minor modifications. The Policies Maps (appendix D) incorporate all updated constraints layers, modifications and any further corrections
- 5.11 The importance of ensuring the Council has an up to date Adopted Local Plan cannot be understated. The existing Core Strategy, Site Allocations and Development Management Policies will become increasingly out of date. The current National Planning Policy Framework under paragraph 11 d) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless;
- i. *“the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*
- 5.12 In these circumstances the ability to control and influence matters which are rightly covered in the Local Plan is significantly reduced, with more reliance being placed on national policies contained within the NPPF. The Colchester Local Plan Section 2 (CLP2) is based on significant evidence reflecting circumstances and issues relevant to Colchester, which add valuable guidance and detailed requirements which would apply to decision making. An up-to-date Local Plan enables decisions to be considered against the most relevant Local Policy framework, with an expectation that decisions would be required to comply with the policies in the Development Plan as a whole. Whilst seeking to support and achieve sustainable development, the ability for the Council to shape and influence planning decisions is significantly enhanced with an up-to-date Local Plan.

- 5.13 The recent Levelling Up Bill, which was given its first reading on 11 May 2022, along with other steps proposed by the Government (summarised in the Report at item 10) will place even greater importance on Councils having an up-to-date Local Plan. The Bill makes several changes to strengthen the role of democratically produced plans, so that decisions on applications are more genuinely plan-led. It specifically states that “*Local plans will be given more weight when making decisions on applications, so that there must be strong reasons to override the plan.*” To incentivise plan production further and ensure that newly produced plans are not undermined, the Government’s intention is to remove the requirement for authorities to maintain a rolling five-year supply of deliverable land for housing, where their plan is up to date, i.e., adopted within the past five years. This is intended to curb perceived ‘speculative development’ and ‘planning by appeal’, so long as plans are kept up to date. These proposed changes and the enhanced emphasis on decisions being in accordance with up-to-date plans is significant and in particular in respect of the implications for authorities where an up to Local Plan is **not** in place.

Next Steps

- 5.14 Now that the Council has received a final report on the legal compliance and soundness of the Section 2 Local Plan, Officers recommend that the Local Plan Committee endorse the Inspector’s final Main Modifications, and that the modified version of the plan (updated clean version attached as Appendix 3 to this report) be forwarded to Council and recommended for formal adoption. This will result in the Colchester Local Plan being adopted in its entirety.

6 Legal Implications

- 6.1 The planning legislation and the National Planning Policy Framework (NPPF) (both the 2012 version applicable to this Local Plan and the new 2021 version) place Local Plans at the heart of the planning system, so it is essential that they are in place and kept up to date. The NPPF expects Local Plans to set out a vision and a framework for the future development of the area, addressing the needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for safeguarding the environment. Failure to have an up to date and adopted Local Plan by 2023 could place the Council at risk of Government intervention.
- 6.2 The NPPF states that where the development plan is out of date permission should be granted for sustainable development unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits or other policies indicate otherwise. It is therefore important to proceed with the adoption

of the Section 2 Local Plan to ensure it meets the requirements of national planning policy so that, together with Section 1, it can become the new Boroughwide statutory development plan and be relied upon by the Council acting as the Local Planning Authority. It will replace the current Local Plan (comprising The Core Strategy, Site Allocations DPD and Development Management Policies and various site specific DPDs which will become increasingly out of date (these documents are available on the [CBC website](#)).

- 6.3 The Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 place certain provisions on the Local Planning Authority in complying with the plan making process, which are also tested at Examination. These include;
- a legal duty upon local authorities and other public bodies to engage constructively, actively and on an on-going basis to maximise the effectiveness of Local Plan preparation, this is known as the 'Duty to Cooperate' on strategic matters of cross-boundary significance, which includes housing supply;
 - provision for regulations relating to the preparation, publication and representations relating to a local plan and the independent examination;
 - requirement for a local planning authority to carry out a Sustainability Appraisal of each of the proposals in a Local Plan and the consequence of reasonable alternatives, during its preparation and in addition prepare a report of the findings of the Sustainability Appraisal;
 - requirement for a local planning authority to submit a plan for examination which it considers to be "sound" meaning that it is: positively prepared, justified and effective. The job of the Planning Inspector is to test that the Local Plan meets legal and procedural requirements and the above tests of soundness.
 - provides that the Inspectors must, if asked to do so by the local planning authority, recommend modifications to the local plan that would satisfy the requirements mentioned in subsection 20(5)(a) to make it sound.
- 6.4 The job of the Planning Inspector is to test that the Local Plan meets legal and procedural requirements and the above tests of soundness. The Inspectors have confirmed that legal and procedural requirements have been met but that the Section 2 Local Plan will require modifications to ensure that it is sound. These modifications were published for consultation in their own right, alongside an updated Sustainability Appraisal and an update to the Habitat Regulations Assessment (HRA) which considers the impact of the modifications on international wildlife sites. With the incorporation of the final Main Modifications

the Plan has been found sound and the Council can proceed to the adoption of Colchester Local Plan - Section 2.

7 Equality, Diversity and Human Rights implications

- 7.1 An Equality Impact Assessment has been prepared for the Local Plan, and is available to view by clicking on this link:

<https://cbccrmdata.blob.core.windows.net/noteattachment/Equality%20Impact%20Assessment%20June%202017.pdf>

8 Strategic Plan References

- 8.1 All themes in the Strategic Plan are relevant, in particular: Delivering homes for people who need them. 'Create new communities and adopt a new Local Plan that delivers jobs, homes and the infrastructure to meet the borough's future needs' is a priority under this theme.

9 Consultation

- 9.1 The Council has been through a comprehensive consultation programme for the Local Plan as set out in the Council's Statement of Community Involvement (SCI) and as required under the Planning and Compulsory Purchase Act 2004 (as amended)

10 Publicity Considerations

- 10.1 All documents are available on the examination website hosted by the Council. The Inspectors Report and final Main Modifications were published on the website following receipt of the Report. The Local Plan is likely to generate significant publicity for the Council as it has done previously.

11 Financial implications

- 11.1 The production and examination of the Local Plan has been undertaken within an allocated budget.
- 11.2 Failure to adopt the Local Plan would have significant financial implications as the process would need to restart. Other local authorities have estimated that this will cost over £0.5m to cover a new evidence base, consultation and examination on top of £0.85m spent to date.

12 Health, Wellbeing and Community Safety Implications

- 12.1 Adoption of a new Local Plan will address the health, wellbeing and community safety implications of creating sustainable communities.

13 Health and Safety implications

- 13.1 No direct implications.

14 Risk Management Implications

- 14.1 Local Plan policies are intended to ensure their effectiveness is intended to reduce the risk of inappropriate development. It will provide consistent advice to landowners, developers, officers, Councillors and members of the public

15 Environmental and Sustainability Implications

- 15.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. The purpose of the planning system is to contribute to the achievement of sustainable development as defined in the National Planning Policy Framework. Achieving sustainable development means that the planning system has three overarching objectives, economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways through the plan making process. Accordingly, the preparation of the Section 2 of the Local Plan has taken these objectives as its starting point.
- 15.2 This report has taken into account the Climate Emergency and the sustainable development objectives set out in the NPPF. It is considered that the report demonstrates that adoption of Section 2 of the Local Plan can contribute to achieving sustainable development.

Appendices

Appendix A – Final Inspectors’ Report

Appendix B – Final Main Modifications (Appendix to Inspectors’ Report)

Appendix C – Colchester Local Plan Section 2 (Final Draft version)

Appendix D- Colchester Local Plan Section 2 Policies Maps (Final Draft Version)

Report to Colchester Borough Council

**by Jameson Bridgwater PGDip TP MRTPI and Anne Jordan
BA(Hons) MRTPI**

an Inspectors appointed by the Secretary of State

Date: 19 May 2022

Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

Report on the Examination of the Colchester Borough Local Plan 2017 – 2033 (Section 2)

The Plan was submitted for examination on 9 October 2017

The examination hearings were held between 20 and 29 April 2021

File Ref: PINS/A1530/429/8

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Abbreviations used in this report

AMR	Authority Monitoring Report
AONB	Area of Outstanding Natural Beauty
CLPs1	Colchester Borough Local Plan 2013 – 2033 (Section 1)
CLPs2	Colchester Borough Local Plan 2017 – 2033 (Section 2)
Council	Colchester Borough Council
DPD	Development Plan Document
DIO	Defence Infrastructure Organisation
DtC	Duty to Cooperate
GTAA	Gypsy and Traveller Accommodation Assessment
HMO	Houses in Multiple Occupation
HRA	Habitats Regulations Assessment
LVIA	Landscape and Visual Impact Assessment
MOD	Ministry of Defence
MM	Main Modification
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
RAMS	Essex Coast Recreational disturbance Avoidance and Mitigation Strategy
SA	Sustainability Appraisal
SSSI	Sites of Special Scientific Interest
UCO	Use Classes Order

Non-Technical Summary

This report concludes that the Colchester Borough Local Plan 2017 – 2033 (Section 2) provides an appropriate basis for the planning of the Borough, provided that a number of main modifications [MMs] are made to it. Colchester Borough Council has specifically requested that we recommend any MMs necessary to enable the Plan to be adopted.

Following the hearings, the Council prepared schedules of the proposed modifications and, where necessary, carried out sustainability appraisal and habitats regulations assessment of them. The MMs were subject to public consultation over a six week period. In some cases, we have amended their detailed wording and/or added consequential modifications where necessary. We have recommended their inclusion in the Plan after considering the sustainability appraisal and habitats regulations assessment and all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Revised housing and employment figures and sites to update the Plan in light of changes since submission and the adoption of the Colchester Borough Local Plan Section 1;
- Adding, amending or deleting site allocations and designations to ensure consistency with the NPPF;
- Rewording policies to ensure they are positively prepared and consistent with the NPPF; and
- Adding, amending or deleting policies and explanatory text to guide development;
- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains our assessment of the Colchester Borough Local Plan 2017 – 2033 (Section 2) in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework 2012 (paragraph 182) (NPPF) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised NPPF was published in July 2018 and further revised in February 2019 and July 2021. It includes a transitional arrangement in paragraph 220 of the July 2021 NPPF which indicates that, for the purpose of examining this Plan, the policies in the 2012 NPPF will apply. Similarly, where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, references in this report are to the 2012 NPPF and the versions of the PPG which were extant prior to the publication of the 2018 NPPF.
3. The starting point for the examination is the assumption that the Local Planning Authority has submitted what it considers to be a sound plan. The Colchester Borough Local Plan 2017 – 2033 (Section 2), submitted in October 2017 is the basis for our examination. It is the same document as was published for consultation in June 2017.

Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the Council requested that we should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. Our report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
5. Following the examination hearings, the Council prepared a schedule of proposed MMs and, where necessary, carried out sustainability appraisal and habitats regulations assessment of them. The MM schedule was subject to public consultation for six weeks. We have taken account of the consultation responses in coming to our conclusions in this report and in this light, we have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal/habitats regulations assessment that has

been undertaken. Where necessary we have highlighted these amendments in the report.

Policies Map

6. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans identified as Colchester Local Plan Policies Maps as set out in document reference CBC 1.3.
7. The policies map is not defined in statute as a development plan document and so we do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective.
8. These further changes to the policies map were published for consultation alongside the MMs in the Schedule of Proposed Policies Map Modifications.
9. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in Colchester Local Plan Policies Maps and the further changes published alongside the MMs.

Context of the Plan

10. The Colchester Borough Local Plan 2017 – 2033 (Section 2) is intended to replace the saved policies of the Colchester Borough Core Strategy, Site Allocations DPD and the Development Policies DPD. It will form part of the development plan for the area along with the Colchester Borough Local Plan 2013 – 2033 (Section 1) (CLPs1) which is a joint strategic plan for the North Essex Authorities, prepared with Braintree and Tendring Councils, and adopted by Colchester Borough Council in February 2021. The Section 2 plan was submitted for examination alongside the Section 1 plan and seeks to implement the strategic aims of the Section 1 plan in respect of the amount and location of development in the Borough. A modification is necessary to set out a list of policies superseded by CLPs2 (Appendix 4) to ensure consistency with CLPs1 and meet the legal requirements (**MM95**).

11. Colchester is a historic town at the centre of a diverse Borough. It is the oldest recorded town in Britain, beginning life as an Iron Age fortress, before becoming the Roman capital of Britain. Since then, the town has retained its strategic (military) and trading importance both regionally and nationally. Modern Colchester has a vibrant town centre and the Borough contains a number of smaller towns and villages that the Council have identified as sustainable settlements, the largest three being Tiptree, West Mersea and Wivenhoe. The Borough also contains important natural landscapes, including the Dedham Vale Area of Outstanding Natural Beauty (AONB), Mersea Island and the Essex Coastline.

Public Sector Equality Duty

12. We have had due regard to the aims expressed in S149 of the Equality Act 2010. This, amongst other matters, sets out the need to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.
13. We have considered several matters during the examination including accommodation for Gypsies, Travellers and Travelling Showpeople (Policies DM10, DM11), provision of specialist housing and ensuring there is adequate provision to meet the needs of older people (Policies DM10, DM12). In this way the disadvantages that they suffer would be minimised and their needs met in so far as they are different to those without a relevant protected characteristic. There is also no compelling evidence that the CLPs² would bear disproportionately or negatively on them or others in this category.

Assessment of Duty to Co-operate

14. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
15. The Council has engaged with adjoining local planning authorities, Essex County Council and prescribed bodies on all relevant strategic matters from an early stage in plan preparation as documented in the Council's Duty to Co-operate Statement [CBC 4.12]. The plan was submitted for examination alongside the Section 1 plan which is a joint strategic plan for the North Essex Authorities, prepared with Braintree and Tendring Councils. It is evident that the Council has developed a strong working relationship with Braintree and Tendring Councils (the North Essex Authorities) arising from the extensive cross boundary work on the Section 1 Local Plan and also as relates to the progression of the three Section 2 Plans. The Borough also shares borders with Maldon District Council and Babergh District Council.

16. The DtC was assessed by the Inspector examining the Section 1 plan and was found to have been met. The strategic, cross-boundary matters addressed included assessments of need for housing, Gypsy and Traveller accommodation and employment land, strategic infrastructure, including improvements to the trunk and local road networks and the railway network, education, healthcare and broadband provision and the environmental and other cross-boundary impacts of the Plan's proposals.
17. There are no cross-boundary issues with neighbouring authorities and other relevant organisations, which have not already been considered at the CLPs¹ examination. The Council has continued to engage with these bodies since the submission of the plan and has updated the CLPs² to reflect this.
18. We are therefore satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met.

Assessment of Other Aspects of Legal Compliance

19. The Plan has been prepared in accordance with the Council's Local Development Scheme.
20. Consultation on the Plan and the MMs was carried out in compliance with the Council's Statement of Community Involvement.
21. The Council carried out a sustainability appraisal of the Plan, prepared a report of the findings of the appraisal, and published the report along with the Plan and other submission documents under regulation 19. The appraisal was updated to assess the main modifications in September 2021 and is adequate.
22. The Habitat Regulations Assessment Report (June 2017) and subsequent update (Habitats Regulations Assessment Final Report - March 2021) concluded that the Plan is likely to have a significant effect on Habitats sites, alone or in combination with other plans or projects. A full HRA including Appropriate Assessment was undertaken to accompany the submitted Plan which concluded that subject to policy measures incorporated in the Plan, together with appropriate mitigation, there would be no significant adverse effects on the integrity of the European national site network, either alone or in combination. The Habitat Regulations Assessment (September 2021) of the MMs reaches the same overall conclusion.
23. The Development Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the Local Planning Authority's area.

24. The Development Plan, taken as a whole, includes policies designed to secure that the development and use of land in the Local Planning Authority's area contribute to the mitigation of, and adaptation to, climate change. This is predominantly covered within Issue 2 and Issue 4 of this report.
25. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

26. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, we have identified four main issues upon which the soundness of this plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

Issue 1 – Are the Sustainable Growth Policies (Policies SG1 to SG8) consistent with the CLPs1 and are they justified by appropriate available evidence, having regard to national policy, and local context?

27. As set out above the CLPs2 was submitted for examination in 2017 with the CLPs1. At the point of submission, the Council had proposed 2 new Garden Communities for the Borough (Colchester/Braintree Borders and Tendring/Colchester Borders) within the CLPs1. However, following the examination, the Colchester/Braintree Borders Garden Community was removed on the grounds of deliverability. Consequently, the Council adopted the CLPs1 in February 2021 with only the Tendring/Colchester Borders Garden Community retained within the plan. In order for the Plan to be effective, and ensure conformity with the adopted CLPs1, it is therefore necessary to delete all references to the Colchester/Braintree Borders Garden Community from the CLPs2 (**MM1, MM3**). Moreover, to ensure that the CLPs2 is up to date at the point of adoption it is necessary to replace all references to international sites, European sites and Natura 2000 sites with 'habitats sites' (**MM2**).

Spatial Strategy

28. Policy SG1: Colchester's Spatial Strategy seeks to direct growth to the most accessible and sustainable locations in accordance with the spatial strategy for North Essex set out in the CLPs1 and with the spatial hierarchy set out in Table

SG1. The spatial hierarchy ranks areas of the Borough in order of their sustainability merits and the size, function and services provided in each area.

29. The plan seeks to direct the majority of growth to the urban area of Colchester which is the most sustainable location for new development due to its high level of accessibility combined with a high concentration of jobs, services and housing. The second tier of the settlement hierarchy consists of 17 sustainable settlements which are considered to be able to accommodate proportionate levels of growth. The second tier also includes the Tendring/Colchester Borders Garden Community. Other Villages make up the third tier, these are generally small with limited facilities, and often share facilities and services in small clusters and are defined by tightly drawn settlement boundaries. The fourth tier is the Countryside, with development restricted to proposals that require either a rural location or help sustain the rural economy and community whilst ensuring that the rural character of the area is protected. This Council's approach, of locating growth in and around existing urban areas and limiting development in less accessible settlements is consistent with the overarching aim of the NPPF in delivering sustainable development and is justified and appropriate.
30. In the interests of clarity and to ensure that the policy and the associated Table SG1 is effective, it is necessary to ensure that the correct policy of the CLPs1 is referred to by deleting 'SP6' and replacing it with 'SP3'. With regard to accessible locations the word 'highly' should be deleted as it is not necessary given the relative accessibility of locations within the various tiers of the Spatial Strategy. In the interests of precision, the policy also needs to be corrected to address the removal of the Colchester/Braintree Borders Garden Community. To ensure that the policy is effective and positively worded in relation to new development in the open countryside it is necessary to delete the text 'only be permitted in exceptional circumstances to preserve' and replace it with 'be required to respect the character and appearance of landscapes and the built environment and preserve or enhance the historic environment and biodiversity to safeguard' (**MM3**).

Housing Delivery

31. CLPs1 Policy SP4 Meeting Housing Needs requires the provision of at least 18,400 new homes in the Borough over the plan period 2013 – 2033. The CLPs2 is therefore required to identify at least 14,720 new homes for the plan period 2017 – 2033. Policy SG2: Housing Delivery of the CLPs2 sets out the Council's approach to housing distribution in the Borough. To ensure that the policy is consistent with the CLPs1 and is therefore effective, it is necessary to delete references to Colchester/Braintree Borders Garden Community and its allocation (**MM4, MM5**).

32. Since the CLPs2 was submitted in 2017, a significant proportion of the allocated sites within the plan have been developed, or are under construction, or have obtained permission. Furthermore, a number of unallocated sites have been granted permission and some of these have been developed. A modification is therefore necessary to factually update the table 'Colchester's Housing Provision' within the policy that identifies settlements and key development areas for the plan period. The modification ensures that the revised table is more accurately sub-divided into homes delivered 2017 - 2021 (4,075 homes) existing commitments 2021 - 2033 (6,155 homes) and new allocations 2021 - 2033 (5,740 homes). The updated table demonstrates that the Council have delivered and identified sites which could provide approximately 15,970 new homes within the plan period. This approach provides sufficient flexibility beyond the housing requirement derived from the CLPs1, building in flexibility to respond to the variations in the housing market.
33. The Council through their Topic Paper 2 - Housing Matters March 2021 have set out that the CLPs2 can demonstrate at least 5 years housing land supply at the point of adoption. This is confirmed by our assessment of the housing allocations set out below. This concludes that the Council's policy approach to housing delivery means that the housing sites identified within the CLPs2 are both deliverable and developable. As a result, there is a reasonable prospect that the Council will maintain delivery of a five-year supply of housing land to meet their housing target for the plan period.
34. Overall, this is both a pragmatic and robust approach that will ensure that Colchester will be able to deliver much needed homes in a time of significant need. Finally, in the interests of clarity it is necessary to add an explanatory note to the table ensuring consistency with the 2013 - 2033 time period of the plan agreed through adoption of the CLPs1 along with applying a reference number to the housing provision table 'SG2' (**MM5**).

Economic Growth and Employment

35. Policy SP5 of the CLPs1 sets out Colchester's strategic requirement for employment land for office, research & development, industrial, storage and distribution uses, seeking to ensure that there is sufficient supply to meet the anticipated level of growth. The policy sets out a range for the Borough of between 22 Hectares (ha) (baseline) and 30 Hectares (higher growth scenario).
36. Policy SG3: Economic Growth Provision seeks to bring effect to those requirements by identifying employment land to underpin the Borough's economic growth during the plan period. The plan seeks to direct employment uses to appropriate and sustainable locations, with Table SG3 identifying both Strategic Economic Areas (North Colchester, Stanway, and Knowledge

Gateway), Local Economic Areas (Colchester Town Centre, District Centres and Other Rural Areas) and the Garden Communities.

37. To accurately reflect the latest employment land supply position, it is necessary to amend the text of the policy and Table SG3, reducing the overall allocation from 39.7 to 32 hectares to predominantly take into account the grant of planning permission for alternative uses at Stanway. Notwithstanding this, the range of employment sites available to meet market demands is broadly consistent with the requirements of Policy SP5 of the CLPs1. Moreover, it is necessary in the interests of effectiveness to amend the policy to respond to the changes to the Use Classes Order (UCO) specifying that the policy applies to principally Class B2, B8 uses, supporting Class E uses and any associated employment generating sui generis uses. In the interests of precision, it is necessary to correctly reference the Tendring/Colchester Borders Garden Community (**MM6**). With regard to Table SG3 a modification is required for precision and effectiveness to address reductions in the Stanway employment allocations, the deletion of Colchester/Braintree Borders Garden Community and the reinstatement of employment land at Marks Tey (**MM7**).
38. Policy SG4: Local Economic Areas is a criteria-based policy that seeks to safeguard sites identified within Table SG4 for employment uses. To address the changes to the UCO a modification is necessary to specify that the policy applies to office use within Class E where appropriate. Moreover, to provide clear direction to the decision maker it is necessary to specifically reference Class B uses within criterion (ii) of the policy (**MM8**).

Retailing

39. The retailing section of the CLPs2 contains 3 policies that define the centre hierarchy for the Borough (Policy SG5), provide guidance on appropriate town centre uses and set thresholds for when retail impact assessments must be provided (Policy SG6). The section also provides guidance for the decision maker on how they should approach development proposals for local centres (Policy SG6a).
40. Policy SG6: Town Centre Uses is a criteria-based policy that seeks to manage and support appropriate growth within the town and district centres whilst safeguarding the role and function of each of the centres and their hierarchy as set out in Policy SG5. To ensure that the policy is both effective and consistent with the NPPF it is necessary to amend the text of the policy requiring applicants to 'demonstrate flexibility on issues such as format and scale'. To provide clear direction to the decision maker, it is necessary to ensure that criteria (i) and (ii) relate specifically to proposals in and on the edge of the Town and District Centres and to clarify that the centres referred to in criteria (iv) and (v) are 'defined' centres. Moreover, it is necessary to delete the distinctive

treatment of Tollgate Centre within criterion (vi) which is not consistent with the NPPF in regard to centres, along with consequential changes to the explanatory text in paragraphs 12.49 and 12.50 (**MM9, MM10**).

41. To take account of changes in the retail market the Council commissioned the Retail and Town Centre Study Update 2020. This highlighted, in particular the increasingly mixed-use nature of development proposals, and a requirement for a simplified approach to retail impact test thresholds. For effectiveness, the modification revises the thresholds for when retail impact assessments must be provided to 1,500sqm gross for Colchester, Tollgate, Peartree Road, Turner Rise and Highwoods and 1,000sqm gross for Tiptree, West Mersea and Wivenhoe. As amended the thresholds are appropriate and justified by the available evidence (**MM11**).

Infrastructure

42. Policy SG7: Infrastructure Delivery and Impact Mitigation seeks to ensure that new development is supported by and has good access to all necessary infrastructure. The policy is positively worded and allows for a degree of flexibility allowing for infrastructure needs to be addressed by way of on-site and off-site provision, financial contributions or the provision of land. The policy also allows for developers to make direct infrastructure provision. To ensure the policy is effective, a modification is necessary to secure measures to mitigate the impacts of recreational disturbance on habitats sites to be delivered in accordance with adopted Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) (**MM12**). In reaching these conclusions we have considered if it is necessary to provide further guidance in relation to the potential introduction of Community Infrastructure Levy (CIL) by the Council. However, this is not necessary for soundness as this is already clearly set out in the national Planning Practice Guidance.

Neighbourhood Plans

43. Policy SG8: Neighbourhood Plans seeks to encourage communities to develop plans to meet their specific needs. To ensure that the policy remains up to date and effective it is necessary to remove references to the current status of individual Neighbourhood Plans (either made or in the process of preparation). Furthermore, in the interests of clarity it is necessary to simplify the text in the policy to make clear that once a Neighbourhood Plan is made, it becomes part of the Development Plan (**MM13**).

Conclusion

44. In summary subject to the main modifications identified above the Sustainable Growth Policies (Policies SG1 to SG8) of the CLPs2 are justified by the

available evidence and consistent with the CLPs¹ and the NPPF and consequently are likely to be effective.

Issue 2 – Are the Environmental Assets Policies set out in CLP Section 2 justified by appropriate available evidence, having regard to national policy, and local context, including meeting the requirements of CLP Section 1?

45. There are 6 policies within the environmental assets chapter of the CLPs² that seek to provide clear direction in relation to the Borough's environment. The policies seek to conserve and enhance Colchester's natural and historic environment. The chapter also provides clear guidance for the decision maker with regard to coastal areas, green infrastructure, Dedham Vale AONB, pollution and contaminated land. The chapter also contains a policy that seeks to ensure development mitigates and adapts to the challenges of climate change.

Environment

46. Policy ENV1: Environment is a criteria-based policy that seeks to provide clear direction to the decision maker as to how they should approach development proposals in relation to the natural and historic environment, to ensure, amongst other things, that the Borough's biodiversity, geology, history and landscape character are safeguarded. In the interests of effectiveness, it is necessary to modify the explanatory text at paragraph 13.3 with regard to the terminology used in relation to the need for appropriate assessment and the submission of a Habitat Regulations Assessment (**MM2, MM14**). A modification is required to factually update paragraph 13.5 of the policies explanatory text to take into account the adoption of the RAMS and SPD (**MM15**). In the interests of clarity and effectiveness, it is necessary to modify paragraph 13.7 to ensure that development proposals initially be assessed to establish the likely presence or absence of Protected Species or Species/Habitats of Principal Importance (**MM16**).
47. A modification is necessary for effectiveness to provide additional explanatory guidance within paragraph 13.8 setting out that all development proposals must comply with current requirements and best practice for measurable biodiversity net gain and Nature Recovery Strategies and Networks. Furthermore, the additional text explains that a minimum, 10% biodiversity net gain is required or as otherwise indicated in national policy and/or legislation (**MM17**).
48. Amendments and additions to the explanatory text at paragraph 13.9 are required for clarity with regard to the Hedgerow Regulations 1997. We amended the advertised modification in the interests of precision and

effectiveness consistent with the comments of Essex County Council. Additional guidance is necessary with regard to the legal requirements to improve the water environment and to set out that development proposals should contribute towards delivering the aims and objectives of the Anglian River Basin Management Plan (**MM18**). To ensure that the policy is effective in relation to protecting landscape character, it is necessary to modify paragraph 13.13 to provide additional guidance to protect open stretches of countryside around, and between, existing settlements and ensure that new development in the countryside is compatible with local landscape character and setting (**MM19**).

49. Taking into account the modifications set out above (MM2, MM14 to MM19), it is necessary to amend and structure Policy ENV1 to ensure that it is effective and provides clear direction to the decision maker. In the interests of clarity and effectiveness it is necessary to introduce alphabetic ordering of criteria. It is also necessary to update and clarify the guidance in relation to the Anglian River Basin Management Plan, designated sites, Essex Coast RAMS, biodiversity and geodiversity, irreplaceable habitats and the countryside (**MM20**).

Coastal Areas

50. Policy ENV2: Coastal Areas is a criteria-based policy that seeks to apply an integrated approach to coastal management. The policy provides clear guidance for the decision maker on how to react to the varied planning considerations and land uses that need to be managed in the Borough's coastal belt. To ensure that the policy is effective it is necessary to add 'and seascape' in criterion (iii), after the word landscape to ensure that the effect of development on the coastal character of an area can be fully assessed (**MM21**).
51. Policy ENV3: Green Infrastructure seeks to protect and enhance the existing network of green and blue (water) infrastructure in the Borough along with encouraging the delivery of new green infrastructure where deficiencies and gaps are identified. To ensure that the policy is effective in relation to water bodies and to ensure that development proposals contribute to the management of flood risk, it is necessary to add an additional paragraph to the policy. The modification identifies measures that could contribute to achieving these outcomes including, amongst other things, de-culverting, creation and management of ecological buffer strips and new wetland areas (**MM22**).

Pollution and Contaminated Land

52. Policy ENV5: Pollution and Contaminated Land seeks to ensure that development proposals do not result in an unacceptable risk to public health or safety. To ensure that the policy is effective it is necessary to add 'alone and

cumulatively' to the first paragraph to enable the decision maker to fully consider the potential impact of a development proposal (**MM23**).

Climate Change

53. Policy CC1: Climate Change seeks to address and mitigate the effects of climate change and in this regard the Council declared a climate emergency in 2019. To ensure that the policy is effective in making a contribution towards combating climate change it is necessary to modify the policy and supporting text to include guidance in relation to encouraging green network connections to the 'Colchester Orbital' and seeking the provision of tree canopy cover in major developments (paragraph 13.49 and criterion iii). Moreover, it is necessary to make factual updates to the policy in relation to the deletion of the district heating network in East Colchester (criterion vi), which is no longer being progressed. Finally, it is necessary in the interest of clarity to correct a typographical error in criterion (xi) to refer to water and wastewater infrastructure (**MM24, MM25**).

Conclusion

54. The Environmental Assets Policies of the CLPs2, subject to the main modifications identified above, are justified by the available evidence and consistent with the CLPs1 and the NPPF and consequently are likely to be effective.

Issue 3 – Are the Place Policies of the CLPs2 justified by appropriate available evidence, having regard to national policy, and local context, including meeting the requirements of the CLPs1?

Place Policies

55. The Place Policies chapter of the CLPs2 identifies key locations in the Borough where growth should be directed consistent with the spatial strategy. The policies allocate and provide site specific guidance for development sites. The chapter also contains policies that provide guidance in relation to infrastructure and mitigation, location specific transport infrastructure requirements and development in rural villages and the countryside.

Infrastructure and Mitigation

56. Policy PP1: Generic Infrastructure and Mitigation Requirements is an overarching policy that sets out the requirement for development to provide, or contribute towards, meeting identified infrastructure needs and/or mitigation in the Borough. A modification is necessary in the interests of effectiveness to

specify that development proposals should contribute towards the provision of educational infrastructure. To ensure that the policy is effective in addressing water related issues and ensure consistency with the CLPs¹ it is necessary to clarify the text of criterion (i) to add 'water supply network enhancements'. An amendment to criterion (v) is also required for effectiveness, replacing 'listed buildings' with 'heritage assets' meaning that the policy provides the necessary protection for all heritage assets rather than its original narrow definition. Moreover, it is necessary to ensure consistency with policy SP2 of the CLPs¹ to add a new criterion to the policy (vii) setting out that developments will be required to contribute towards mitigation measures in accordance with the RAMS (**MM26**).

Colchester Town Centre (Policies TC1 to TC4)

Town Centre Policy and Hierarchy

57. Policy TC1: Town Centre Policy and Hierarchy seeks to encourage and support appropriate development, along with securing improvements to public spaces and streetscapes within the town centre. The overall aim of the policy is to create an attractive, vibrant and safe town centre. To ensure that the policy is effective and consistent with the increased flexibility set out in national policy, a modification is required to include a reference to shared mixed-use spaces and short-term uses as appropriate within the town centre (**MM27**)

Retail Frontages

58. Policy TC2: Retail Frontages seeks to ensure that the function and vitality of the town centre is supported by clear guidance in relation to retail frontages. The policy sets out the approach the decision maker should take particularly in regard to development proposals located within primary and secondary street frontages. However, as set out elsewhere in the report there have been changes in national policy and the UCO that increase flexibility particularly with regard to the interchangeability of retail, leisure and office uses. As such, in the interests of clarity, a modification is necessary to ensure the guidance provided within the policy is consistent with that at a national level (**MM28**).

Town Centre Allocations

59. Policy TC3: Town Centre Allocations identifies a range of mixed use, residential and employment site allocations within the town centre. Given the passage of time since the submission of the CLPs² for examination it is necessary to amend the text of the policy to reflect the updated position with regard to site allocations in the town centre. Moreover, for clarity it is necessary to update the site specific guidance in relation to the Vineyard Gate allocation, setting out that it is now a residential led mixed use development, delivering approximately 100

new dwellings, consistent with the latest proposals for the site. Furthermore, with regard to the site allocations at St. Botolphs and Priory Walk it necessary for clarity to delete the policy requirements for retail sequential and impact tests, as these are already adequately addressed in the NPPF. Finally, to ensure that the policy provides clear direction to the decision maker it is necessary to provide additional guidance with regard to the effect of development proposals within the town centre on heritage assets (**MM29**).

Transport in Colchester Town Centre

60. Policy TC4: Transport in Colchester Town Centre seeks to ensure that development proposals reinforce the town centre's key role in providing and supporting a sustainable transport hub for the Borough. To ensure that the policy is effective and consistent in relation to the requirement of policy SP6 of the CLPs¹ for a rapid transit system, it is necessary to amend the text of the policy to reference the route connecting the Tendring Colchester Borders Garden Community with East Colchester, the Town Centre, and North Colchester. Moreover, it is necessary for effectiveness, in relation to heritage assets, to provide guidance within the policy with regard to the siting and size of highway infrastructure (e.g., bus shelters, signage and other infrastructure) (**MM30**).

North Colchester (Policies NC1 to NC4)

North Colchester and Severalls Strategic Economic Area

61. Policy NC1: North Colchester and Severalls Strategic Economic Area provides a zoned approach to guide development proposals within this strategically important area of the Borough. The policy primarily focuses on safeguarding existing, and encouraging new, employment and leisure/recreation uses in the area. The policy also includes a residential allocation for approximately 300 new dwellings, 260 extra care units and associated open space. To respond to the changes to the UCO, it is necessary for effectiveness to delete references to Class B uses from the policy, replacing with 'appropriate employment uses' (**MM31**).

Transport in North Colchester

62. Policy NC4: Transport in North Colchester seeks to ensure that development proposals contribute towards a package of sustainable transport measures including walking, cycling, public transport, travel planning and the promotion of sustainable travel. A modification to the policy is necessary for clarity, to ensure that it is consistent with policy SP6 of the CLPs¹ in relation to securing enhancements to the east/west public transport services by including reference

to the route connecting the Tendring Colchester Borders Garden Community with East Colchester, the Town Centre, and North Colchester (**MM32**).

South Colchester (Policies SC1 to SC3)

South Colchester Allocations

63. Policy SC1: South Colchester Allocations provides guidance for the residential development for land at Gosbecks Phase 2 (up to 150 dwellings) and South of Berechurch Hall Road (up to 150 dwellings). The policy also safeguards land at Maldon Road/Shrub End and Land at Gosbecks for economic uses.
64. Within South Colchester is the ABRO site. It was previously part of the Royal Artillery Barracks (latterly known as Le Cateau Barracks), the northern most part of the old Colchester Garrison. The now vacant ABRO site has an approximate area of 4.26 hectares, that includes 3.80 hectares, that was identified for residential use within the Colchester Site Allocations DPD 2010 with further detail set out in the Garrison Masterplan. During the preparation of the CLPs2 the Council inadvertently omitted the ABRO site allocation. Therefore, a modification is necessary to update Policy SC1 and supporting text to carry forward the ABRO site allocation into the CLPs2. Furthermore, it is necessary for effectiveness to signpost the guidance contained within the Essex Minerals Local Plan for development proposals on allocated sites to provide a Minerals Resource Assessment (**MM33, MM34**)

Middlewick Ranges

65. Policy SC2: Middlewick Ranges is a site allocation policy that provides criteria-based guidance for the residential development and associated supporting infrastructure of the 76ha site. The site is owned by the Defence Infrastructure Organisation (DIO) and is currently used by the Ministry of Defence (MOD) as a live firing range. The DIO are in the process of disposing of the site as part of a wider review with the MOD operations being relocated to another site. It is expected that the site will become vacant sometime during 2022. A modification is necessary to the explanatory text at paragraph 14.54 to ensure that the context of the policy is up to date and that it is clear that the development of the site is for up to 1000 new dwellings, along with signposting the requirement for a masterplan (**MM35, MM47**).
66. We have had regard to the detailed representations in writing and at the hearings that sought the deletion of the allocation from the CLPs2, and we have considered carefully the detailed contributions in relation to the potential effect of development of the allocation on traffic and transportation, biodiversity and environmental considerations, heritage, landscape impact, contamination,

infrastructure and developer contributions and the need for the management of the ecological areas/habitats and mitigation land.

67. We have carefully considered the extensive representations in relation to traffic and transport for both the allocation and the surrounding area. In this regard the traffic and transportation elements of the policy and supporting text as submitted do not provide the sufficient direction for the decision maker. To address these shortfalls the Middlewick Ranges – Transport Overview - October 2020 provides further evidence including transport impact modelling of a number of development scenarios for the site. The report also evidences engagement with Essex County Council as the Highway Authority as part of the modelling process.
68. The Transport Overview findings, demonstrate that a development of up to 1000 new homes could be accommodated by both the local and wider highway network. Furthermore, the report concludes that the development of the site could also deliver opportunities to improve the highway network, along with public transport, cycling and walking. To ensure that any potential effects of the proposed allocation can be fully assessed, modifications are necessary to ensure that the policy provides the requisite direction and is consequently effective in addressing traffic and transport matters for both the allocation and the surrounding area. As such, further guidance is required at paragraph 14.55 and within the policy to require the submission of a transport assessment setting out that sustainable transport should be the primary means of access and movement to, from and within the site and that a travel plan should be provided.
69. The modifications also ensure that any development makes the necessary provision for local bus services to traverse the site and provide frequent and regular connections to the town centre, railway stations and any other identified and agreed destinations. This seeks to ensure that local transport in the area will be improved to access employment opportunities that are located beyond Colchester town centre. The modifications also require the provision and enhancement of walking and cycling routes across the site, ensuring integrated links to the wider networks, including connection and enhancement to the Colchester Orbital, a circular walking and cycling route around the town's perimeter (**MM36, MM47**). Having considered all of the evidence, we consider that subject to the modifications set out above, the development of Middlewick Ranges would not have a severe impact on the transport network.
70. Middlewick Ranges is a designated Local Wildlife Site. The Ecological Evidence Report (November 2020), confirms that the habitats within the site are of high biodiversity value, including 53 Ha of acid grassland that supports a range of protected species such as invertebrates, breeding birds and bats. The habitats, and in particular the acid grassland, have been largely maintained by the mowing regime that has been in place to support the functional use of the site as a live firing range since Napoleonic times.

71. The evidence presented at the examination is clear that the allocation of the site for development is likely to result in the loss and damage of habitats. To address this, the policy as submitted seeks to secure mitigation and the provision of compensatory habitat. However, in the interest of clarity, a modification is necessary to the explanatory text at paragraph 14.56 and within the policy to clearly set out the requirements for a minimum of 10% bio-diversity net gain within the allocation site.
72. The policy sets out a requirement for biodiversity net gain and the provision of compensatory habitats to replace any habitats lost in any future development of the site. However, there is limited detail within the policy or supporting text to set out how this should be planned for. This is particularly important in terms of the need to identify an appropriate site or sites which will need to be secured to create new areas of compensatory acid grassland. Consequently, modifications are necessary for clarity and effectiveness to ensure that the masterplan for the development of the site is informed by robust and detailed evidence in relation to biodiversity and habitats including the assessment of any compensatory habitat sites. Furthermore, given the complexity of creating new habitats it is essential for the policy to be amended to secure the long term management of the ecological areas/habitats and mitigation land. The modifications set out that developers will be expected to enter into a legal mechanism to ensure the long-term establishment, management and maintenance of the mitigation/compensation land (acid grassland) for a minimum of 30 years (**MM37, MM45, MM46, MM47**). Having considered all of the evidence we are satisfied that the ecological measures proposed subject to the modifications set out will be effective in delivering the necessary mitigation and compensation.
73. In the interests of effectiveness, it is necessary to set out the reasoning behind the requirements of the policy to provide on-site open space within paragraph 14.57 of the supporting text. The modification sets out the need for the development to minimise footfall on the Essex coastal sites and nearby Roman River Site of Special Scientific Interest (SSSI) and provide substantial buffers to existing sensitive habitats. The modification also directs developers to introduce amongst other things accessible natural greenspace, formal playing pitches, parks and playspace, and green corridors, noting that these should ensure connectivity both across the site and connect with the existing Colchester Orbital (**MM38, MM47**).
74. Middlewick Ranges has the potential for the presence of buried archaeological remains, in particular, relating to prehistoric, Roman, civil war and World War II defences. The site also contains pill boxes, and tank line that were a component part of the Colchester Stop Line, a World War II defensive arrangement constructed to defend Colchester, in the event of an invasion. A modification is therefore necessary for effectiveness to provide clear guidance to ensure that any masterplan for the site takes account of the full range of heritage assets on and around the allocation (**MM39**). We are therefore

satisfied that subject to the modification, a developable scheme for the site could come forward within the plan period which adequately preserves the identified heritage assets.

75. To ensure that landscape considerations are addressed within any masterplan, it is necessary to modify the policy and supporting text for effectiveness to provide clear direction with regard to the requirements for the landscape character evidence base, including the requirement to provide a Landscape and Visual Impact Assessment (LVIA). Furthermore, the modifications provide guidance in relation to key issues and features that should be addressed including amongst other things, the settlement pattern, woodlands, hedgerows and the opportunities for screening. The modified guidance also identifies the landscape benefits of removing the Extra High Voltage electricity pylons and potentially replacing them with underground cabling, although noting that this may not be feasible (**MM40, MM47**).
76. To ensure that the policy is effective in addressing any potential contamination issues, a modification is necessary to provide greater clarity in paragraph 14.59 of the supporting text with regard to the scope of any site investigation with particular regard to MOD activities, previously inaccessible areas and fly tipping since the submission of the original site investigation report (**MM41**).
77. Modifications are also required to provide clear guidance on the timing and approach to the preparation and submission of a masterplan. Therefore, in the interests of effectiveness it is necessary to delete paragraph 14.60, renumber paragraph 14.62 and insert a new paragraph to ensure that a masterplan is agreed with the Local Planning Authority prior to the submission of any planning application. The modifications also make clear that the masterplan process should include engagement of the local community along with setting out suggested approaches to design and identifying appropriate parameters (**MM42, MM43, MM47**).
78. Modifications are required to the supporting text at paragraph 14.61 and within the policy in the interests of clarity and effectiveness in relation to the scope of developer contributions. The modifications address potential requirements for site remediation; community infrastructure including education provision; traffic and highways mitigation including enhancements to the public transport, walking and cycling infrastructure; accessible natural green space and public open space (**MM44, MM47**).
79. To bring effect to the additional requirements set out in main modifications above (**MM35 to MM46**), it is necessary to restructure and clarify the precise wording of the policy. The modification also updates criterion (vi) to direct that the built footprint of the development is sited to minimise the effects on protected habitats and species. Furthermore, to ensure that the policy is

effective it is necessary to provide further clarification in relation to the provision and funding of early years, primary and secondary educational requirements (criterion xiii and xiv). It is also necessary to provide further direction within the policy with regard to assessing and mitigating the impact of any future development on wintering birds and their habitats (**MM47**).

80. In conclusion, although a complex site, Middlewick Ranges is sustainably located and provides the opportunity to reuse an extensive area of land previously used for MOD purposes. The allocation of the site for residential development is consistent with the wider development strategy for the Borough as set out in Policy SG1. The allocation and subsequent development of Middlewick Ranges will make a significant contribution towards meeting Colchester's identified housing need during the plan period.
81. As amended, the policy will ensure that the potential effect of development of the site on traffic and transportation, biodiversity and environmental considerations, heritage, landscape impact, contamination, infrastructure and developer contributions and the need for the management of the ecological areas/habitats and mitigation land will be adequately addressed. Moreover, the modifications secure the requirement for engagement with the local community in the development of the masterplan, which will ultimately inform any future development proposals for the site. Therefore, subject to the main modifications set out above Policy SC2: Middlewick Ranges is justified, positively prepared, consistent and deliverable.

Transport in South Colchester

82. Policy SC3: Transport in South Colchester seeks to secure improvements to the area's highway network and transport infrastructure. To ensure that the policy is effective in securing enhancements to the area's bridleways, it is necessary to amend the policy to seek improvements for horse riding infrastructure where appropriate (**MM48**).

East Colchester (Policies EC1 to EC4)

Knowledge Gateway and University of Essex Strategic Economic Area

83. Policy EC1: Knowledge Gateway and University of Essex Strategic Economic Area seeks to maximise the economic and social benefits associated with the University of Essex and its contribution to the economy, vitality and viability of the town centre. The policy is supportive of the significant expansion of the University and Knowledge Gateway and provides clear direction for the decision maker setting out clear development principles including the requirement to contribute towards infrastructure and to pay special regard to heritage assets in and around the area. In the interests of effectiveness, in relation to the new

Garden Community it is necessary to update the text of the policy by deleting 'University' and replacing it with 'Tendring Colchester Borders'. In the interests of precision, it is necessary to specify that development will be expected to contribute to the cost of 'direct' infrastructure improvements as required. To respond to the changes to the UCO, it is necessary for effectiveness to specify that land and premises will be safeguarded for employment uses, primarily for 'office use within E class where appropriate' (**MM49**).

East Colchester/Hythe Special Policy Area

84. Policy EC2: East Colchester/Hythe Special Policy Area seeks to encourage and support the regeneration of the former commercial harbour and underused industrial land. The criteria-based policy seeks, amongst other things, to ensure that development proposals maximise the opportunities of the area that include good public transport connections, proximity to the University and the advantages of a riverside location. The policy also sets out requirements and guidance in relation to flood risk and contamination. In the interests of effectiveness, it is necessary to modify criterion (i) to direct the decision maker to site allocations shown on the East Colchester Policies EC1-4 map. To ensure that the policy is up to date at the point of adoption it is necessary to delete criterion (xi) that relates to the East Colchester Energy Centre and HEAT network as this is no longer current (**MM50**).

East Colchester Allocations

85. Policy EC3: East Colchester Allocations is a criteria-based policy that provides guidance and direction for the development of land at Port Lane (up to 130 dwellings), East Bay Mill (up to 22 dwellings), Barrington Road/Bourne Road (up to 28 dwellings) and the Magdalen Street sites (up to 200 dwellings indicated in explanatory text paragraph 14.85). The policy also safeguards land at Whitehall Industrial Estate, land at Barrack Street, land at Brook Street, Moorside Business Park and Port Lane for economic uses. To ensure that the policy is consistent with the site allocations set out in Policy SG3: Economic Growth Provision it is necessary to address the omission of the Place Farm mixed use allocation (2.7 ha of employment land and up to 30 new dwellings) by including it within the policy and correctly referencing Table SG4 (**MM51**).

Transport in East Colchester

86. Policy EC4: Transport in East Colchester seeks to secure improvements to the area's highway network and transport infrastructure. To ensure that the policy is effective and consistent in relation to the requirement of policy SP6 of the CLPs1 for a rapid transit system, it is necessary to amend the text of the policy to reference the route connecting the Tendring Colchester Borders Garden Community with East Colchester, the Town Centre, and North Colchester.

Moreover, it is necessary to amend the policy to seek improvements for horse riding infrastructure where appropriate to ensure that the policy is effective in securing enhancements to the area's bridleways (**MM52**).

West Colchester (Policies WC1 to WC5)

Stanway Strategic Economic Area and Tollgate District Centre

87. Policy WC1: Stanway Strategic Economic Area and Tollgate District Centre provides criteria-based direction for the assessment of development proposals in regard to the area. The policy applies a zonal approach that seeks to safeguard the Stanway Strategic Economic Area for employment uses along with providing guidance in relation to development proposals within the Tollgate District Centre.
88. A modification is necessary to clarify the extent of the coverage of the policy by adding Tollgate District Centre to its title and introductory paragraph. To respond to the changes to the UCO, it is necessary to delete references to Class B uses from the policy relating to the Stanway Strategic Economic Area. Furthermore, to ensure that the policy is effective and consistent with national policy, it is necessary to provide greater clarity relating to how a decision maker should react to proposals for main town centre uses within Tollgate District Centre. The modification also corrects a number of minor typographical errors (**MM53**).

Stanway

89. Policy WC2: Stanway allocates and safeguards five sites for predominantly residential uses along with providing criteria-based guidance for their effective development. The policy sets out the necessary infrastructure to support the residential allocations including, amongst other things, the provision of a new primary school, an early year's childcare facility and the identification of strategic open space.
90. In the interests of effectiveness, it is necessary to provide additional detail within the text of the policy in relation to the requirement for new development to contribute to the provision of educational facilities to meet existing and future requirements. In regard to the allocations at land to the North of London Road and land to the West of Lakelands, it is necessary, in the interests of clarity, to provide further direction within the policy in regard to assessing and mitigating the impact of any future development on wintering birds and their habitats in accordance with the recommendation of the HRA.

91. To address an omission from the policy it is necessary for effectiveness to signpost the guidance contained within the Essex Minerals Local Plan requiring development proposals at land to the North of London Road to provide a Minerals Resource Assessment. To ensure that the policy is up to date at the point of adoption and therefore effective, it is necessary to delete the allocation at the former Sainsburys site to reflect the grant of planning permission for a non-residential use and increase the allocation from 150 dwelling to 250 dwellings at land to the West of Lakelands. Finally, to avoid unnecessary duplication within the policy in relation to educational contributions it is necessary to delete criterion (v) from the allocation land off Dyers Road including Fiveways Fruit Farm (**MM54**).

Colchester Zoo

92. Policy WC3: Colchester Zoo acknowledges the importance of the visitor attraction and the contribution it makes to the local economy. The policy therefore safeguards land and provides direction to the decision maker to allow the potential expansion of this key visitor attraction, whilst addressing issues related to it being located within an environmentally sensitive location. To ensure that the policy is effective, and supportive of all modes of sustainable travel, a modification is required to the explanatory text at paragraph 14.118 that encourages improvements to equestrian routes (**MM55**). In the interests of effectiveness, it is necessary to provide further direction within the policy with regard to assessing and mitigating the impact of any future development on wintering birds and their habitats in accordance with the recommendation of the HRA. Moreover, to ensure that the policy is consistent with the terminology of the NPPF it is necessary to amend the text in relation to Scheduled Monuments, deleting the word 'Ancient' (**MM56**).

Sustainable Settlements

93. Policy SG1 identifies 17 Sustainable Settlements within the Borough where appropriate sustainable growth should be directed. The policies (SS1 to SS16, OV1, OV2) identify both site allocations and/or levels of growth required to contribute towards meeting the requirement of at least 14,720 new homes for the plan period 2017 – 2033. Employment and infrastructure requirements also are identified along with measures to ensure that amongst other things habitats and heritage assets are protected.

Abberton and Langenhoe

94. Policy SS1: Abberton and Langenhoe allocates and provides guidance for the residential development of 2 sites within the village, at land to the west of Peldon Road (50 dwellings) and land to the east of Peldon Road (5 dwellings). For the policy to be effective, a modification is necessary to ensure that the

necessary protection is afforded to the designated heritage assets close to the sites that include the Grade II listed Pete Tye Hill and Old Cottage (**MM57**).

Copford

95. Policy SS4: Copford allocates and provides guidance for the residential development of 2 sites within the village, at land east of Queensberry Avenue (70 dwellings) and land west of Hall Road (up to 50 dwellings). For the policy to be effective, a modification is necessary to ensure that the necessary protection is afforded to the designated heritage assets close to the sites which include the Grade II listed Copford Place and stable, Brewers Cottage, Stanway Bridge and Brook Cottage (**MM58**).

Eight Ash Green

96. Policy SS5: Eight Ash Green sought to provide guidance for the preparation and adoption of a Neighbourhood Plan for the parish. However, since the submission of the CLPs² for examination, the Eight Ash Green Neighbourhood Plan has been made in December 2019. Therefore, in the interests of effectiveness it is necessary to delete the existing policy text and replace it with the following wording 'All development proposals in Eight Ash Green parish will be determined against and be required to comply with policies in the Eight Ash Green Neighbourhood Plan and any relevant Local Plan policies' (**MM59**). It is not necessary for soundness to amend the text of the policy in relation to how to respond to development proposals outside the settlement boundary. This circumstance is adequately addressed by other policies in the plan.

Fordham

97. Policy SS6: Fordham allocates and provides guidance for the residential development of land east of Plummers Road (up to 20 dwellings). For the policy to be effective a modification is necessary to add an additional criterion (iv) to ensure that the necessary protection is afforded to the designated heritage assets close to the site which include the Grade II listed Plummers Farmhouse, Grade II listed Thrifts Cottage and Plummers Green Monument (**MM60**).

Great Horkesley

98. Policy SS7: Great Horkesley allocates and provides guidance for the residential development of 2 sites within the village, land at Great Horkesley Manor (80 dwellings) and land at School Lane (13 dwellings). In relation to the site at School Lane it is necessary for effectiveness to amend criterion (ii) to provide greater clarity with regard to the requirements for community facilities.

Moreover, it is necessary in the interests of precision to amend criterion (iv) to ensure that the necessary protection is afforded to the designated heritage assets close to the site and by specifying the other heritage assets on The Causeway' as 'School House and Oak Cottage' (**MM61**).

Great Tey

99. Policy SS8: Great Tey allocates and provides guidance for the residential development of 2 sites within the village, at land on Brook Road (10 dwellings) and land off Greenfield Drive (30 dwellings). In relation to the site at land on Brook Road, for the policy to be effective it is necessary to amend criterion (ii) to ensure consistency in terms of the decision makers approach to heritage assets. Moreover, with regard to the allocation at land off Greenfield Drive it is necessary to amend criterion (i) to provide clarification with regards to access arrangements in the interests of highway safety and (ii) deleting the requirement that the open space should be adjacent to existing public open space. Furthermore, to ensure that the CLPs² is positively prepared it is necessary to add an additional criterion (iii) that sets out that character of the development will be shaped by the emerging Neighbourhood Plan (**MM62**).

Langham

100. Policy SS9: Langham allocates and provides guidance for the residential development of 2 sites within the village, land at Wick Road (10 dwellings) and land at School Road (70 dwellings). With regard to land at Wick Road for the policy to be effective a modification is necessary to ensure that the necessary protection is afforded to the designated heritage assets close to the sites which include the Grade II New House, similarly for land at School Road it is necessary for precision to specify the Grade II School Farmhouse heritage asset (**MM63**).

Layer de la Haye

101. Policy SS10: Layer de la Haye is a criteria-based policy that allocates and provides guidance for residential development in the village. To ensure that the policy is positively prepared and flexible a modification is necessary to insert 'at least' before 35 new dwellings in criterion (i). To provide clear direction to the decision maker it is necessary to add further guidance to the policy in relation to the requirement for a Minerals Resource Assessment, and mitigation for wintering birds identified in the Habitat Regulations Assessment (**MM64**).

Marks Tey

102. Policy SS11: Marks Tey sought to direct the decision maker to the emerging Braintree Colchester Borders Garden Community DPD and the emerging Marks Tey Neighbourhood Plan. However, as set out above, for effectiveness it is necessary for consistency to delete all references to the Braintree / Colchester Borders Garden Community along with amending the guidance provided for the preparation of the Marks Tey Neighbourhood Plan to ensure flexibility (**MM1, MM13, MM65**).

Mersea Island

103. Mersea Island is a small tidal island located to the south-east of Colchester. It is situated in the estuary area of the Blackwater and Colne rivers. Access to the island is via the Strood, a causeway carrying the B1025 road. However, it can often be closed at high tide, in particular during spring tides. In reaching our conclusions below we have carefully considered the representations made in relation to the ability of residents to access services and facilities both on and off the island.
104. Policy SS12a: West Mersea is a criteria-based policy that allocates sites at Dawes Lane and Brierley Paddocks for residential development and associated infrastructure (around 200 dwellings in total). It also seeks to safeguard the three existing designated Local Economic Areas in Mersea. Although the allocations at Dawes Lane and Brierley Paddocks have secured planning permission since the submission of the CLPs² in 2017, it is necessary to retain Policy SS12a within the plan. This is to ensure that should any alternative proposals come forward for the allocations they will still be required to make provision for infrastructure and facilities identified within the plan as a whole.
105. Policy SS12b: Coast Road, West Mersea is a criteria-based policy that seeks to provide clear guidance for development proposals on the seaward and landward side of Coast Road, West Mersea. To ensure consistency with the NPPF it is necessary to replace the word 'historic' with 'heritage' within the text of criterion (ii). Moreover, to ensure that the policy is up to date and therefore effective, it is necessary to amend criterion (iii) to reflect the adoption of the RAMS. In doing so we have amended the advertised modification for effectiveness, by deleting the word "or" replacing it with "and, where appropriate," consistent with the comments of Natural England (**MM66**).
106. Policy SS12c: Mersea Island Caravan Parks applies a criteria-based approach in relation to proposals to expand, intensify or change the use of such sites on Mersea Island. The policy is supportive of tourism and the benefits it brings to the area, whilst seeking to ensure that the effects of any proposal do not harm the Island's habitats/environment or the amenity of the residents/business that

are located in proximity to any development proposal. To ensure that the policy is effective it is necessary to amend the introductory text of the policy to set out that development proposals 'will only be supported where they meet all of the following criteria'. Moreover, with regard the protection of the Island's habitats (designated breeding and wintering species) for effectiveness it is necessary to amend criterion (ii) to require development proposals to be supported and informed by a Habitat Regulation Assessment and where required appropriate assessment (**MM2, MM67**).

107. In conclusion, subject to the above-mentioned modifications, the policies and housing allocations on Mersea Island are justified, effective and consistent with national policy.

Rowhedge

108. Policy SS13: Rowhedge is a criteria-based policy that allocates and provides guidance for the residential development of 40 new dwellings in the village at Rowhedge Business Centre. To ensure that the policy is up to date and therefore effective with regard to new health services in North East Essex it is necessary to delete criterion (iv) as the need for flexible approaches to the provision of health care may not require land on the allocated site (**MM68**).

Tiptree

109. At the time of submission of the CLPs² for examination, Policy SS14: Tiptree set out a criteria-based approach with regard to the requirements and scope of the emerging Tiptree Neighbourhood Plan. This included amongst other things defining the extent of the settlement boundary, the allocation of specific housing sites to provide 600 new homes, associated infrastructure requirements and to give consideration to strategic issues including the A12 junction improvements. However, the examination of the Tiptree Neighbourhood Plan (October 2020), recommended that it could not proceed to referendum.
110. Modifications are therefore necessary for effectiveness to ensure that the policy is up to date regarding the progress of the Neighbourhood Plan along with amendments to the explanatory text and in criterion (iv) of the policy to provide more detailed guidance in relation to the provision of traffic generation forecasts for the proposed new junction 24 onto the A12, and the potential for a new road linking the B1022 and B1023. We have altered the advertised modifications by adding 'a minimum of' before 400 dwellings in the explanatory text to ensure consistency within the policy and replacing the requirement for a "detailed transport assessment" with "strategic transport appraisal" which is more proportionate and flexible. This is consistent with comments received from Essex County Council as the Highway Authority (**MM69, MM71**). Moreover, it is necessary to provide new guidance within the explanatory text to reflect the

latest position in the village following the grant of planning permission for 200 new dwellings at Barbrook Lane, and to incorporate this as an existing commitment in terms of housing supply amending the housing requirement within criterion (ii) of the policy deleting '600' and replacing with 'a minimum of 400 dwellings' (**MM70, MM71**).

111. To provide clear direction and provide the necessary flexibility for the delivery of housing in the village, via the Tiptree Neighbourhood Plan, it is necessary to amend the opening text of the policy to direct growth to the preferred directions of growth in the south-west and north/north-west of the village (taking into account existing constraints). Furthermore, it is necessary to provide clear direction to the decision maker with regard to ensuring the protection of habitats by setting out the requirement for surveys and subsequent mitigation for wintering birds identified in the Habitat Regulations Assessment (**MM71**). It is not necessary for soundness to amend the text of the policy in relation to how to respond to development proposals outside the settlement boundary or any future boundary established by a neighbourhood plan. This circumstance is adequately addressed by other policies in the plan.

West Bergholt

112. Policy SS15: West Bergholt sought to provide guidance for the preparation and adoption of a Neighbourhood Plan for the parish. However, since the submission of the CLPs² for examination the West Bergholt Neighbourhood Plan has been made in October 2019. Therefore, in the interests of precision it is necessary to delete the existing policy text and replace it with the following wording 'All development proposals in West Bergholt parish will be determined against and be required to comply with policies in the West Bergholt Neighbourhood Plan and any relevant Local Plan policies' (**MM72**). It is not necessary for soundness to amend the text of the policy in relation to how to respond to development proposals outside the settlement boundary. This circumstance is adequately addressed by other policies in the plan.

Wivenhoe

113. Policy SS16: Wivenhoe sought to provide guidance for the preparation of a Neighbourhood Plan for the town. However, since the submission of the CLPs² for examination the Wivenhoe Neighbourhood Plan was made in May 2019. Therefore, for effectiveness a modification is necessary to bring the policy up to date, deleting the existing policy text and replacing it with text and criteria consistent with the Wivenhoe Neighbourhood Plan including amongst other things identifying the settlement boundary, housing allocations to deliver 250 dwellings and additional land outside of the settlement boundary for the provision of a care home (**MM73**). We have altered the modification to assist

with clarity in relation to the Neighbourhood Plan area deleting the reference to the parish.

Other Villages and the Countryside

114. Policy OV1: Development in Other Villages seeks to support proposals that enhance the vitality of rural communities, providing direction to the decision maker by outlining the types of development that would be appropriate within the Borough's smaller rural villages. To bring full effect to the policy it is necessary to move the explanatory text (paragraph 14.246) that seeks to ensure that development proposals do not result in material harm to habitats sites to within the policy itself (**MM74**).

115. Policy OV2: Countryside provides direction for the decision maker as to how they should respond to development proposals in the countryside. To bring full effect to the policy it is necessary to move the explanatory text (paragraph 14.246) that seeks to ensure that development proposals do not result in material harm to habitats sites to within the policy itself (**MM74**). In the interests of effectiveness, it is necessary to modify the policies terminology regarding assessing the effects of residential development on the character and appearance of landscapes and the built environment and ensuring the development preserves or enhances the historic environment and biodiversity. Furthermore, it is necessary in the interests of effectiveness to provide additional direction within the policy with regard to identifying local affordable housing need in relation to small scale rural exception sites needed to meet need (**MM75**).

Conclusion

116. In summary, subject to the main modifications identified above, the site allocations and supporting policies contained within the Place Policies chapter of the CLPs2, are positive, justified and consistent with the CLPs1, and national policy. The evidence demonstrates that the site allocations set out in the Place Policies chapter are deliverable and are likely to be effective in making a significant contribution to meeting the identified housing requirement of at least 14,720 new homes for the plan period 2017 – 2033.

Issue 4 – Whether the Development Management Policies of the Colchester Borough Local Plan 2017 – 2033 (Section 2) are justified, consistent with the Colchester Borough Local Plan 2013 – 2033 (Section 1), and are likely to be effective?

117. The Development Management section of the CLPs² contains 25 policies that seek to provide clear direction for the decision maker in relation to development proposals within the Borough.
118. Policy DM1: Health and Wellbeing seeks to promote healthy lifestyles and avoid adverse impacts on public health. In the interests of clarity, it is necessary to amend the introductory text of the policy by adding the words 'and active' before lifestyles. To maximise positive health benefits from development and ensure that the policy is positively worded criterion (ii) requires the addition of the following text 'horse riding and formal sport, as well as clearly seeking to improve opportunities to increase levels of physical activity within the community' (**MM76**).
119. Policy DM2: Community Facilities is a criteria-based policy that seeks to safeguard existing provision and infrastructure where it meets or will meet an identified local need. The policy also seeks to ensure that new development provides or contributes to the provision of community facilities to meet and/or mitigate the increase in demand generated. To ensure that the policy is flexible and positively worded to enable school provision it is necessary to add an additional criterion '(iv) The proposal involves a state funded school which is seeking to relocate into new buildings or sell assets to fund improved education services' (**MM77**).
120. Policy DM3: Education Provision seeks to protect sites that are proposed for, or are currently in, or have previously been in, educational use. To be effective a modification (**MM78**) is necessary for consistency with Policy DM2 to delete the first paragraph of the policy and replace with text that ensures adequate school/education provision is maintained should a development proposal for an alternative use be put forward in relation to an educational site.
121. The Council is seeking to protect, enhance and deliver new sports and leisure facilities through Policy DM4: Sports Provision. The aim of the policy is to increase participation by way of formal and informal recreation. One of the mechanisms to achieve this is through community use agreements where practical to do so. However, the policy omits to include school sports facilities, which contribute towards overall provision in the Borough. To ensure that the policy is effective in this regard a modification (**MM79**) is necessary to include 'school sports facilities' within the text.

122. Policy DM5: Tourism, Leisure, Culture and Heritage seeks to support appropriately located development proposals for new and extended visitor attractions, leisure, cultural and heritage facilities along with visitor accommodation. The policy also seeks to ensure that development does not result in material harm to the amenity of neighbouring areas or have an adverse impact on the integrity of habitats sites or the Dedham Vale AONB. For effectiveness it is necessary to ensure that development proposals make a positive contribution towards the communities they affect, modification (**MM80**) requires proposals where practical to demonstrate how they could make a positive contribution to neighbouring areas and secure biodiversity enhancements.
123. Policy DM6: Economic Development in Rural Areas and the Countryside is a criteria-based policy that seeks to protect rural employment sites within the Borough and provide guidance in relation to development proposals for such uses. In the interests of effectiveness to ensure the protection of habitats sites it is necessary to move paragraph 15.32 from the explanatory text to within the policy. We have amended the advertised modification by re-ordering the paragraph for improved legibility (**MM81**). To respond to the changes to the UCO and for effectiveness, references to Class B1 are replaced with Class E(g)(i) offices to carry out any operational or administrative functions; Class E(g)(ii) research and development of products or processes; and Class E(g)(iii) industrial processes. The modification also provides criteria against which proposals for alternative uses will be considered. These changes are necessary for clarity and effectiveness (**MM82**).
124. Policy DM7: Agricultural Development and Diversification is a criteria-based policy that seeks to encourage and provides guidance in relation to agricultural development and farm diversification schemes that support the rural economy and are compatible with the rural environment. For effectiveness it is necessary to provide clear direction to the decision maker, modification (**MM83**) is required to reference habitat sites and Sites of Special Scientific Interest (SSSI) to ensure that they are afforded the necessary protection.
125. Policy DM8: Affordable Housing provides guidance with regard to the delivery of affordable housing in the Borough. However, to ensure consistency with the NPPF it is necessary amend the threshold at which the policy engages to '10 or more' dwellings. Furthermore, it is necessary for clarity and effectiveness to provide additional locational guidance within the policy in relation to the provision of affordable housing on rural exception sites (**MM84**).
126. Policy DM11 seeks to ensure that there is an adequate supply of sites within the Borough to meet the identified accommodation requirements of Gypsies, Travellers, and Travelling Showpeople. The Gypsy and Traveller Accommodation Assessment (GTAA) identifies a future need, to 2033, of 2 pitches to meet the needs of Gypsies and Travellers that meet the 2015

definition and 13 pitches for those not meeting the Planning Policy for Traveller Sites 2015 (PPTS) definition. The GTAA confirms that there is no need for plots for Travelling Showpeople and that the need for any transit provision should be kept under review. We are satisfied that the assessment has been carried out using a robust methodology and that the assessment is up to date.

127. The policy sets out the requirements for site/pitch selection should a development proposal come forward. To ensure that the policy is effective modifications are necessary to provide additional guidance in relation to flood risk and to confirm that sites are capable of being provided with appropriate drainage, water supply and other necessary utility services. Furthermore, to ensure that the identified need is continually met during the plan period and in the interests of consistency with the PPTS, it is necessary to add an additional clause within the policy that sets out that 'planning permission will be refused for the change of use of all Gypsy and Traveller sites or Travelling Showpeople yards identified in the Gypsy and Traveller Accommodation Assessment unless acceptable replacement accommodation can be provided, or it can be demonstrated that the site is no longer required to meet any identified needs' (**MM85, MM86**).
128. Policy DM12: Housing Standards seeks to ensure that residential development is of a high standard of design and construction. In light of the Grenfell fire and to ensure consistency with the Building Regulations, a modification is necessary for effectiveness to seek to secure sprinkler systems in development proposals for accommodation, with a top storey above 11m (about 4 storeys) in height. The modification also seeks to encourage the inclusion of sprinklers in houses in multiple occupation (HMOs), care homes and sheltered accommodation. (**MM87**).
129. Policy DM13: Domestic Development is a criteria-based policy that seeks to provide direction to the decision maker in relation to proposals for residential alterations, extensions, outbuildings, annexes, replacement dwellings in the countryside and flat conversions. In the interests of clarity, it is necessary to add additional explanatory text as a note to criterion (v) the replacement dwellings in the countryside section of the policy. The note sets out the presumption in favour of retaining properties considered to be heritage assets and/or properties which positively contribute to the character of a rural conservation area (**MM88**).
130. Policy DM15: Design and Amenity is a criteria-based policy that seeks to ensure that all development should be designed to a high standard, responds positively to its context and achieves good standards of amenity. To ensure that the policy is effective in relation to creating healthy and vibrant environments additional criterion (xi) and (xii) are necessary to encourage active design and secure green infrastructure, open space and landscape within development proposals (**MM89**).

131. Policy DM16: Historic Environment seeks to protect and enhance the historic environment of the Borough. To ensure that the policy is effective and provides clear direction to the decision maker it is necessary to make alterations to the text in the first and second paragraphs of the policy deleting 'development that adversely affects' and 'in the first instance' and adding '(or other method of identification of historic assets)'. Furthermore, for effectiveness it is necessary to replace the term 'Heritage Statements' with 'Heritage Impact Assessments' with regard to development proposals related to or impacting on the setting of heritage assets (**MM90**).
132. The amount of, and approach to, car parking provision for development proposals is set out in the criteria-based Policy DM22: Parking. To ensure the policy is consistent with the updated Essex County Council parking standards it is necessary to replace the term 'guidance' with 'standards' in the text of the policy. To ensure that policy contributes to combating climate change it is necessary to add an additional criterion (v) to ensure facilities are incorporated for electric and other ultra-low emission vehicles within development proposals (**MM91**).
133. Policy DM23: Flood Risk and Water Management is a criteria-based policy that requires proposals for new development to reduce the risk, or consequences of flooding and sustainably manage surface water. A modification (**MM92**) is required to Paragraph 15.133 of the explanatory text to ensure consistency with the NPPF with regard to the setting out of the requirements for site specific Flood Risk Assessments. To ensure clarity for the decision maker in relation to run off rates a modification is required to criterion (ii) that sets out the requirements for all major developments, along with seeking to limit discharge rates as much as practical for minor sites (**MM93**).
134. Policy DM25: Renewable Energy, Water, Waste and Recycling is a wide ranging policy that seeks to address the challenges of climate change and improve sustainability in the Borough. In the interests of effectiveness, it is necessary to amend the policy wording to ensure consistency with the Building Regulations with regard to water efficiency (paragraph 4). To provide clear direction to the decision maker in relation to potential adverse effects from renewable energy proposals, amendments to the policy text are needed for effectiveness to highlight the requirement for a Habitats Regulation Assessment and if necessary, carry out an Appropriate Assessment (paragraph 6). It is necessary to specify that development proposals for renewable energy schemes with potential for adverse effects on nationally designated nature conservation sites and heritage assets will only be supported in exceptional circumstances (paragraph 7). Moreover, to ensure that the policy remains up to date and effective, it is not necessary to refer to National Policy Statement for Energy and the guidance note, it is therefore necessary to delete the final paragraph of the policy (**MM94**).

Conclusion

135. In summary the Development Management policies (DM1 to DM25) of the CLPs2 subject to the main modifications we have identified are justified by the available evidence and consistent with the CLPs1 and the NPPF and consequently are likely to be effective.

Monitoring and Delivery

136. The Monitoring chapter of the CLPs2 sets out how the Council will monitor the performance of the Plan and provides most of the necessary evidence on which to assess the success or failure of delivery and what alternatives might reasonably be provided if necessary. The Authority Monitoring Report (AMR) will be the main mechanism for assessing the Plan's performance and effect. The Plan contains clear indicators for delivery and the Council's monitoring regime should ensure that any risks to non-delivery are 'flagged up' and interventions made to alleviate risks should this prove necessary.

Overall Conclusion and Recommendation

137. The Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

138. The Council has requested that we recommend MMs to make the Plan sound and capable of adoption. We conclude that the duty to cooperate has been met and that with the recommended main modifications set out in the Appendix, the Colchester Borough Local Plan 2017 – 2033 (Section 2) satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

Jameson Bridgwater and Anne Jordan

Inspectors

This report is accompanied by an Appendix containing the Main Modifications.

Schedule of Main Modifications to the Colchester Local Plan: Section Two, May 2022

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text
MM1	Whole plan	Correct all references to 'Garden Community' to reflect Section 1 plan now provides for one Garden Community rather than three. Additionally, delete all references to Colchester Braintree Borders Garden Community.
MM2	Whole plan	Amend all references to international sites, European sites and Natura 2000 sites to habitats sites .
MM3	Policy SG1: Colchester's Spatial Strategy	<p>Throughout the Borough, growth will be located at the most accessible and sustainable locations in accordance with the spatial strategy for North Essex set forth in Policy SP36 in Section One and with the spatial hierarchy set out in Table SG1. The spatial hierarchy ranks areas of the Borough in order of their sustainability merits and the size, function and services provided in each area. The centres hierarchy is set out in policy SG3.</p> <p>Development will be focused on highly accessible locations to reduce the need to travel. Development will be supported where a real travel choice is provided and sustainable travel for different purposes is promoted throughout the day.</p> <p>This spatial hierarchy focuses growth on the urban area of Colchester, reflecting its position as the main location for jobs, housing, services and transport. Within this urban area, the Central Area of Colchester including the Town Centre is the most sustainable location for new development given that it can accommodate higher densities reliant on its good access to public transport and concentrated mix of uses which minimise the need to travel. The surrounding built up, North, South, East and West (including Stanway) urban areas of Colchester provide the next sub-level of well connected, sustainable locations for growth. The next tier of preferred growth includes a Garden Communities straddling the boundaries with Tendring District Council adjacent authorities and providing a new greenfield sites in sustainable communities which will grow gradually, over time, extending beyond the plan period. The second tier also includes existing Sustainable Settlements within the Borough most of which are planned for appropriate growth.</p> <p>In the remaining Other Villages and Countryside of Colchester, new development in the open countryside will only be permitted in exceptional circumstances to preserve be required to respect the character and appearance of landscapes and the built environment and preserve or enhance the historic environment and biodiversity to safeguard the rural character of the Borough.</p>
MM4	Policy SG2: Housing Delivery	<p>Update policy as follows:</p> <p>The overall distribution of new housing, as shown in Table SG2, is guided by the settlement hierarchy set out in the Spatial Strategy and Policy SG1. New housing development will be focused on the following key areas:</p> <ul style="list-style-type: none"> • Colchester urban area (Place policies for Central, North, South, East and West Colchester) • Tendring/Colchester Borders Garden Community (Section 1 Policy SP98)

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text
		<p>● Colchester/Braintree Borders Garden Community (Section 1 Policy SP9)</p> <p>Detailed decisions on the location, type and level of development to be carried out in the Garden Communityies will be made through a joint plans to be agreed with Tendring District Council the relevant local planning authority, either Braintree (west) or Tendring (east), as outlined in Section 1 of this plan.</p>
MM5	Table: Colchester's Housing Provision	<p>Add Table Number SG2</p> <p>Amend Table SG2 as follows– see Appendix 1</p> <p>Amend Tendring Colchester Borders housing figure from 1,250 to 1,100 to 1,250 to reflect the range in the approved Section 1. Delete 1,350 homes for Colchester/Braintree Borders Garden Community.</p> <p>Add 100 units to Stanway New Allocations total to reflect modification to WC2 increasing Lakelands West from 150 to 250.</p> <p>Remove 200 units from Stanway New Allocations following modification to remove former Sainsburys Site following granting of planning permission.</p> <p>Update Colchester Urban Area New Allocations to be consistent with other main modifications relating to Vineyard Gate, ABRO Site and Place Farm.</p> <p>Include Extra Care Housing figure noted separately in the table within the Colchester Urban Area New Allocations</p> <p>Tiptree shown as 326 existing commitments and 400 allocations required</p> <p>Layer de la Haye new allocations figure updated to reflect additional allowance for affordable housing as outlined in Statement of Common Ground with Tollgate Partnership</p> <p>Existing commitments figures updated to reflect latest available data regarding planning permissions following completion of 2020/21 monitoring period which has a consequential change for some of the new allocations numbers (amended to avoid double counting)</p> <p>Add note to the Table:</p> <p>Note SP3 in Section One refers to the housing supply period of 2013-2033 therefore refers to a higher supply total of 18,400. There have been 7,804 new dwellings completed since 2013/14 which when added to</p>

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		the supply of 11,895 results in a total of 19,699 units. 4,075 dwellings have been completed since the Local Plan was submitted in 2017.
MM6	Policy SG3: Economic Growth Provision	The Local Planning Authority will encourage economic development and have allocated 39.7 32 hectares of land to plan for the delivery of B use class employment land (principally Class B2, B8 uses, supporting Class E uses and any associated employment generating sui generis uses) in Colchester Borough up to 2033. An additional 4.5 3.5 hectares of employment land is expected to come forward in Colchester within the Tendring Colchester Borders Garden Communities sy with a further 25 hectares to be allocated in the overall Garden Community for development post-2033.
MM7	Table SG3: Colchester Employment Land Supply 2017-2033	See Appendix 2 which updates the figures the change reflect: <ul style="list-style-type: none"> - Reductions of Stanway allocations - Deletion of Colchester Braintree Borders Garden Community - Reinstatement of employment land at Marks Tey
MM8	SG4: Local Economic Areas	The Local Economic Areas as defined on the policies maps and listed in policy tables SG3 and SG4, will be safeguarded primarily for B class uses and office use within E class where appropriate to provide, protect and enhance employment provision in a range of locations across the borough to enable balanced job and housing growth. Planning permission will be granted for the redevelopment or change of use for non-Class B uses where: <p>i) it can be demonstrated that there is no reasonable prospect of the site concerned being used for Class B purposes; and</p> <p>ii) The supply, availability and variety of B use class employment land is sufficient to meet Borough and local needs; and</p>
MM9	Paras 12.49 and 12.50	12.49 Tollgate competes with Colchester Town Centre for comparison goods expenditure. This is likely to be further exacerbated intensified by two as work has commenced to implement a schemes for additional development of town centre uses allowed on appeal. Another proposal for a large retail led expansion is currently the subject of an appeal. Accordingly it is important that planning policy for Tollgate District Centre ensures that it enables it to fulfil it plays a subsidiary position to the Town Centre in the centre hierarchy as set out in Policy SG5 and Table SG5a. Its role and function as a district centre would be enhanced through the introduction of new services and/or community facilities. as opposed to further new retail development.

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		<p>12.50 To help protect the Centre Hierarchy with Colchester Town Centre at the apex and to manage the potential impacts of any further retail and leisure growth at Tollgate on the Town Centre, the local impact thresholds set out in the 'Impact Assessments Thresholds' table below and the requirement for a Retail Impact Assessment will also apply to proposals within the Tollgate District Centre (including changing of use or variation of conditions). This will need to demonstrate that there will not be any significant adverse impacts on the Town Centre (and /or any other defined centre) as a result of proposals within the Tollgate District Centre.</p>
MM10	Policy SG6: Town Centre Uses	<p>Proposals for town centre uses that are not within a defined centre and are not in accordance with the Local this Plan, including proposals for a change or intensification of use, or variation of a planning condition, will need to demonstrate that a sequential approach has been undertaken to site selection as required by national policy.</p> <p>Applicants should demonstrate flexibility on issues such as format and scale. Sites should be assessed in terms of their availability, suitability and viability for the broad scale and type of development proposed; and only when alternative sites have been discounted should less sequentially preferable sites be considered. Only when in-centre sites are not suitable and/or available should edge and then out of centre sites be considered.</p> <p>In cases where the Local Planning Authority are satisfied that the sequential test has been met, proposals will be supported where they also comply with the requirements set out in criteria (i- vi below).</p> <ul style="list-style-type: none"> i) The pProposals for main town centre uses in or on the edge of centres areis of a type, proportion and scale appropriate to the role and function of the centre and would not threaten the primacy of Colchester Town Centre at the apex of the centre hierarchy, either individually or cumulatively with other committed proposals, and; ii) The pProposals for main town centre uses in or on the edge of centres areis suitable to the town / district centre function and maintains or adds to its viability and vitality and enhances the diversity of the centre without changing the position of the centre within the overall hierarchy and; iii) Proposals would not give rise to a detrimental effect, individually or cumulatively, on the character or amenity of the area through smell, litter, noise or traffic problems and iv) The proposal would not have a significant adverse impact on the vitality and viability of Colchester Town Centre and/or any other defined centre either individually or cumulatively with other committed proposals and;

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		<p>v) The proposal would not have a significant adverse impact on committed and / planned public or private investment in Colchester Town Centre and /or any other defined centre either individually or cumulatively with other committed proposals and;</p> <p>vi) In relation to criteria (iv) and (v) above an Impact Assessment must be provided where the proposal;</p> <p style="padding-left: 40px;">a. In any centre orExceeds the thresholds set out in table SG6 below, or;</p> <p style="padding-left: 40px;">b. Where the proposal is within Tollgate District Centre and exceeds the thresholds set out in table SG6 below or;</p> <p style="padding-left: 40px;">c. Where the Council considers that there are potential impacts arising from the proposal cumulatively with other committed development.</p>
MM11	Table SG6: Impact Assessment Thresholds	Impact Assessments Thresholds – see Appendix 3
MM12	Policy SG7: Infrastructure Delivery and Impact Mitigation	<p>Add the following after the paragraph that begins “Developers will be expected to contribute towards the delivery of relevant infrastructure.”:</p> <p>Measures required to mitigate the impacts of recreational disturbance on habitats sites will be delivered as detailed in the adopted Essex Coast Recreational disturbance Avoidance and Mitigation Strategy.</p>
MM13	Policy SG8: Neighbourhood Plans	<p>Revise wording of Policy:</p> <p>Neighbourhood Plans are being prepared for Eight Ash Green, Marks Tey, Stanway, Tiptree, West Bergholt, Wivenhoe and West Mersea.</p> <p>Once a Neighbourhood Plan is made, this becomes part of the Development Plan. In cases where a Neighbourhood Plan fails at any time prior to being made, responsibility for all planning matters within that plan area will revert back to the Local Planning Authority.</p> <p>Neighbourhood Plans have been made for Boxted, and Myland and Braiswick, Wivenhoe, West Bergholt and Eight Ash Green and these now form part of the Development Plan for Colchester.</p> <p>Neighbourhood Plans are required to be compliant with the following Strategic Policies in this Plan: Section 1 Policies SP1-9 and Section 2 Policies SG1-8, ENV1-5, CC1 and PP1.</p>

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MM14	Para 13.3	<p>Plans or projects, not assessed through the Local Plan, but which after screening, may have a likely significant effect on a European site will require appropriate assessment under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) ('the Habitats Regulations'). Accordingly,</p> <p>Where a proposal is likely to have a significant effect on a habitats site (alone or in-combination) the local planning authority will make an appropriate assessment of the implications of the proposal for the habitats site(s) in view of the site(s) conservation objectives. Applicants will be expected to provide information for the purposes of the Habitat Regulations Assessment. The Local Planning Authority will only grant planning consent plans or projects where it can be ascertained that the proposal will not adversely affect that they will have no adverse effects on the integrity of a habitats European site, unless the exceptional requirements of Regulations 62 and 66 of the Habitats Regulations relating to the absence of alternative solutions, imperative reasons of overriding public interest and provision of compensation have been met.</p>
MM15	Para 13.5	<p>Insert following paragraph to replace paragraph 13.5:</p> <p>The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Strategy Document was adopted in 2019 and SPD was adopted in 2020. The Essex Coast RAMS, which has the brand name Bird Aware Essex Coast, aims to deliver the mitigation necessary to avoid adverse effects on the integrity of habitats sites from the in-combination impacts of residential development in Essex. The Essex Coast RAMS identifies a detailed programme of strategic avoidance and mitigation measures which are to be funded by developer contributions from all qualifying residential development within the Zones of Influence as defined in the adopted RAMS.</p>
MM16	Para 13.7	<p>All development proposals should initially be assessed to establish the likely presence or absence of Protected Species or Species /Habitats of Principal Importance on the development site. This may be through a Phase 1 Habitat Assessment combined with site visits. Where there is a confirmed presence, or reasonable likelihood, of a legally protected species or Species of Principal Importance, on an application site (or where present on adjacent land) and where the species is likely to be affected then detailed ecological surveys should be carried out at the appropriate time of year in accordance with current best practice. Applicants will be required to follow the mitigation hierarchy and demonstrate that adverse impacts upon the species have been avoided. Where impacts cannot be avoided a detailed Ecological Enhancement and Mitigation Plan should be prepared and submitted and agreed with the Local Planning Authority. Where ecological assessments are required, a biosecurity protocol method statement should be included to ensure the introduction of invasive non-native species is prevented. Where district licensing schemes exist, applicants can fulfil their legal obligations regarding</p>

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		protected species by participating in the district licensing scheme. Mitigation must provide net gains for biodiversity and conform to the requirements of relevant legislation and Government Standing Advice.
MM17	Para 13.8	<p>Where Priority Habitats are likely to be adversely impacted by a proposal, the developer must demonstrate that adverse impacts will be avoided and impacts that cannot be avoided are mitigated on-site and supplemented with measurable net gains for biodiversity. Where residual impacts remain, off-site compensation and enhancement may be required so that there is a measurable net gain and no net loss in quantity and quality of Priority Habitat in the Borough.</p> <p>All development proposals must comply with current requirements and best practice for measurable biodiversity net gain and Nature Recovery Strategies and Networks. As a minimum, 10% biodiversity net gain is required or as otherwise indicated in policy and legislation. This is in addition to the requirement to follow the mitigation hierarchy. Biodiversity net gain requirements must not undermine the existing range of protections, in planning policy and legislation, for irreplaceable habitats and protected sites. As part of the planning process a calculation in line with the latest Natural England Biodiversity Metric should be submitted and strict adherence to the mitigation hierarchy should be used to ensure harm is avoided in the first instance, that provision for a minimum 10% measurable net gain in biodiversity is made onsite wherever possible and that offsite compensation with a long term management plan is used as a last resort. All projects should have regard to reducing the impacts of climate change and delivering multiple benefits in terms of but not exclusive to habitats, carbon storage and Natural Flood Management.</p>
MM18	Para 13.9	<p>13.9 Protected Hedgerows Hedgerows subject to a Hedgerow Retention Notice must be assessed by the Local Planning Authority's Landscape Officer against criteria in the Hedgerows Regulations 1997. Where a hedgerow is deemed to be 'Important' under the Hedgerows Regulations, the developer must demonstrate that adverse impacts upon the important hedgerow will be avoided. This is necessary as the loss of both 'Important' and other significant hedgerows protected important hedgerows is difficult to mitigate against as they cannot easily be recreated as either a landscape or ecological feature.</p> <p>Add the following as a new paragraph to follow paragraph 13.9:</p> <p>The European Water Framework Directive imposes legal requirements to improve the water environment. All waterbodies must achieve 'good ecological status' by 2027, prevent deterioration of surface water and groundwater and seek enhancements where rivers, lakes and estuaries are not achieving good ecological status or potential. The local planning authority supports the directive and proposals which seek to further these aims where it is possible to do so. In pursuit of this aim, proposals should seek to minimise</p>

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		disturbance to riverbeds. Proposals are encouraged to be in compliance with the Anglian River Basin Management Plan (2015) or its successor, which addresses pressures on the water environment and whose environmental objectives are legally binding on all public bodies whose decisions affect the quality of the water environment.
MM19	Para 13.13	Policy ENV1 aims to control development outside of settlements to protect open stretches of countryside around and between existing settlements, to protect landscape character , to prevent coalescence and retain settlement identity. Any development in the countryside, i.e. land outside of settlement boundaries, must be compatible with local landscape character and setting. Development will be supported provided it does not adversely impact on the intrinsic character and beauty of the countryside, the relationship between and the separate identities of settlements, visual amenity, or the factors that contribute to valued landscapes, whilst also complying with other relevant policies of the Local Plan. Proposals are required to have regard to Colchester's Landscape Character Assessment and the Council's adopted Landscape Guidance for Developers alongside any other relevant or updated evidence, in order to identify and evaluate the effect of a proposed development on the character, value and sensitivity to change of a proposed site and its setting to help conserve the borough's landscape character.
MM20	Policy ENV1: Environment	<p>The Local Planning Authority will conserve and enhance Colchester's natural and historic environment, countryside and coastline. The Local Planning Authority will safeguard the Borough's biodiversity, geology, history and archaeology, which help define the landscape character of the Borough, through the protection and enhancement of sites of international, national, regional and local importance. The Local Planning Authority will require development to be in compliance with, and contribute positively towards, delivering the aims and objectives of the Anglian River Basin Management Plan.</p> <p>A. Designated sites In particular, development proposals that have an adverse effects impact on the integrity of European habitats sites, Sites of Special Scientific Interest or significant adverse impacts on the special qualities of the Dedham Vale Area of Outstanding Natural Beauty (including its setting) (either alone or in-combination) will not be supported. Development proposals within designated areas or within the Coastal Protection Belt will need to comply with policies ENV2 and ENV4.</p> <p>B. Essex Coast RAMS A Recreational disturbance Avoidance and Mitigation Strategy has been completed in compliance with the Habitats Directive and Habitats Regulations. Further to Section 1 Policy SP2, contributions will be secured from qualifying residential development, within the Zones of Influence as</p>

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		<p>defined in the adopted RAMS, towards mitigation measures identified in the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS).</p> <p>C. Biodiversity and geodiversity Development proposals where the principal objective is to conserve or enhance biodiversity and geodiversity interests will be supported in principle. For all proposals, development will only be supported where it:</p> <ul style="list-style-type: none"> (i) Is supported with appropriate ecological surveys where necessary; and (ii) Where there is reason to suspect the presence of a protected species (and impact to), or Species/Habitats of Principal Importance, applications should be accompanied by an ecological survey assessing their presence and, if present, the proposal must be sensitive to, and make provision for their needs and demonstrate the mitigation hierarchy has been followed; and (iii) Will conserve or enhance the biodiversity value of greenfield and brownfield sites and minimise fragmentation of habitats; and (iv) Maximises opportunities for the preservation, restoration, enhancement and connection of natural habitats in accordance with the UK and Essex Biodiversity Action Plans or future replacements; and (v) Incorporates beneficial biodiversity conservation features, measurable biodiversity net gain of at least 10% in line with the principles outlined in the Natural England Biodiversity Metric, and habitat creation, where appropriate. <p>Plans or projects, which may have a likely significant effect on a European site which have not been screened or considered in the Borough's Habitat Regulations Assessment or Appropriate Assessment, will be required to prepare a separate HRA screening and if necessary to complete a separate appropriate assessment to ensure compliance with the Habitat Regulations 2010.</p> <p>Proposals for development that would cause significant direct or indirect adverse harm to nationally designated sites or other designated areas, protected species, Habitats and Species of Principle Importance or result in the loss of irreplaceable habitats, such as ancient woodland, Important Hedgerows and veteran trees, will not be permitted unless:</p>

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		<p>(i) They cannot be located on alternative sites that would cause less harm; and</p> <p>(ii) The benefits of the development clearly outweigh the impacts on the features of the site and the wider network of natural habitats; and</p> <p>(iii) Satisfactory biodiversity net gain, mitigation, or as a last resort, and compensation measures, are provided.</p> <p>The Local Planning Authority will take a precautionary approach where insufficient information is provided about avoidance, mitigation and compensation measures and secure mitigation and compensation through planning conditions/obligations where necessary.</p> <p>D. Irreplaceable habitats Proposals that would result in the loss of irreplaceable habitats, such as ancient woodland, Important Hedgerows and veteran trees will not be permitted unless there are wholly exceptional reasons and a suitable compensation strategy, to the satisfaction of the local planning authority, exists.</p> <p>E. Countryside The local planning authority will carefully balance the requirement for new development within the countryside to meet identified development needs in accordance with Colchester's spatial strategy, and to support the vitality of rural communities, whilst ensuring that development does not have an adverse impact on the different roles, the relationship between and separate identities of settlements, valued landscapes, the intrinsic character and beauty of the countryside and visual amenity.</p> <p>The intrinsic character and beauty of the countryside will be recognised and assessed, and development will only be permitted where it would not adversely affect the intrinsic character and beauty of the countryside and complies with other relevant policies. Within valued landscapes, development will only be permitted where it would not impact upon and would protect and enhance the factors that contribute to valued landscapes.</p>
MM21	Policy ENV2: Coastal Areas	Include ' and seascape ' in criterion (iii), after the word landscape (page 99).

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MM22	Policy ENV3: Green Infrastructure	Add new paragraph to policy ENV3: Green infrastructure that contributes to the protection and enhancement of water bodies will be supported, including de-culverting, creation and management of ecological buffer strips and new wetland areas to help manage flood risk and reduce diffuse pollution.
MM23	Policy ENV5: Pollution and Contaminated Land	...Permission will only be granted where the Council is satisfied that after selection of appropriate mitigation the development, alone and cumulatively , will not have an unacceptable significant impact on air quality, health and well - being....
MM24	Para 13.49 and additional footnote	Insert the following after the first sentence: "Where possible, connections should be made to the Colchester Orbital." Add the following to the end of the paragraph: "The benefits for the natural and local environment and climate change of tree canopy cover are widely recognised. A study (The Canopy Cover of England's Towns and Cities: baselining and setting targets to improve human health and well-being) carried out in 2017, concluded the following; <ul style="list-style-type: none"> • an average TCC of 20% should be set as the minimum standard for most UK towns and cities, with a lower target of 15% for coastal towns; • towns and cities with at least 20% cover should set targets to increase cover by at least 5% (i.e. above the ±2% tolerance of i-Tree Canopy) within ten to 20 years (depending on what is achievable against their baseline); and, • targets and strategies for increasing tree cover should be set according to the species, size and age composition of the existing urban forest, based upon a ward/district level and land-use assessment. The tree canopy coverage for Colchester Borough is currently 18% varying between wards / locations there are some areas with larger and better canopy cover and others with significantly less. As per the recommendation above, the long term aim should be to increase the canopy cover of the borough to 20% and then 25%. It is recognised that this is an aspirational target, but that new development should seek to contribute to increase tree canopy cover where appropriate. It is considered that 10% as a target on development sites where appropriate would help to mitigate the likely losses of trees over the plan period whilst steadily increasing the overall canopy cover of the borough.

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		<p>A Canopy Cover Assessment will be required for all major applications¹. Development proposals should seek where appropriate to increase the level of canopy cover on site by a minimum of 10%. In circumstances, where this is not possible or desirable, compensatory provision should be identified and secured through a legal obligation. This will increase the overall canopy cover of the borough, enable sites to mitigate and adapt to climate change and deliver biodiversity net gain."</p> <p>¹ Major applications are defined as per Article 2 of the Town and Country Planning (Development Management) Procedure (England) Order 2015 as: Development involving any one or more of the following—</p> <p>(a) the winning and working of minerals or the use of land for mineral-working deposits; (b) waste development; (c) the provision of dwellinghouses where— (i) the number of dwellinghouses to be provided is 10 or more; or (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph ; (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or (e) development carried out on a site having an area of 1 hectare or more</p>
MM25	Policy CC1: Climate Change	<p>Colchester Borough Council made a Climate Emergency declaration in 2019. A Climate Challenge and Sustainability Strategy and a Carbon Management Plan will support the Climate Emergency Action Plan and will set out detailed specific carbon reduction projects. Colchester Borough Council will continue to adopt strategies to mitigate and adapt to climate change.</p> <p>Add the following criteria after criteria (iii):</p> <p>"A Canopy Cover Assessment will be required for all major applications¹. Development proposals should seek where appropriate to increase the level of canopy cover on site by a minimum of 10%. In circumstances, where this is not possible or desirable, compensatory provision should be identified and secured through a legal obligation"</p> <p>Amend criteria (vi) of the policy as follows:</p> <p>Northern Gateway and East Colchester</p>

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		<p>Amend criteria (ix) of the policy as follows Developmentresources. All development should consider the impact of and promotion of design responses to flood risk for the lifetime of the development and the availability of water and wastewater infrastructure for the lifetime of the development.</p> <p>¹ Major applications are defined as per Article 2 of the Town and Country Planning (Development Management) Procedure (England) Order 2015 as: Development involving any one or more of the following—</p> <p>(a) the winning and working of minerals or the use of land for mineral-working deposits; (b) waste development; (c) the provision of dwellinghouses where— (i) the number of dwellinghouses to be provided is 10 or more; or (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph ; (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or (e) development carried out on a site having an area of 1 hectare or more</p>
MM26	Policy PP1: Generic Infrastructure and Mitigation Requirements	<p>In addition to site specific requirements identified in relevant policies, all proposals will be required to make contributions to the cost of infrastructure improvements and/or community facilities, including education, as required and supported by up-to-date evidence from appropriate sources including the Infrastructure Delivery Plan (IDP), Parish/Town Council, or specially commissioned work.</p> <p>(i) Adequate wastewater treatment, water supply network enhancements, and sewage infrastructure enhancements for the relevant catchment area</p> <p>(v) to minimise any negative impact on the surrounding landscape and/or listed buildings heritage assets;</p> <p>Add new bullet point: (vii) Further to Section 1 policy SP2, developments will be required to contribute towards mitigation measures in accordance with the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy 2018-2038 (RAMS).</p>
MM27	Policy TC1: Town Centre	<p>The Local Planning Authority will support proposals that positively contribute towards creating an attractive, vibrant and safe Town Centre that offers a diverse mix of uses, including shared mixed-use spaces and short-term uses, and extend the time when the Town Centre is active subject to their impact on local amenity.</p>

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	Policy and Hierarchy	
MM28	Policy TC2: Retail Frontages	<p>Given that the Town Centre is at the top of the centre hierarchy in the Borough as a whole, within Colchester Town Centre the Local Planning Authority will seek to maintain at least 70% a high proportion of retail uses on each Primary Street Frontage within the Primary Shopping Area shown on the Policies Map. A3 (restaurant / café) uses will be considered acceptable below this threshold if it can be demonstrated to the satisfaction of the Local Planning Authority that, after extended marketing (over 1 year), retail use cannot be secured. Development proposals for non-retail uses within primary frontages will be permitted where they would enhance vitality and viability, be appropriate to the character and function of the area and not compromise the appearance of the frontage and its contribution to the streetscape.</p> <p>Within the Secondary Street frontages in the Primary Shopping Area as defined on the Policies map, support will be given for the continuing role of retail uses supported by other activity-generating town centre uses which enhance the character, vitality and activity of the area, including food and drink premises (Use Class A3, A4 and A5), non-residential institutions (Use Class D1) and leisure uses (Uses Class D2), at ground floor level.</p>
MM29	Policy TC3: Town Centre Allocations	<p>The need identified in the Local Planning Authority's retail evidence base for additional comparison retail floorspace will be addressed in the first instance by development of the Vineyard Gate site. Medium to longer term need for town centre use floorspace will also be addressed by redevelopment of existing buildings and car parks including the outdated Priory Walk development...</p> <p>Development will need to protect and enhance the character of the conservation area, listed buildings, heritage assets and their setting on and in the vicinity of the site, including where appropriate, the Scheduled Monument (Town Walls)";</p> <p><u>Vineyard Gate</u></p> <p>Redevelopment of Vineyard Gate over the plan period to provide a residential-led retail and mixed use floorspace scheme:</p> <p>Requirements:</p> <ul style="list-style-type: none"> Approximately 100 dwellings

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text
		<ul style="list-style-type: none"> • Development will need to protect and enhance the character of the Scheduled Ancient Monument (Town Walls) • Provide direct pedestrian connections to / from Lion Walk; <p>Contributions needed towards the delivery of flood defence / flood management solutions as identified in the SWMP for CDA 03.'</p> <p><u>St. Botolphs</u></p> <p>Mixed use scheme providing cinema, 85-room hotel; restaurants cluster; retail; student accommodation; Creative Business Centre (1.86 ha)</p> <p>Requirements:</p> <ul style="list-style-type: none"> • Access off Queen Street • Development will need to protect and enhance the character of the Conservation Area and listed buildings • Any retail proposals should satisfy the sequential test given the edge-of-centre location of this site. <p>Priory Walk....</p> <p>The 2016 Retail Study Update identified limited capacity for convenience goods floorspace over the plan period (after allowing for existing commitments). If proposals come forward for new convenience goods floorspace they will be assessed (as required) having regard for the sequential and impact tests set out in the NPPF and other relevant policies in this Plan.</p>
MM30	Policy TC4: Transport in Colchester Town Centre	<p>Provision for Rapid Transit services including space to provide capacity for these and connections onto other locations including the route connecting the Tendring Colchester Borders Garden Community with East Colchester, the Town Centre, and North Colchester required by Section 1 Policy SP6.</p> <p>Add text to end of Policy:</p> <p>The positioning and size of bus shelters, signs and other highways infrastructure must have regard to the historic character of the area and setting of heritage assets.</p>

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MM31	Policy NC1: North Colchester and Severalls Strategic Economic Area	<p>Zone 1: as defined on the Policies Map (existing and proposed employment land) will be the primary focus for B class employment uses and as such, alternative non-B Class uses will only be supported where they:</p> <ul style="list-style-type: none"> i. Are ancillary to the existing employment uses on the site intended to serve the primary function of the site as an employment area and; ii. Provide the opportunity to maximise the sites potential for economic growth and support the continued operation of existing employment uses within the economic area and; iii. Do not generate potential conflict with the existing or proposed B-class uses / activities on the site; and iv. (iv) There is no reasonable prospect of the site being used for B-class appropriate employment uses. <p>Proposals for main town centre uses will not be permitted within zone 1 of North Colchester and Severalls Economic Area.</p>
MM32	Policy NC4: Transport in North Colchester	Enhancements to the East / West public transport services, to serve the area to connect existing and new residential developments with employment and leisure opportunities. This includes the route connecting the Tendring Colchester Borders Garden Community with East Colchester, the Town Centre, and North Colchester required by Section 1 Policy SP6. The type of public transport service may vary.
MM33	New para 14.52	<p>Add new para 14.52 Land at the ABRO site:</p> <p>The site, known as the ABRO site, was previously part of the Royal Artillery Barracks (latterly known as Le Cateau Barracks), forming a northern most part of the old Colchester Garrison. Now vacant the ABRO site is 4.26 hectares, including a 3.80 hectare area allocated for residential use. The site is predominantly flattened hard surfacing, with some buildings of mixed size and architectural/historic significance. The north east corner of the site is former green space converted to car parking in recent times. The Roman Circus Scheduled Ancient Monument (SAM) extends over the 0.46 hectare southern part of the site and is allocated for open space. A development brief been prepared for the site and was subject to public consultation 2020/21. The requirements and quantum of development on the site will be set out in the final Development Brief.</p>
MM34	Policy SC1: South Colchester Allocations	<p>Add additional text in policy before 'The following Local Economic':</p> <p>ABRO site</p>

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text
		<p>The 4.26 hectare will provide 3.80 hectares for residential development and 0.46 hectares for open space. Development of this site will be supported where it accords with the ABRO Development Brief.</p> <p>Any proposals will also take into account the Essex Minerals Local Plan and the developer will be required to submit a Minerals Resource Assessment as part of any planning application. Should the viability of extraction be proven, the mineral shall be worked in accordance with a scheme/masterplan as part of the phased delivery of the non-mineral development.</p>
MM35	Para 14.54	<p>The Defence Infrastructure Organisation is disposing of a number of sites nationally including Middlewick Ranges. The site was originally proposed for the allocation of 2000 dwellings, however as there are a number of constraints at the site which will restrict the final number of dwellings that can be delivered at this location, the allocation is for up to 1000 dwellings. Given the potential constraints and opportunities associated with the site, there will be a requirement for a masterplanning approach working together with the MOD, and any future landowners to inform the best opportunities for delivering housing and supporting infrastructure, as well as ensuring the delivery of a development appropriate to its setting. More guidance in respect of the approach, scope and requirements for masterplanning for this site are set out in paragraph 14.62 below.</p>
MM36	Para 14.55	<p>Vehicular access to the site, the impact of any development on the local road network and necessary mitigation, will need to be determined prior to any detailed scheme being submitted. The development would need to be supported by a Transport Assessment that stresses the importance of sustainable transport as the primary means of access and movement to, from and within the site. The Transport Assessment should set out that where impacts would occur and the necessary mitigation to address those impacts; any mitigation which would need to be agreed with CBC and ECC and secured as part of the planning permission. As a minimum, the Transport Assessment would need to include details regarding:</p> <ul style="list-style-type: none"> • Support for local bus services to traverse the site and provide frequent and regular connections to the town centre, railway stations and any other identified and agreed destinations; • Provision of bus stops within the site and upgrade of existing bus stops in the vicinity of the site (specification to ECC standards); • Bus priority measures at key junctions; • Demonstration of an extensive network of footpaths and cycleways within the site and connections at the site boundaries into the external network. Improvements to the external network of footpaths and cycleways in the vicinity of the site as agreed; • Provision of a distributor road across the site with dedicated footpath and cycleways alongside it over its entire length;

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		<ul style="list-style-type: none"> • Provision of new sections of footway, cycleway and uncontrolled and controlled crossings in the vicinity of the site as agreed; • Improvements to the Public Right of Way Network across and in the vicinity of the site; and • Delivery of a bespoke Travel Plan for the development of the site, with the appointment of a Travel Plan Co-ordinator and commitment to provision of tailored Residential Travel Information Packs for each household. <p>In the event that the detailed transport assessment work indicates that the traffic constraints cannot be adequately addressed, the number of homes permitted will be reduced to reflect this with support for up to 1,000 once the traffic impacts can be adequately resolved.</p>
MM37	Para 14.56	<p>Middlewick Ranges is a designated Local Wildlife Site (reference Co122). The site was reviewed as part of a wider Local Sites Review in 2015 and as a result of the review the area designated has been extended. The Ecological Evidence Report confirms that the habitats within the site are of high biodiversity value, including 53 Ha of acid grassland. The site supports a range of protected species such as invertebrates, breeding birds and bats. Council is aware that the site supports at least one Protected Species, therefore given the site's ecological sensitivity, full ecological assessments will need to be undertaken as part of any planning application including for all Protected Species, and Species of Principal Importance during the appropriate survey season. The Council will also be seeking a minimum 10% biodiversity net gain on the development site, following application of the mitigation hierarchy, in line with emerging legislation (Environment Bill 2020). The Council will require a developer to commit to a suitable legal mechanism to ensure the long-term establishment, management and maintenance of the mitigation / compensation land for a minimum of 30 years and a strategy for the monitoring of key mitigation and/or compensation as part of the grant of any planning permission.</p>
MM38	Para 14.57	<p>The area is a well-used recreational space, particularly with dog walkers. Any future development proposal will be expected to deliver new open space as well as strategic green infrastructure to meet the needs of existing and new residents in this part of Colchester, to minimise subsequent footfall on the Essex coastal sites and nearby Roman River SSSI, and provide substantial buffers to existing sensitive habitats. The range of typologies may include accessible natural greenspace, formal playing pitches, parks and playspace, green corridors and land for future cemetery use (including potential for a woodland cemetery), if suitable and required. The master planning process will need to inform further consideration in respect of the type, layout and configuration of open space and green infrastructure. A key requirement will be to ensure connectivity between green walking routes across the site and the existing Colchester Orbital, a circular walking and cycling route around the town's perimeter, which runs through the north-west of the Middlewick Ranges linking some of the town's key open spaces, heritage sites and PRoW. The Council will seek to retain and enhance PRoW within the development along with the route and character of the Colchester Orbital.</p>

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MM39	Para 14.58	The site has archaeological interest due to the potential for the presence of buried archaeological remains, in particular, relating to prehistoric, Roman and civil war and World War II defences. The WW2 pill boxes, and tank line form an important landscape opportunity. The Council believes they also represent an important heritage interpretation and visitor opportunity. Further investigations will be required at a planning application stage, prior to the commencement of any development. Policy PP1 (vi) will apply in this respect to any planning application on this site. It is also possible that a future management plan for the redoubt may be required as part of the planning permission, which will need to be agreed with the Council.
MM40	New Para to be added	In terms of local character, the site sits in an area of gently sloping open landscape bordered by Colchester to the north and the wooded Roman River to the south. It currently provides some physical and visual separation between the existing urban area and the Roman River Valley. The site has the potential to contain archaeological finds therefore it will be necessary to complete archaeological investigations. Any development will need to minimise and mitigate potential impacts on the wider landscape, on adjoining minor roads and recreational pressure on the landscape and biodiversity assets. New development should respond to the existing settlement pattern, screen any existing visual intrusions, conserve and manage existing woodland and hedgerows, and use materials appropriate to local character. An LVIA will be required to inform the proposed masterplan and any subsequent planning application. Extra High Voltage electricity pylons lie at the north of the site. There would be visual benefits to these being undergrounded but in the event that this is not feasible they would act as a constraint on the layout of development.
MM41	Para 14.59	Development of Middlewick Ranges may be further constrained by pockets of contamination therefore an investigation into all potential sources of contamination will need to be carried out as part of any future development proposals and submitted as part of any planning application. Any investigation will need to include assessment of areas inaccessible during the 2018 site visit, together with any activity since the date of reporting including detail of any fly tipping, and continued MoD uses. Policy ENV5 will be relevant to any planning application in respect of this matter.
MM42	Para 14.60 and Para 14.62	Delete para 14.60 and renumber para 14.62 The Middlewick Ranges site falls within Critical Drainage Area 01 (Old Heath Area) as defined in Colchester's Surface Water Management Plan (SWMP). Contributions will be sought towards the costs of delivering flood defence/flood management solutions within CDA 01 as set out in the SWMP. Given the array of identified constraints, all requested surveys should be commissioned as soon as possible. This is necessary to help determine final housing numbers that can be delivered at Middlewick Ranges and to define the most suitable developable areas and land uses within the Middlewick Ranges site. As well as housing and open space, other suitable uses could include a cemetery extension or green cemetery.

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MM43	New Para to be added	A Masterplan must be agreed with the Local Planning Authority prior to the submission of any planning application, in order to inform the detailed definition and mix of uses within the site. The masterplan process should include engagement of the local community, use of design advice and review where available, and assessment frameworks such as Building for a Healthy Life or similar. The masterplan will be supported, as appropriate, with site wide parameter plans, design codes or design guidance.
MM44	Para 14.61	Developer contributions will be sought where required towards the cost of ecological mitigation including; the provision of compensatory habitat to replace habitat lost to development. ecological mitigation, remediation of any on site contamination as part of the development of the site; community infrastructure including education provision; traffic and highways mitigation including enhancements to the public transport, walking and cycling infrastructure; accessible natural green space and public open space.
MM45	Para 14.63	Development at Middlewick Ranges will be phased to start towards the middle of the plan period. This is necessary to enable further detailed work to be carried out to inform a comprehensive masterplan process as described above and to allow for appropriate engagement with all relevant parties including the local residents. This will also allow for the commencement of soil preparation for the required biodiversity mitigation, compensation and net gain allowing for the soil conditions to respond to changes in pH. which is imperative to the practical use of turves from the ranges to create new areas of acid grassland. This will help inform or refine the later stages of the net gain strategy. The masterplan will inform any subsequent planning application. all the studies to be completed and any mitigation measures i.e compensatory habitat to be provided prior to the start of development
MM46	New Para to be added	Due to the high distinctiveness of the biodiversity of the site and the complexity of recreating and managing protected habitats for the long term, both onsite and in the mitigation lands, the Council will require the appointment, by the developer, of a suitably qualified and experienced nature conservation management organisation as a partner to take forward this element of the development. The Council will require the developer to enter into an appropriate legal agreement to secure the long term (minimum 30-year) management and monitoring of retained protected habitats, the biodiversity mitigation, compensation and net gain land, by the nature conservation organisation, including a mechanism for funding and governance that ensures both the nature conservation value and local community interest. The landowner of the mitigation land will need to be party to such an agreement.
MM47	Policy SC2: Middlewick Ranges	The allocation shown on the Policies Map is expected to deliver approximately up to 1000 new dwellings. The final number of dwellings will only be confirmed through masterplanning , when full details of constraints are known. In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the area identified on the policies map where it: which provides: <ul style="list-style-type: none"> (i) Delivers up to 1000 new houses of a mix and type of housing to be compatible with surrounding development; and (ii) Is supported by a Transport Assessment which sets out where impacts would occur and any mitigation to address those impacts, as well as measures proposed to ensure sustainable

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		<p>transport is the primary means of access and movement to from and within the site. The Transport Assessment and mitigation measures are to be agreed with the Highway Authority and The Council as part of any planning permission; and</p> <p>(iii) Delivers access and highway works on the local road network, including new junctions, to be agreed with the Highway Authority and delivered at the appropriate time commensurate with the development; and</p> <p>(iv) Delivers of enhancements to sustainable travel connectivity including public transport, cycling and walking infrastructure, including connection and enhancement to the Colchester Orbital; and</p> <p>(v) Provision for retention or diversion of any existing public rights of way within the site and incorporation wherever possible into the green infrastructure network; and</p> <p>(vi) Detailed ecological surveys The built footprint of the development has been sited to minimise the effects on protected habitats and species; and</p> <p>(vii) Is supported by the submission of appropriate mitigation and net gain plans to enhance the ecology of the remaining areas of the Local Wildlife Site including the provision to provide of compensatory habitat to replace habitat lost to development and a minimum of 10% biodiversity net gain; and</p> <p>(viii) Secures the appointment, by the developer, of a suitably qualified and experienced nature conservation management organisation as a partner to take forward the habitat conservation, creation and management of the development; and.</p> <p>(ix) Identifies and commits to a legal mechanism, in a form to be agreed with the Council, to ensure the long-term establishment, management and maintenance of the retained acid grassland, the biodiversity mitigation/ compensation and net gain land and a strategy for the monitoring of key mitigation, compensation and net gain. The legal mechanism will identify the funding mechanism and governance structure (including the option of designation as a Local Nature Reserve) that ensures both the nature conservation value and local community interest in the retained acid grassland, other protected habitats, the biodiversity mitigation and compensation land, and areas of net gain; and</p> <p>(x) Includes a detailed strategy and management plan, to be agreed with the Council, for Strategic areas of the existing and proposed green infrastructure and public open space network, including formal playing pitches, strategic green corridors, green buffers and structural landscape; and</p> <p>(xi) Includes a detailed Landscape and Visual Impact Assessment in order to minimise and mitigate potential impacts on the wider landscape and urban character; and</p> <p>(xii) Delivers Mitigation measures to address site contamination; and</p> <p>(xiii) Provides for Primary and early years education as follows;</p> <ol style="list-style-type: none"> a. a new primary school with co-located 56 place early years and childcare nursery on 3 hectares of suitable land allocated for education and childcare use; and b. a new 56 place stand-alone early years and child care nursery on 0.13 hectares of suitable land allocated for education and childcare use; and

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		<p>(xiv) Secures financial contribution to early years and childcare, primary and secondary education provision as required by the Local Planning Authority primarily through Section 106 Planning Obligations or the Community Infrastructure Levy</p> <p>A masterplan will be required to inform the detailed definition and mix of uses within the site. A Masterplan for the whole site is to be agreed with the Council prior to submission of any planning application. The masterplan must be informed by, or supported by, as appropriate, site wide parameter plans, design codes or guidance, developed through engagement with the local community, be informed by use of design review where available, and assessment frameworks such as Building for a Healthy Life or similar.</p> <p>Before granting planning consent, wintering bird surveys will be undertaken at the appropriate time of year to identify any offsite functional habitat. In the unlikely event that significant numbers are identified, development must firstly avoid impacts. Where this is not possible, development must be phased to deliver habitat creation and management either on or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds.</p>
MM48	Policy SC3: Transport in South Colchester	<p>Amend the final bullet point of Policy SC3 to read:</p> <p>Improvements to routes for walking, and cycling and horse riding where appropriate including links to the Garrison and Boadicea Routes and complete gaps in the network.</p>
MM49	Policy EC1: Knowledge Gateway and University of Essex Strategic Economic Area	<p>3rd para: There will be a need for a comprehensive approach to development in conjunction with the new University Tendring Colchester Borders Garden Community proposed to the east of Colchester....</p> <p>6th para: Development will be expected to contribute to the cost of direct infrastructure improvements as required.</p> <p>Within this area, the Local Planning Authority will continue to support the growth and retention of the University Research Park. All land and premises within this area will be safeguarded for employment uses, primarily for office use within E class where appropriate and non- B class employment generating uses of a scale and type compatible with the Research Park. Encouragement will also be given to uses which can be shown to be directly linked to the development of research associated with the University and to the provision of business incubator units. Proposals for uses which are not for office use within E class or where it cannot be demonstrated that they are linked to the Research Park will only be supported where they:...</p>

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MM50	Policy EC2: East Colchester/Hythe Special Policy Area	<p><i>Amend criteria (i) and (xi) of Policy EC2 as follows:</i></p> <p>(i) '... homes and community and environmental enhancements, in line with the site allocations shown on the East Colchester Policies EC1-4 map and create a strong sense of identity for the area.</p> <p>(xi) Develop the East Colchester Energy Centre and HEAT network;</p>
MM51	Policy EC3: East Colchester Allocations	<p>Insert Text before Local Economic Areas in Policy EC3:</p> <p>Place Farm</p> <p>Development of the site will be supported where it provides:</p> <p>2.7 ha of employment land, as shown in Table SG3</p> <p>Up to 30 new dwellings of a mix and type of housing to be compatible with development in the adjacent Old Heath area.</p> <p>Access via Whitehall for the employment and via Rowhedge Road for the residential development.</p> <p>..in accordance with Table SG34 and Policies SG3 and SG4.</p>
MM52	Policy EC4: Transport in East Colchester	<p>Enhancements to the interchange at Hythe Station and improvements to existing public transport services, including the potential for extension to existing services and North Colchester along with the provision of a rapid transit route connecting the Tendring Colchester Borders Garden Community with East Colchester, the Town Centre, and North Colchester required by Section 1 Policy SP6.</p> <p><i>Amend the final bullet point of Policy EC4 as follows;Improvements to connectivity for pedestrians, and cyclists and horse riders where appropriate including;.....</i></p>
MM53	Policy WC1: Stanway Strategic Economic Area and Tollgate	<p>All land and premises within the area allocated as the Stanway Economic Area and Tollgate District Centre will be safeguarded for economic / employment appropriate commercial uses based on a zoned approach in accordance with the following principles:</p>

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	District Centre	<p>Zone 1: as defined on the West Colchester Policies Map and incorporating the Stanway allocations listed in Table SG3 will be the primary focus for B-class employment uses and as such, alternative non-B-Class uses will only be supported where they:</p> <ul style="list-style-type: none"> (i) Are ancillary to the employment uses on the site intended to serve the function of the site as an employment area; and, (ii) Provide the opportunity to maximise the sites potential for economic growth and support the continued operation of existing employment uses within the economic area; and, (iii) Do not generate potential conflict with the existing or proposed B-class uses / activities on the site; and (iv) There is no reasonable prospect of the site being used for employment purposes. <p>Proposals for main town centre uses will not be permitted within zone 1 of the Stanway Strategic Economic Area.</p> <p>Zone 2: Within the area shown on the West Colchester Policies Map, comprising the Tollgate District Centre, proposals for main town centre uses which are suitable for, and proportionate to, the role and function of the centre and its place within the hierarchy will be supported.</p> <p>Where the proposal is for a main town centre use(s), it Proposals must be of a scale and type appropriate to the centre (having regard for the Centres Hierarchy and the definitions under Policy SG5) and must also satisfy the criteria set out below.</p> <p>Proposals must should:</p> <ul style="list-style-type: none"> (i) Seek to eEnhance the role of the centre, through the introduction of new services and/or community facilities, (ii) Proposals outside the Tollgate District Centre should meet the requirements of the sequential test as set out in policy SG6 in so far as the Local Planning Authority should be satisfied that there are no suitable alternative sites located more centrally in or on the edge of the District Centre or any other centre (within an appropriately defined catchment area); and (iii) Where the scale of the proposal requires an impact assessment, in accordance with policy SG6, the Local Planning Authority are satisfied that the proposal will not have a significant adverse impact on a) existing, committed and planned public and private investment in a centre or centres in the

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		catchment area of the proposal and b) the vitality and viability of Colchester Town Centre and/or any other defined centre.
MM54	Policy WC2: Stanway	<p>Amend First paragraph: 'Allocations as shown In addition to meeting the requirements set out in Policy PP1, existing capacity issues at the and by the provision of a new primary school at Lakelands. a new primary school will be required on 2.1 hectares of suitable land allocated for education and childcare use to the north of London Road in a location to be decided. The primary school will be secured through a S106 agreement and will be co-located with an 56 place early years and childcare nursery facility (D1 use). An additional 0.13 hectares of suitable land for a 56 place early years and childcare nursery facility will also be required in Stanway in a location to be decided. All new residential developments in Stanway will be expected to contribute towards new education facilities. Commercial developments may be expected to contribute to Early Years and Childcare facilities.</p> <p>Add to the policy following second paragraph:</p> <p>Before granting planning consent for Land to the North of London Road and Land to the West of Lakelands, wintering bird surveys will be undertaken at the appropriate time of year to identify any offsite functional habitat. In the unlikely event that significant numbers are identified, development must firstly avoid impacts. Where this is not possible, development must be phased to deliver habitat creation and management either on or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds.</p> <p>Add sentence to Land to the North of London Road allocation:</p> <p>Any proposals will also take into account the Essex Minerals Local Plan and the developer will be required to submit a Minerals Resource Assessment as part of any planning application. Should the viability of extraction be proven, the mineral shall be worked in accordance with a scheme/masterplan as part of the phased delivery of the non-mineral development.</p> <p>Delete Sainsbury's site residential allocation.</p> <p>Land to the West of Lakelands</p> <p>(i) A mix of uses to include: Approximately 150 new dwellings and provision of employment floorspace to be compatible with the surrounding residential uses;</p> <p>Land off Dyers Road - Delete Criterion (v)</p>

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MM55	Para 14.118	Amend the third sentence as follows: Any proposals should promote access by Bus from the Town Centre and local train stations, as well as promoting local access via cycle, and footpaths, equestrian routes, where appropriate and improving improvements to these routes where necessary.
MM56	Policy WC3: Colchester Zoo	Amend policy reference to reflect current terminology; Any proposals for the expansion of the Zoo will be undertaken through a masterplan approach taking into account landscape and Scheduled Ancient Monument impact..... Add to the policy: Before granting planning consent, wintering bird surveys will be undertaken at the appropriate time of year to identify any offsite functional habitat. In the unlikely event that significant numbers are identified, development must firstly avoid impacts. Where this is not possible, development must be phased to deliver habitat creation and management either on or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds.
MM57	Policy SS1: Abberton and Langenhoe	Include the following after the criteria for Land east of Peldon Road: Development must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the sites include the Grade II Pete Tye Hill and Old Cottage.
MM58	Policy SS4: Copford	Include the following at the beginning of the policy: Development must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the two allocated sites include the Grade II Copford Place and stable, Brewers Cottage, Stanway Bridge and Brook Cottage. The above sentence replaces criteria (v) for West of Hall Road. A design and layout which complements the listed buildings and their setting as well as any archaeological assets.

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MM59	Policy SS5: Eight Ash Green	Replace entire policy with the following: All development proposals in Eight Ash Green parish will be determined against and be required to comply with policies in the Eight Ash Green Neighbourhood Plan and any relevant Local Plan policies.
MM60	Policy SS6: Fordham	Add criteria (iv): Conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the site include the Grade II Plummers Farmhouse, Grade II Thrifts Cottage and Plummers Green Monument.
MM61	Policy SS7: Great Horkesley	Revise text under School Lane (ii): development will facilitate access to the old village hall and either contribute to the replacement of the scout hut or to the enhancement of community buildings other than the old village hall. Amend School Lane criterion (iv): Development will safeguard the setting of the Church of England School building as a grade 2 listed building and other heritage assets on The Causeway must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the site include the Grade II Church of England School, School House and Oak Cottage.
MM62	Policy SS8: Great Tey	Amend criteria (ii) (in relation to Land on Brook Road) as follows: Suitable design and screening/landscaping to maintain and, where possible, enhance the character and setting of minimise and negative impact on the adjacent Conservation Area and listed building (Rectory Cottage). Amend the policy in relation to Greenfield Drive as follows: In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the policy area identified on the policies map which provides: (i) 30 new dwellings with pedestrian and cycle access off Greenfield Drive (Harvesters' Way and/or Farmfield Road) and vehicle access from Newbarn Road ; and (ii) A minimum of 1ha of public open space adjacent to existing public open space. (iii) The emerging Neighbourhood Plan is intended to shape the character of the development
MM63	Policy SS9: Langham	Add the following in relation to Wick Road: Development must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the sites include the Grade II New House. Amend School Road criteria (v) as follows: A design and layout which protects and enhances the listed building including

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		suitable screening/landscaping to protect their setting. Development must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the sites include the Grade II School Farmhouse.
MM64	Policy SS10: Layer de la Haye	<p>Update criteria i as follows:</p> <p>i) At least 35 dwellings of a mix and type compatible with the surrounding development, to include bungalows and small family homes</p> <p>Include the following additions to the policy:</p> <p>Any proposals will also take into account the Essex Minerals Local Plan and the developer will be required to submit a Minerals Resource Assessment as part of any planning application. Should the viability of extraction be proven, the mineral shall be worked in accordance with a scheme/masterplan as part of the phased delivery of the non-mineral development.</p> <p>Before granting planning consent, wintering bird surveys will be undertaken at the appropriate time of year to identify any offsite functional habitat. In the unlikely event that significant numbers are identified, development must firstly avoid impacts. Where this is not possible, development must be phased to deliver habitat creation and management either on or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds.</p>
MM65	Policy SS11: Marks Tey	<p>Growth within the Marks Tey area will largely be guided by the following documents in addition to this Local Plan:</p> <p>i) The Joint Plan Development Plan document to be prepared with Braintree District Council for development of a new Garden Community, as provided by in Section 1 Policy SP9.</p> <p>ii) The Marks Tey Neighbourhood Plan to be developed to include policies to guide the relationship between the existing community of Marks Tey and the gradual development of a Garden Community, and will provide flexibility, including the scope for the allocation of any small parcels of land for development outside with the Garden Community to be considered in the Neighbourhood Plan at the appropriate time.</p>
MM66	Policy SS12b: Coast Road, West Mersea	<p>Amend criteria (ii): Enhance historic heritage assets, maritime uses, the traditional maritime character of Coast Road and the landscape character of the coast.</p> <p>Amend criteria (iii) to read: Can demonstrate no likely significant effects on adjacent European sites or where impacts can be appropriately mitigated and, where appropriate, provide mitigation in accordance with the Recreation Avoidance and Mitigation Strategy (RAMS).</p>

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		Correct the typo: historical
MM67	Policy SS12c: Mersea Island Caravan Parks	<p>Amend opening sentence: Development proposals at caravan parks on Mersea Island, including change of use, ... on site, will only be supported where they meet all of the following criteria:</p> <p>Amend criteria (ii): Help protect the integrity of habitats European sites and minimise disturbance to migratory or over-wintering birds designated breeding and wintering species using the sites; Any future extensions to caravan parks will require their own HRA and where required appropriate assessment.</p>
MM68	Policy SS13: Rowhedge	Deletion of criteria (iv) – Provision of new health services to be agreed with the North Essex Care Commissioning Group
MM69	New Para 14.219 & Para 14.221	<p>Infrastructure necessary to deliver the growth up to 2033 will need to consider cross boundary issues with neighbouring Local Planning Authorities and neighbouring Parishes. This will include acknowledgement of the additional traffic generation forecasts for the proposed new junction 24 onto the A12 as well as from the growth locations. With the northern growth location there is potential for a new road which would ultimately link the B1022 and B1023. The Tiptree Neighbourhood Plan will be expected to deliver the first phases of the road through a design which allows future completion/linkage</p> <p>Following the Tiptree Neighbourhood Plan examination which concluded in October 2020, it was recommended that the Tiptree Neighbourhood Plan could not proceed to referendum. The Tiptree Neighbourhood Plan Working Group are will preparing a revised draft plan which will include site allocation(s) and be subject to further public consultation. The Plan is still at an early stage of development and evidence is still being gathered to support the allocation of sites in Tiptree and development of the document. The Plan will allocate final site boundaries and will include a policy framework to support the delivery of a minimum of 4600 houses up to 2033 and to guide all other planning issues in the village. The Neighbourhood Working Group will need to work closely with neighbouring Local Planning Authorities to ensure that all strategic cross boundary issues are properly considered and addressed through the Neighbourhood Plan. The Plan will be subject to examination and referendum prior to being made.</p>
MM70	New Para 14.222	<p>Add the following new paragraph: Barbrook Lane</p> <p>Planning Permission has been granted for up to 200 dwellings at Barbrook Lane. It is expected that these dwellings will be delivered during the Plan Period. The extent of the application site is reflected on Policy Map SS14 as an existing commitment. Within the site area there will be provision for public open space as well as land reserved for future education purposes as shown on the policies map.</p>

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text
MM71	Policy SS14: Tiptree	<p>Within the preferred directions of growth broad areas of growth shown on the Tiptree policies map, to the south west and north/north west, subject to existing constraints, the Tiptree Neighbourhood Plan will:</p> <ul style="list-style-type: none"> (i) Define the extent of a new settlement boundary for Tiptree; (ii) Allocate specific sites for housing allocations to deliver a minimum 6400 dwellings; (iii) Set out any associated policies needed to support this housing delivery i.e. housing mix, type of housing and density for each site allocated for housing; (iv) Set out the policy framework within the parish to guide the delivery of any infrastructure/community facilities required to support the development in accordance with the requirements of Policies SG7 and PP1. This will include a strategic transport appraisal with a view to confirming provision of phased delivery of a road between the B1022 and B1023; (v) Consider strategic cross boundary issues e.g. A12 junction improvements (vi) Identify other allocations in the Parish, including employment and open space. <p>Proposals for development outside of the identified broad areas and the settlement boundary or settlement boundary defined by the Tiptree Neighbourhood Plan once adopted, for growth will not be supported. This policy should be read in conjunction with the generic Neighbourhood Planning policy SG8, policy SG3 and policies in the Tiptree Neighbourhood Plan, once it has been adopted.</p> <p>Before granting planning consent, wintering bird surveys will be undertaken at the appropriate time of year to identify any offsite functional habitat. In the unlikely event that significant numbers are identified, development must firstly avoid impacts. Where this is not possible, development must be phased to deliver habitat creation and management either on or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds</p>
MM72	Policy SS15: West Bergholt	<p>Replace entire policy with the following:</p> <p>All development proposals in West Bergholt parish will be determined against and be required to comply with policies in the West Bergholt Neighbourhood Plan and any relevant Local Plan policies.</p>
MM73	Policy SS16: Wivenhoe	<p>Replace entire policy with the following:</p> <p>The Wivenhoe Neighbourhood Plan has been made and:</p>

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text
		<p>(i) Identifies the settlement boundary for Wivenhoe;</p> <p>(ii) Identifies specific sites for housing allocations needed to deliver 250 dwellings with additional land for a care home outside the settlement boundary at the housing allocation at Land Behind the Fire Station, Colchester Road should an appropriate scheme be forthcoming;</p> <p>(iii) Sets out policies needed to support this housing delivery i.e. housing mix, type of housing and density for each site allocated for housing;</p> <p>(iv) Identifies other allocations in the Parish, including employment and open space; and</p> <p>(iv) identifies the infrastructure requirements to support new development.</p> <p>Proposals for development outside of the settlement boundary will not be supported unless the Neighbourhood Plan or other Local Plan policy specifically allows for it.</p> <p>All development proposals in Wivenhoe Neighbourhood Plan Area will be determined against and be required to comply with policies in the Wivenhoe Neighbourhood Plan and any relevant Local Plan policies.</p>
MM74	Para 14.246/Policies OV1: Development in Other Villages & OV2: Countryside	<p>Move the following text from para 14.246 to Policy OV1 & OV2: Proposals in close proximity to a habitats site must demonstrate through HRA screening that the scheme will not lead to likely significant effects to the integrity of the habitats site. Where this cannot be ruled out a full appropriate assessment will be required to be undertaken.</p>
MM75	Policy OV2: Countryside	<p>Residential development proposals in the countryside, outside defined settlement boundaries, will need to demonstrate that the scheme respects the character and appearance of landscapes and the built environment and preserves or enhances the historic environment and biodiversity. be restricted to small scale rural exception sites needed to meet local affordable housing needs. Schemes will only be considered favourably on appropriate sites provided a local need is demonstrated by the Parish Council on behalf of their residents, based on evidence gained from an approved local housing needs survey where they are supported by a Local Housing Needs Assessment. Where there is an identified need for certain types of housing, schemes must demonstrate how these needs have been met. Proposals should be supported by the relevant Parish Council.</p> <p>Proposals in close proximity to a habitats site must demonstrate through HRA screening that the scheme will not lead to likely significant effects to the integrity of the habitats site. Where this cannot be ruled out a full appropriate assessment will be required to be undertaken.</p>

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text
MM76	Policy DM1: Health and Wellbeing	All development should be designed to promote healthy and active lifestyles and avoid causing adverse impacts on public health through: (i) Ensuring good access to health facilities and services; (ii) Providing a healthy living environment where healthy lifestyles can be promoted including green space and creating attractive opportunities for activities including walking, and cycling, horse riding and formal sport, as well as clearly seeking to improve opportunities to increase levels of physical activity within the community
MM77	Policy DM2: Community Facilities	Add the words “ (in both cases) ” after ‘and’ at the end of criteria (ii). Add new criteria (iv) as follows: The proposal involves a state funded school which is seeking to relocate into new buildings or sell assets to fund improved education services.
MM78	Policy DM3: Education Provision	Delete the first paragraph and replace with the following text, with the last paragraph remaining unchanged. Sites proposed for, or in current educational use, or which have ceased to be used for education in the recent past, will be protected for that use. Where it is demonstrated that the educational use of the site is genuinely redundant the change of use, or re-development of educational establishments and their grounds, will be supported where:- - i. No other alternative educational, or community use can be found;— ii. Satisfactory alternative and improved facilities will be provided; and— iii. The area of the site to be redeveloped is genuinely in excess of government guidelines for playing field provision, taking into account future educational projections.— Sites that are in private or public education use or have recently ceased to be used for education purposes will be protected for that use. Where in whole or in part educational use of a site is redundant or proposals for alternative use are put forward, re-development of buildings and/or the grounds will be supported where the local community is and will remain adequately served by alternative provision and receipts from the sale of the land will be invested in improved or expanded education facilities.
MM79	Policy DM4: Sports Provision	Amend the fourth paragraph of Policy DM4 as follows: The Local Planning Authority will seek to secure community use as part of all new strategic sports proposals and as part of other smaller sport and leisure schemes submitted, including school sports facilities , where it is practical to do so.

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text
MM80	Policy DM5: Tourism, Leisure, Culture and Heritage	Amend the first paragraph as follows: ...will be supported in suitable locations subject to minimising impact on, and demonstrating how the development could make a positive contribution to neighbouring areas and provide biodiversity enhancements
MM81	Para 15.32 and Policy DM6: Economic Development to Rural Areas and the Countryside	Move text currently in paragraph 15.32 to the end of Policy DM6: Proposals in close proximity to a habitats site must demonstrate through HRA screening that the scheme will not lead to likely significant effects to the integrity of the habitats site. Where this cannot be ruled out a full appropriate assessment will be required to be undertaken. Additionally, any planning application within 400 metres of a habitats site must provide mechanisms to prevent fly tipping, the introduction of invasive species and vandalism
MM82	Policy DM6: Economic Development to Rural Areas and the Countryside	Amend Policy DM6 criteria (i) as follows; "Within allocated Local Economic Areas and on rural sites providing an economic function, the following uses are considered appropriate in principle; (i) Business (B1) Offices to carry out any operational or administrative functions- E(g)(i); Research and development of products or processes- E(g)(ii); Industrial processes- E(g)(iii), general industrial (B2), storage and distribution (B8);
MM83	Policy DM7: Agricultural Development and Diversification	Amend paragraph 3 in the policy to read: Proposals that are likely to have an adverse impact on the integrity of habitats European sites, Sites of Special Scientific Interest (SSSI) or the Dedham Vale AONB will not be supported.
MM84	Policy DM8: Affordable Housing	Amend Policy DM8 as follows: Accordingly, 30% of new dwellings (including conversions) on housing developments of 10 or more more than 10 dwellings (major developments) Affordable housing development in villages will be supported on rural exception sites close adjacent or continuous to village settlement boundaries or where it will enhance or maintain the vitality of rural communities , provided a local need is demonstrated by the Parish Council on behalf of their residents, based on evidence gained from an approved local housing needs survey.

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text
MM85	Para 15.49	Add the following text to para 15.49 to read: These sites need to provide gypsy and traveller communities with good access to education, health, welfare, water, sewage and employment infrastructure, bearing in mind the need to have due regard to the protection of local amenity and local environment. Sites should not be located in areas at risk from flooding and where practical to achieve be connected to the mains sewer system.
MM86	Policy DM11: Gypsies, Travellers, and Travelling Showpeople	Add the two following paragraphs at the end of the existing policy wording: Planning permission will be refused for the change of use of all Gypsy and Traveller sites or Travelling Showpeople yards identified in the Gypsy and Traveller Accommodation Assessment unless acceptable replacement accommodation can be provided, or it can be demonstrated that the site is no longer required to meet any identified needs. Site selection should ensure that pitches are not located within areas at risk of flooding and are capable of being provided with appropriate drainage, water supply and other necessary utility services. For sewerage, a connection to the main sewer system will be preferable except when it is impractical to achieve.
MM87	Policy DM12: Housing Standards	Add the following new criterion: (x) All new applications for accommodation, with a top storey above 11m (about 4 storeys) in height, are required in accordance with Building Regulations to provide sprinkler systems. Consideration should also be given to the inclusion of sprinklers in houses in multiple occupation (HMOs), care homes and sheltered accommodation.
MM88	Policy DM13: Domestic Development	Add the following text to Replacement dwellings in the countryside under criterion (v): Note: There is a presumption in favour of retaining properties considered to be heritage assets and/or properties which positively contribute to the character of a rural conservation area.
MM89	Policy DM15: Design and Amenity	Add the following criteria: (xi) Encourage Active Design. (xii) Provide a network of green infrastructure, open space and landscape as part of the design of the development to reflect the importance of these networks to biodiversity, climate change mitigation, healthy living and creating beautiful places.
MM90	Policy DM16: Historic Environment	Amend the first paragraph as follows:Development that will lead to substantial harm to or total loss of significance of a listed building, conservation area, historic park or garden or important archaeological remains (including development that adversely affects in the setting of heritage assets).. Amend second paragraph as follows:

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text
		<p>...or better reveal the significance of the heritage asset, in the first instance, unless there are not identifiable opportunities available where possible.</p> <p>Amend penultimate sentence of paragraph two as follows: In instances where existing features have a negative impact on the historic environment, as identified through character appraisals, (or other method of identification of historic assets), the LPA</p> <p>Amend final sentence as follows: Heritage statements Impact Assessments and/or Archaeological Evaluations will be required for proposals related to or impacting on the setting of heritage assets and/or known or possible archaeological sites, and where there is potential for encountering archaeological sites so that sufficient information is provided to assess the significance of the heritage assets and to assess the impacts of development on historic assets together with any proposed mitigation measures</p>
MM91	Policy DM22: Parking	<p>Change first paragraph to read: '.....the most recent local Parking Guidance Standards taking account of.....'</p> <p>Change second paragraph to read: '....with the most recent local Parking Guidance Standards, with a more flexible approach</p> <p>Add new criteria (v): The need to ensure facilities are incorporated for electric and other ultra-low emission vehicles.</p>
MM92	Para 15.133	<p>Add the following additional criteria for flood risk assessments in Flood Zone 1: Site specific Flood Risk Assessments must therefore be submitted with planning applications for development proposals on sites of 1 hectare (ha) or more in Flood Zone 1 or for all development proposals in Flood Zone 2 and 3 and in Flood Zone 1 for sites over 1 hectare (ha), land which has been identified by the Environment Agency as having critical drainage problems, land identified in a strategic flood risk assessment as being at increased flood risk in future, or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.</p>
MM93	Policy DM23: Flood Risk and Water Management	<p>Amend criterion (ii) as follows: ii) All major development proposals are required to reduce post development run off rate back to the greenfield 1 in 1 year rate, with an allowance for climate change. On brownfield sites where this is not achievable, then a minimum betterment of 50% should be demonstrated for all food events. This approach accords with the NPPF/PPG and all the most up to date UKCIP guidance. All minor sites should limit discharge rates as much as practical while considering the increased risk of blockage associated with smaller outfall orifice sizing.</p>
MM94	Policy DM25: Renewable Energy,	<p>Amend the 4th paragraph as follows: To achieve greater water efficiencies, new residential developments will be required to meet the Building Regulation optional higher water efficiency standard of 110 litres per person per day, as set out in Building</p>

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text
	Water, Waste and Recycling	<p>Regulations part G2incorporate water saving measures in line with the tighter optional requirement of Part G2 of national Building Regulations of 110/l/h/d.</p> <p>Amend the 6th paragraph as follows: District Heating Networks and Community led renewable energy initiatives at appropriate locations in the Borough, which will need to be subject to a Habitats Regulations Assessment and if necessary an Appropriate Assessment, to help reduce Colchester's carbon footprint.</p> <p>Amend 7th paragraph as follows: Renewable energy schemes with potential for adverse effects on internationally or nationally designated nature conservation sites, sites or nationally designated landscapes (Dedham Vale AONB) and heritage assets, will only be supported in exceptional circumstances,...."</p> <p>Delete the final paragraph.</p>
MM95	List of policies Superseded by Section 2 of the Local Plan	See Appendix 4, below.

Appendix 1 Table SG2 Colchester's Housing Provision

Settlements and Key Development Areas		Homes Delivered 2017-2021	Existing commitments (2017-21-2033)	New Allocations (2017-21-2033)	Policy reference
Colchester Urban Area		2544	5261 4011	2018 2201	TC3, NC3, SC1, SC2 EC3, WC4
Stanway		502	1137 919	1106 956	WC2
Tendring / Colchester Borders Garden Community				1,100 - 1,250	Section 1 SP87 and SP98
Colchester Braintree Borders Garden Community			0	1,350	Part 1 SP7 and SP9
Tiptree		149	326	400	SS14
Sustainable Settlements	Abberton and Langenhoe	6	812 899	55	SS1-16
	Boxted	28		36	
	Chappel and Wakes Colne	2		30	
	Copford and Copford Green	1		120	
	Eight Ash Green			150	
	Fordham	1		20	
	Great Horkesley	22		93-13	
	Great Tey	1		40 45	
	Langham	0		80 40	
	Layer de la Haye	8		35 70	
	Marks Tey	39		0	
	Rowhedge	209		40	
	Tiptree			600	
	West Bergholt	15		120 50	
	West Mersea	29		200	
	Wivenhoe	297		250	
Other Areas		222		0	
Extra Care Housing (Self Contained)			0	245	245
Total		4075	7,210 6155	7,853 5740	15,063 15,970

Appendix 2 Proposed modifications to Table SG3: Colchester Employment Land Supply 2017-2033

Location / Allocations		Site area (ha.)	Office (B1 a/b) sqm	Industrial (B1c/2/8) sqm	Total sqm
Strategic Economic Areas (SEAs)					
North Colchester		10.4	56,696	0	56,696
Stanway		15.6 1.4	20,506 0	42,054 5,600	62,560 5,600
Knowledge Gateway		7.0	22,538	0	22,538
Local Economic Areas (LEAs)					
Colchester	Town Centre Core	0.7	3,160	0	3,160
Town Centre	Edge of Centre	3.5	0	13,959	13,959
District Centres (outside Colchester)		1.5	3,078	3,078	6,156
Other Rural Areas		1.0 4.0	2,000	2,000 14,000	4,000 16,000
Total SEAs and LEAs		39.7 28.5	87,472 107,978	36,637 61,091	124,109 169,069
Garden Communities Employment Areas (GCEAs)					
Colchester Braintree Borders GC		1.7	6,858	0	6,858
Tendring Colchester Borders GC		2.8 3.5	11,276 TBD	0 TBD	11,276 TBD
Total GCEAs		4.5	18,134	0	18,134
Total all allocations		44.2 32	126,112	61,091	187,203

Appendix 3 Table SG6 Impact Assessments Thresholds

Centre	Floorspace (sq. m gross)		
	Comparison Retail	Convenience Retail	Leisure Services
Colchester Town Centre	2,500	1,500	1,500
Tiptree, Wivenhoe and West Mersea District Centres	1,000	1,000	500
Tollgate (applies also for proposals within the Tollgate District Centre)	2500	1500	1500
Turner Rise, Highwoods and Peartree Road District Centres	1,500	1,500	1,000

Centre	Retail and/or leisure floorspace (sqm gross)
Colchester Tollgate Peartree Road Turner Rise Highwoods	1,500
Tiptree West Mersea Wivenhoe	1,000

Appendix 4 Core Strategy Focused Review Version (July 2014)/Site Allocations Adopted October 2010/Development Policies Focused Review Version (July 2014) - Superseded by the Colchester Local Plan 2013-2033

New Policy Number	Policy ref on 2017-2033 Local Plan	Replaces Policy
Section 1		
SP1	Presumption in Favour of Sustainable Development	SD1
SP2	Recreational disturbance Avoidance and Mitigation Strategy (RAMS)	-
SP3	Spatial Strategy for North Essex	H1
SP4	Meeting Housing Needs	H1
SP5	Providing for Employment	CE1
SP6	Infrastructure and Connectivity	SD2
SP7	Place Shaping Principles	-
SP8	Development and Delivery of New Garden Community in North Essex	-
SP9	Tendring/Colchester Borders Garden Community	-
Section 2		
SG1	Colchester's Spatial Strategy	H1
SG2	Housing Delivery	H1
SG3	Economic Growth Provision	CE3/DP5
SG4	Local Economic Areas	CE3/DP5
SG5	Centre Hierarchy	CE1
SG6	Town Centre Uses	DP6
SG6a	Local Centres	CE2c/DP7
SG7	Infrastructure Delivery and Impact Mitigation	SD2/SD3
SG8	Neighbourhood Plan	ENV2
ENV1	Environment	ENV1/DP 21
ENV2	Coastal Areas	ENV1/DP23
ENV3	Green Infrastructure	ENV1/PR1
ENV4	Dedham Vale Area of Outstanding Natural Beauty	ENV1/DP22
ENV5	Pollution and Contaminated Land	DP1
CC1	Climate Change	ER1

New Policy Number	Policy ref on 2017-2033 Local Plan	Replaces Policy
PP1	Generic Infrastructure and Mitigation Requirements	DP3
TC1	Town Centre Policy and Hierarchy	CE1
TC2	Retail Frontages	DP6
TC3	Town Centre allocations	SA TC1
TC4	Transport in Colchester Town centre	TA4/DP18
NC1	North Colchester and Severalls Strategic Economic Areas	CE1/SA NGA1/SA NGA3
NC2	North Station Special Policy Area	SA TC1
NC3	North Colchester	-
NC4	Transport in North Colchester	TA4/DP18
SC1	South Colchester Allocations	CE3*
SC2	Middlewick Ranges	-
SC3	Transport in South Colchester	TA4/DP18
EC1	Knowledge gateway and University of Essex Strategic Economic Area	CE1/SA EC7
EC2	East Colchester / Hythe Special Policy Area	SA EC2/SA EC3 Area 1/ SA EC4 Area 2/SA EC6 Area 4
EC3	East Colchester	SA H1/ SA EC1/SA EC5 Area 3 CE3
EC4	Transport in East Colchester	TA4 / DP18/SA EC8
WC1	Stanway Strategic Economic Area	CE1/ SA STA1/ SA STA3
WC2	Stanway	SA STA1/SA STA5
WC3	Colchester Zoo	-
WC4	West Colchester	-
WC5	Transport in Colchester	TA4 /DP18/SA STA4
SS1	Abberton and Langenhoe	CE3*
SS2	Boxted	-

New Policy Number	Policy ref on 2017-2033 Local Plan	Replaces Policy
SS3	Chappel and Wakes Colne	-
SS4	Copford	-
SS5	Eight Ash Green	-
SS6	Fordham	-
SS7	Great Horkesley	CE3*
SS8	Great Tey	CE3*
SS9	Langham	CE3*
SS10	Laver de La Haye	-
SS11	Marks Tey	CE3*
SS12a	West Mersea	-
SS12b	Coast Road West Mersea	DP23
SS12c	Mersea Island Caravan Parks	DP10/ DP21/DP23
SS13	Rowhedge	-
SS14	Tiptree	SA TIP2
SS15	West Bergholt	-
SS16	Wivenhoe	-
OV1	Development in Other Villages	ENV2
OV2	Countryside	ENV2/DP9
DM1	Health and Wellbeing	DP2
DM2	Community Facilities	DP4
DM3	Education Provision	SD3
DM4	Sports Provision	DP15
DM5	Tourism, leisure, Culture and Heritage	DP10
DM6	Economic Development in Rural Areas and the Countryside	DP5/DP9
DM7	Agricultural Development and Diversification	DP8
DM8	Affordable Housing	H4
DM9	Development Density	H2
DM10	Housing Diversity	H3

New Policy Number	Policy ref on 2017-2033 Local Plan	Replaces Policy
DM11	Gypsies, Travellers and Travelling Showpeople	H5/SA H2
DM12	Housing Standards	DP12
DM13	Domestic Development	DP11/DP13
DM14	Rural Workers Dwellings	H6
DM15	Design and Amenity	UR2/DP1
DM16	Historic Environment	UR2/DP14
DM17	Retention of Open Space	DP15
DM18	Provision of Open Space and Recreation Facilities	PR1/ PR2/DP16
DM19	Private Amenity Space	DP16
DM20	Promoting Sustainable Transport and Changing Travel Behaviour	TA1/TA2/TA3/DP17
DM21	Sustainable Access to development	PR2/TA2/DP17
DM22	Parking	TA5/DP19
DM23	Flood Risk and Water Management	ENV1/ DP20
DM24	Sustainable Urban Drainage Systems	DP20
DM25	Renewable Energy, Water Waste and Recycling	ER1/DP25

* Please note that the housing allocation elements of the policy are new and do not supersede adopted policies. However, these policies include reference to Local Employment Areas and this part of the policy supersedes adopted policy CE3.

Colchester Borough Local Plan 2017 – 2033

Section 2

Adopted TBC



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1. Introduction

- 1.1 This Plan is the second section of a two part Local Plan for Colchester, which is a diverse and growing borough, with a vibrant town centre, attractive villages and important natural landscapes. Over the next 15 years the Borough will face many challenges, such as population growth and change, evolving economic trends and the need for more sustainable transportation. The Local Plan addresses these challenges to meet the needs of current and future generations whilst also protecting and enhancing the environment and people's quality of life.
- 1.2 The Local Plan sets out a vision, strategy, objectives and policies for planning and delivery across the Borough. It is in 2 Sections (contained in separate documents) with Section 1 providing a shared strategic policy context and addressing cross boundary matters for North Essex together with Braintree and Tendring Councils. The North Essex Authorities' Shared Strategic Section 1 Plan comprises the Section 1 of the Colchester Local Plan. This was Adopted by Colchester Borough Council on 2 February 2021.
- 1.3 The second part of the Plan is set out in this document comprising The Colchester Local Plan Section 2 which provides the policy framework, site allocations and development management policies for the Borough up to 2033. This was Adopted by Colchester Borough Council xxxx 2022 (TBC).
- 1.4 Taken together, these two sections of the Plan combine to provide a spatial framework that brings together and co-ordinates a range of strategies prepared by the Council, its partners and other agencies and authorities. It includes policies for deciding development proposals. It takes account of projected changes in the economy, employment, housing need, transport demand, and seeks to maintain the quality of the natural and built environment as well as its historic environment. It provides the strategy and policies for shaping the Borough until 2033 and beyond.
- 1.5 The production of the Local Plan represents years of work, starting with extensive technical evidence, significant public engagement, negotiation and co-operation from many partners and stakeholders including developers, campaign groups and local residents. Finally, it was subject to scrutiny from an Independent Government Inspector from the Planning Inspectorate to ensure the Plan is legally compliant, sound and consistent with national policy. Following Submission in October 2017 and independent Examination in April 2021, the Colchester Local Plan Section 2 was found to be legally compliant and sound subject to Main Modifications which have all been incorporated.
- 1.6 This Local Plan like all others has benefitted from a significant number of contributors over a number of years. There are 2 individuals who sadly passed away during 2021, who both had a significant influence on shaping and informing the content or process, which has enriched the final Plan;

Tributes

- *Stephen Ashworth- (1963 – 2021) Planning Law Partner at Dentons. Stephen worked with the Council and other partners for many years to support and guide the Plan preparation for both Sections of the Local Plan. Stephen's intellect, passion, dedication and pragmatic, solution focused approach to planning provided a steer throughout the process. Without a doubt, the Plan is better for all his contributions.*
- *Alistair Day – (1970- 2021) Principal Planning & Specialists Manager. Alistair worked tirelessly as an Officer at Colchester Borough Council for over 20 years and it is without doubt a better place for his involvement. Alistair quietly influenced the plan making team with understated contributions to many of the policies, which will ensure his legacy continues to live on for many years to come, well beyond the Plan period.*

Local Plan: The Process

- 1.7 The Borough cannot be planned in isolation. The Local Plan has been developed in the context of a range of other plans and strategies operating at the national, county, and local levels.

National Planning Guidance

- 1.8 The Local Plan must reflect the National Planning Policy Framework (NPPF) issued by the Secretary of State for Communities and Local Government. Further national guidance on planning policies is provided in Planning Practice Guidance (PPG). The NPPF establishes a presumption in favour of sustainable development, which the Local Planning Authority will implement in making its planning decisions. It is a statutory requirement for the Local Planning Authority to produce planning policies for the Borough. The policies must comply with national planning policy unless there is overwhelming evidence to demonstrate why this is not the case.

South East Local Enterprise Partnership

- 1.9 To bridge the gap between the national and local levels, business-led Local Enterprise Partnerships (LEPs) have been established across the country. The South East LEP (SELEP) includes the Colchester Borough and comprises the areas of Essex, Kent and East Sussex. Whilst the LEP has no statutory land use planning powers, it is responsible for determining local economic priorities and undertaking activities to encourage economic growth and local job creation.

County Level Plans

- 1.10 The following County level plans provide a relevant background to the Local Plan.

Essex Local Transport Plan

- 1.11 The Essex Local Transport Plan contains the Essex Transport Strategy and sets out the 15 year vision to improve travel in the county and underlines the importance of the transport network in achieving sustainable, long term economic growth and enriching the life of residents. It is supplemented by delivery strategies for public transport, highways, cycling and public rights of way.

Economic Plan for Essex and North Essex Economic Strategy

- 1.12 The Economic Plan for Essex is based on the collective ambitions of all local authorities in Essex with a Strategy for North Essex prepared more recently- The North Essex Economic Strategy, covering Colchester , Braintree, Tendring and Uttlesford, which aims to ensure the area can rise to the economic challenges and opportunities.

Essex Minerals Local Plan

- 1.13 Essex County Council is the minerals planning authority for the Borough, and is responsible for preparing planning policies, and also for assessing applications for mineral development. The Essex Minerals Local Plan (2014) is a statutory Development Plan and should be read alongside the Colchester Local Plan. The role of the Minerals Local Plan is to identify sites for the extraction of sufficient quantities of mineral within Essex to facilitate development over the Plan period.
- 1.14 There are active quarry sites in the Borough as well as currently unworked sand and gravel and brick clay deposits which are subject to a Minerals Safeguarding policy within the Minerals Local Plan. The safeguarding policy requires the minerals planning authority – Essex County Council - to be consulted on development proposals covering 5 hectares or more within the sand and gravel minerals safeguarding area and greater than one dwelling for the brick clay safeguarded area. The Minerals Safeguarding Areas which may apply within Colchester Borough are highlighted on the relevant Policies Maps, sign posting to the Essex Minerals Local Plan for more information. Refer to the Essex Mineral Local Plan for Information about potential Minerals Safeguarding Areas in parts of the Borough outside the scope of the Local Plan Policies Maps. Regard should be had to the requirements of the Minerals Local Plan where a development falls within a Minerals Safeguarding Area.
- 1.15 The Minerals Local Plan also designates Mineral Consultation Areas at a distance of 250 metres around active quarries, mineral infrastructure and mineral deposits permitted for extraction. Essex County Council will be required to be consulted on all non-mineral related development within these areas.

Essex and Southend-on-Sea Waste Local Plan

- 1.16 Essex County Council is the waste planning authority for the Borough, and is responsible for preparing planning policies, and also for assessing applications for waste management development. The Essex and Southend-on-Sea Waste Local Plan (2017) is a statutory Development Plan which should be read alongside the Colchester Local Plan. It sets out where and how waste management developments can occur, and is the planning policy against which waste management development planning applications are assessed.
- 1.17 The Waste Local Plan covers the period to 2033. The Waste Local Plan allocates new waste development at Bellhouse Farm, Stanway; Fingringhoe Quarry and Wivenhoe Quarry. It also identifies Areas of Search to meet the need for additional small scale waste management facilities. These Areas of Search are existing industrial estates within the Borough, and are located away from residential and other uses sensitive to amenity impacts such as schools, retail, leisure and office development.
- 1.18 The Plan also designates Waste Consultation Areas at a distance of 250 metres around waste management facilities. Essex County Council will be required to be consulted on all non-waste related development within these areas.

Borough Strategies

- 1.19 The Local Plan brings together the spatial elements of a number of key Borough strategies and provides a focus for future development;

Colchester Borough Council Strategic Plan

- 1.20 This plan sets out the direction and future potential for the Borough, with the aim of making the Borough a vibrant, thriving, prosperous and welcoming place.

Colchester Economic Strategy

- 1.21 This plan provides an overarching vision and framework for economic interventions in Colchester, including guidance on partnership work and prioritising resources.

Colchester Environmental Sustainability Strategy

- 1.22 This provides information about the Council's approach to environmental issues. It responds to the increasing importance of environmental issues recognising that the Council has a key role to play at a local and regional level in promoting environmental sustainability.
- 1.23 Other Strategies which form part of the evidence base, for example, Playing Pitch Strategy, Indoor Sports Strategy, Green Infrastructure Strategy and draft Cultural Strategy also provide guidance and context for planning policy.

Duty to Co-operate

- 1.24 In preparing the Local Plan, the Local Planning Authority co-operates with a range of other bodies to ensure a co-ordinated approach in the development of its policies in line with national guidance, in the context of strategic cross-boundary matters. These bodies include Essex County Council, the neighbouring districts of Braintree, Tendring, Maldon and Babergh, together with agencies responsible for transport, health and the environment.
- 1.25 Further information on the duty is provided in The North Essex Authorities' Shared Strategic Section 1 Plan , which discusses the strategic approach to Local Plan issues across Colchester, Braintree and Tendring.

Evidence Base

- 1.26 Policy development goes hand in hand with the development of an evidence base of research and information. The Evidence Base contains documents from local, county and national levels. National guidance is not listed to avoid repetition, given that the Local Plan has been produced in accordance with national planning policy. The evidence gathered from the documents covering topics including housing, economy, natural and built environment, climate change, transport, infrastructure and site specific matters where relevant, has been employed in the formulation of the Spatial Strategy and Policies. Evidence is kept under review and updated where necessary. All of the evidence base can be viewed on the Council's website.

Sustainability Appraisal

- 1.27 Policy development has been carried out in the light of a Sustainability Appraisal, incorporating a Strategic Environmental Assessment. The Sustainability Appraisal tests the sustainability of the Plan options throughout the production process. It does this by considering how different policy choices perform against a range of 'sustainability' criteria. For example, it looks at whether policies or allocations would provide new jobs, make efficient use of land and help to improve health and wellbeing. The Sustainability Appraisal also helps to identify amendments to policies, or measures that could help to minimise any negative impacts identified and maximise the sustainability of the Local Plan.

Habitat Regulations Assessment

- 1.28 The Habitats Regulations Assessment is the process for determining whether a plan or project will have adverse effects on European sites. The Local Planning Authority carried out a Habitat Regulations Assessment screening opinion and concluded that a high level of growth, regardless of location, has the potential to lead to adverse effects on European sites in the Borough, primarily owing to increased levels of recreational disturbance. The draft Local Plan was re-screened with input from Natural England in 2016, and policies and issues were identified to be assessed for likely significant effect in the appropriate assessment.
- 1.29 An appropriate assessment was undertaken, which concluded that the Local Plan, alone and in-combination, will not adversely affect the integrity of European sites.
- 1.30 All this evidence is made publicly available. The Local Planning Authority will keep the evidence base under review and monitor the implementation of the Local Plan's objectives and policies. Monitoring reports on key Local Plan issues will be published on an annual basis and will highlight whether circumstances have changed sufficiently to require a review of the Local Plan in its entirety or a review of selected policies.

Local Plan: Structure of the Plan and other related documents

1.31 Development Plan Documents for Colchester will comprise:

- The Colchester Borough Local Plan setting out the overarching spatial vision for development of the Borough to 2033; broad locations for strategic growth; other detailed allocations; and development management policies. The Local Plan provides the planning framework for the other Documents listed below. The North Essex Authorities Strategic Section1 Plan outlines policy for strategic growth across North Essex, including a cross-boundary Garden Community, while this Plan- Colchester Local Plan Section 2 details specific policies and allocations within the Borough. The allocations provided in the plan are shown on the associated Policies Maps.
- A Joint Local Plan (Development Plan Document) is being produced with Tendring District Council which allocates land within a Garden Community. It will also provide relevant policy guidance, and set out policies for the management of development, against which planning applications for the development and use of land will be considered.
- Neighbourhood Plans when adopted / made for different areas of Colchester will form part of the Development Plan and will guide new development in their areas.
- The Essex Minerals Local Plan and Essex and Southend-on-Sea Waste Local Plan, prepared by the County Council, apply to minerals and waste development matters.

Other Colchester Planning Documents

1.32 The Local Plan is accompanied by a number of other planning documents that provide policies, guidance and feedback:

- Policies Maps which show where Local Plan policies apply to specific locations;
- Local Development Scheme – this lists and describes all planning policy documents and the timetable for preparing them;
- Statement of Community Involvement – sets out how we will consult the public in preparing planning policies;
- Supplementary Planning Documents (SPDs) – set out in more detail how some of the Local Plan’s policies will be applied;
- Authority Monitoring Report;
- Community Infrastructure Levy (CIL) – A charging schedule may be developed to set out how the CIL will be applied to various categories of development. This is subject to change when the Government announces how it is to proceed with a new Infrastructure Levy.

2. Vision and Objectives for Section Two

Local Characteristics and Key Issues for Colchester

- 2.1 The unique characteristics of Colchester create specific issues, opportunities and challenges for the future, which need to be addressed by the Local Plan. The sub-regional issues identified in Section 1 of the Plan, combined with the following issues for Colchester provide the basis and context for the development of the Section 2 Colchester Vision and Objectives, the Spatial Strategy and Policies.

Making the most of the Borough's location and links between communities

- 2.2 Spatially, Colchester benefits from its southeast location with good access to London, London Stansted Airport and the port of Harwich. The Borough's population has grown by 17.9% between 2001 and 2015 and was estimated to stand at 183,939 people in mid-2015. The Borough's growing population is accommodated within a spatial structure defined by the urban area at its centre, surrounded by a rural hinterland with three smaller centres, Tiptree, West Mersea and Wivenhoe. While Colchester is less deprived than Essex as a whole, two small areas in Colchester were in the top 10% most deprived in England in 2010, Magnolia in St. Andrew's Ward and St Anne's Estate in St Anne's ward. Sustainable development for the future will require the development of sustainable land use patterns that maximise accessibility between jobs, homes, services and facilities.

Deliver economic growth in response to new challenges and trends

- 2.3 Colchester has maintained good levels of employment growth over the last two decades with declining industrial employment being offset by a growth in office jobs. Colchester registered 92,300 workforce jobs in 2014 representing an increase of 20% over 1991 levels. This increase was higher than in the UK (14.6%) and similar to the East of England (19.6%) but was lower than employment growth recorded across Essex as a whole (27.9%) over the same period. The challenge for Colchester will be to retain existing office employers and to increase the supply of better-quality modern space catering to small and start-up businesses.

Supporting the Town Centre as the heart of the Borough

- 2.4 Colchester Town Centre serves as a centre not only for the Borough but for a much wider area of North East Essex, with residents of Braintree, Maldon and Tendring districts travelling into the town to work, shop and use its community facilities. The Town Centre's present character reflects its rich and diverse history dating back to the Iron Age and including its period as the Roman capital of Britain, its importance as a wool and cloth centre in medieval and Tudor times, and its focus as a hub for Victorian and 20th century industry. In addition to its wealth of historic buildings and environments the Town Centre is also valued for its shops; employment opportunities; institutions of learning and culture; and services catering to a wide variety of users. The Local Plan seeks to retain the

pre-eminence and vitality of the Town Centre in the face of changing economic and lifestyle trends and the rapid pace of technological innovation.

Building houses fit for the 21st century

- 2.5 Colchester delivered 12,644 new homes between 2001/02 and 2014/15 at an average rate of 903 dwellings per year. Given the continuing pressures on the South East housing market, Colchester will need to maintain its good rate of delivery over the next plan period to meet the Objectively Assessed Need figure of 920 houses a year, while also ensuring that increasing quantity is matched with high design quality, a suitable housing mix and sustainable construction.

Improving Accessibility

- 2.6 The car currently dominates the way people travel, with the 2011 Census showing that the car represents 55% of all journeys to work in the Borough. The Borough's self-containment rate (share of residents who also work within the Borough) was 69% in 2011, with 24,850 employed residents leaving the Borough to work. Of these 25% go to Greater London, 15% to Tendring District, 15% to Braintree District and 10% to Chelmsford City. The Local Plan will need to manage the continuing pressures of vehicle congestion and parking while developing practical solutions to minimise the need to travel and provide non-car-based alternatives to movement around the Borough.

Vision: Colchester in 2033

- 2.7 The following Vision sets out where we want to be in 2033. The objectives that follow address the issues, opportunities and problems faced by the Borough.

Colchester will be an active and welcoming town with its rich and prestigious heritage treasured and showcased for all to enjoy. Colchester will be acclaimed for the creative, innovative and sustainable ways in which it addresses the wide range of challenges facing the Borough, including climate change; population growth and its changing composition; new lifestyle and technological innovations; creating and maintaining strong safe, healthy communities; and shifting market forces.

The Council will work proactively to ensure that the historic Town Centre continues its role as the cultural and economic heart of the Borough and international visitor destination. The surrounding urban area of Colchester will continue to provide a focus for new housing and employment with good transport accessibility and links to green spaces within both urban areas and the adjacent countryside. Tiptree, Wivenhoe and West Mersea are the largest of the Borough's sustainable settlements and will provide essential services and facilities to their rural hinterland. The rural hinterland will remain home to an array of distinctive and thriving villages, set amidst beautiful landscapes and coastal areas which will be protected and enhanced for the enjoyment of all. Colchester's heritage will continue to be a source of pride and community identity

and heritage assets will be protected and enhanced.

Colchester has made the most of its brownfield sites in recent years, revitalising large areas of the town, providing an array of high-quality new homes, businesses, and facilities. Colchester will build on this progress with the delivery of a range of high quality greenfield developments and regenerating further brownfield sites where they become available. Working in partnership with our neighbours and local communities, a new exemplary Garden Community to the East will become an innovatively designed, sustainable community enabling a strong sense of local identity, social inclusion, and involvement; well-co-ordinated and timely delivery of high quality infrastructure and facilities; good links to the Borough's primary hub at Colchester Town Centre; a range of market and affordable housing, and an array of job opportunities, together with opportunities for sport; renewable energy; leisure and recreation; walking and cycling, and growing produce.

The Borough will enable the provision of a wide range of new housing that addresses the need for affordable, well-designed and adaptable homes that meet the needs of a diverse market, including families, young people/students, and an increasing number of older residents. New development will be designed and located to ensure that residents are, from the start, able to reach a wide range of destinations using sustainable transport methods. The Council with its partners will pursue a range of funding options to ensure the timely delivery of new infrastructure and facilities.

Colchester will boast a diverse and thriving economy within a prosperous South East region, supported by high-quality digital infrastructure and accessible locations for new employment development, providing job opportunities for all. The Borough Council will pursue commercial opportunities that support job creation and generate revenue to help sustain the delivery of essential public services to the whole community, working in partnership with public and private sector partners. Colchester will provide an array of high quality training and educational opportunities at all levels, providing equality of opportunity for all. In particular, the University of Essex will grow in its role as a leading higher education institution, developing strong links to the new Garden Community as well as the Town Centre and East Colchester.

Objectives

2.8 The Objectives for the Borough can be broken down into three themes as set out below:

1. Sustainable Growth

- Ensure new development is sustainable and minimises the use of scarce natural resources and addresses the causes and potential impacts of climate change, and encourages renewable energy.
- Focus new development at sustainable locations to create new communities with distinctive identities whilst supporting existing communities, local businesses, and sustainable transport.
- Provide high quality housing of all tenures at accessible locations to accommodate our growing community.
- Ensure there are sufficient sites allocated in the right locations to support employment growth over the plan period.
- Focus development at accessible locations which support public transport, walking and cycling, and reduce the need to travel, and enhance sustainable travel connections.
- Protect and enhance the vitality and viability of Colchester's historic Town Centre.
- Secure infrastructure to support new development.
- Promotion of healthy lifestyles through the provision and enhancement of sport, leisure and recreation facilities, public open space and green infrastructure.

2. Natural Environment

- Protect the countryside and coast.
- Develop a green infrastructure network across the Borough.
- Ensure new development avoids areas of flood risk and reduces future flood risk where possible.
- Protect and enhance landscapes, biodiversity, green spaces, air and water quality, and river corridors.
- Protect and enhance designated sites, geodiversity and soils.

3. Places

- Ensure the unique qualities of different communities and environments, paying particular attention to heritage assets, in the Borough are identified, protected and enhanced through policies and allocations which ensure high quality, consistency, equity and responsiveness to local character.
- Promote high quality design and sustain Colchester's historic character, found in its buildings, townscape and archaeology.
- Improve streetscapes, open spaces and green links to provide attractive and accessible spaces for residents to live, work and play.

3. Sustainable Growth Policies

The Spatial Strategy

- 3.1 The Spatial Strategy directs development towards the most sustainable locations, as illustrated by the Key Diagrams, and provides for supporting facilities and infrastructure to create sustainable local communities. The Spatial Strategy provides the framework for the place-based approach of the Local Plan and relates allocations to the unique characteristics of particular communities within the Borough. The Spatial Strategy reflects the Local Planning Authority's evidence base, which includes a Sustainability Appraisal and Strategic Land Availability Assessment, along with a range of associated issues including development needs, environmental constraints, and deliverability. It also reflects sustainable development principles underpinned by the NPPF which seeks to achieve all development meeting the three dimensions of sustainable development, that is; social, economic and environmental sustainability. Examples of development which may meet all of these are illustrated below:
- (a) Development being located at accessible locations where residents will have good access to employment opportunities and be in close proximity to regularly used services, facilities, shops, etc, to contribute towards the economic and social dimensions of sustainable development.
 - (b) Proposals showing how new users can access social services and facilities to contribute towards the social dimension of sustainable development.
 - (c) Proposals which demonstrate that they will not adversely affect landscape character and the undeveloped nature of the countryside and coast and would not lead to reliance on the private car, increasing carbon emissions, to contribute towards the environmental element of sustainable development.
- 3.2 All development will need to be in accordance with the spatial strategy and should meet the three dimensions of sustainable development.
- 3.3 Following on from the Spatial Strategy for North Essex set forth in Section 1 of the plan, the Strategic Growth policies in Section 2 of the Plan provide the complete strategic picture of the role and functions of different areas of Colchester within its sub-regional context.

Growth Locations

Urban Area of Colchester

- 3.4 In Colchester's spatial hierarchy, the urban area of Colchester is ranked as the most sustainable location for growth, given its high level of accessibility and concentration of housing, jobs and services. Within this urban area, the Central Area of Colchester including the Town Centre is the most sustainable location for new development given that it can accommodate higher densities, it has good access to public transport, walking and cycling routes and provides a concentrated mix of uses which minimise the need to travel. The surrounding built up, North, South, East and West (including Stanway) urban areas of Colchester provide the next tier of sustainable locations for growth.
- 3.5 Policy SG3 sets out the Centres Hierarchy. Proposals for town centre uses such as retail, offices, leisure, culture and entertainment facilities, and food/drink establishments will accordingly be directed to Colchester Town Centre in the first instance. Policy TC1 provides further guidance on the mechanisms for maintaining Colchester Town Centre's pre-eminent position.
- 3.6 Some areas of Colchester have been a focus for regeneration over a number of years, with significant progress and delivery evident in some areas such as the Garrison and North Colchester. Other areas will continue to be a focus for regeneration and enhancement delivered via a range of mixed use, commercial, social and residential opportunities. Estate regeneration in line with the Government's Estate Regeneration Strategy will be explored in estate areas such as Greenstead that could benefit from a comprehensive upgrading of community facilities, infrastructure and housing in line with overall strategic priorities. Special Policy Areas have been designated where required to provide a clear context against which to promote opportunities for appropriate growth, enhanced public realm and connectivity. Site allocations along with specific policy considerations for other parts of the urban area of Colchester are contained in the policies indicated below:
- 3.7 Urban Colchester comprises of the following areas listed below along with relevant policy references:

Central Colchester

- TC1 - Town Centre Policy and Hierarchy
- TC2 - Retail Frontages
- TC3 - Central Colchester other allocations
- TC4 - Transport in Colchester Town Centre

North Colchester

- NC1- Northern Gateway/Severalls Strategic Economic Area
- NC2- North Station Special Policy Area
- NC3 - North Colchester other allocations
- NC4 - Transport in North Colchester

South Colchester

- SC1- South Colchester Allocations
- SC2 - Middlewick Ranges
- SC3 - Transport in South Colchester

East Colchester

- EC1 - Knowledge Gateway and University Strategic Economic Area
- EC2 - East Colchester- The Hythe Special Policy Area
- EC3 - East Colchester other allocations
- EC4 - Transport in East Colchester

West Colchester

- WC1 - Stanway Strategic Economic Area
- WC2 - Stanway
- WC3 - Colchester Zoo Special Policy Area
- WC4 - West Colchester other allocations
- WC5 - Transport in West Colchester

Sustainable Settlements

3.8 The next tier in the spatial hierarchy includes larger existing 'Sustainable Settlements', which are considered to have the potential to accommodate further proportionate growth and the Garden Community, which is programmed for long term strategic growth beyond the plan period. Policy SP9 in Part One describes the requirements of the new Garden Community to the East of Colchester.

3.9 As the underlying principle of the NPPF and therefore the Local Plan is to support the principle of sustainable development, it is important that new allocations for growth and the associated settlement boundaries relate to sustainable locations. The Local Plan therefore defines those settlements which are 'sustainable'. This is justified using evidence from the Strategic Land Availability Assessment, Sustainability Appraisal and Settlement Boundary Review. By implication any other settlements are less sustainable, although it is recognised that these 'Other Villages' serve an important community function within the rural areas of the Borough.

3.10 To develop a list of settlements considered to qualify as 'sustainable', each village was assessed as part of the Settlement Boundary Review against criteria related to the NPPF identification of the three dimensions of sustainability. Tiptree, West Mersea and Wivenhoe have automatically been included in the Sustainable Settlements category due to their larger populations and concentrations of jobs, facilities, services and function.

3.11 Settlement boundaries are an essential tool for the management of development and contribute to the achievement of sustainable development by preventing the encroachment of development into the countryside. The Borough's settlement boundaries have been reviewed as part of the evidence base of the Local Plan and drawn tightly to exclude areas that are more rural in character. This approach protects Colchester's rich countryside, seeks to avoid development that

would be detrimental to the character and identity of the Borough's villages and reduces the likelihood of the private car being the sole mode of transport.

- 3.12 Those settlements which tend to have the most sustainable characteristics are, for the most part the larger villages which have a population of at least 500. This reflects the historic development of settlements which have evolved around good accessibility and key community facilities such as churches and primary schools. The approach in the Local Plan is to channel some growth to the most sustainable settlements to encourage their continued growth recognising the key function they play beyond the urban area of Colchester. Site allocations are identified in each of the place policies, providing a more proactive approach to new development in these settlements. The growth provided for in these settlements is considered appropriate to the size of the settlement, local landscape character, other local constraints, identified need and the availability of infrastructure.
- 3.13 There are a number of active Neighbourhood Plan working groups which have either made or are preparing Neighbourhood Plans under the Localism Act 2011 across the Borough. More detailed proposals for site allocations and other policy matters are set out in the Neighbourhood Plan for these areas, Policy SG8 and the relevant Place Policy.

Other Villages

- 3.14 Other Villages tend to be small villages with only limited facilities, which local communities rely on for basic needs and as social hubs. Settlements classed as Other Villages are listed in Table SG1. These smaller rural villages often operate as clusters by sharing key services and facilities which help provide a strong sense of identity for the communities living and working there. Although the Local Plan does not promote substantial housing growth or other development in these Other Villages, their role in serving a community function in the rural areas is recognised. Other Villages are defined by tightly drawn settlement boundaries which reflect the core community focus of each village and protect the intrinsic character and beauty of the countryside. Other Villages can accommodate a limited amount of small scale development and the policy context setting out the types of development considered appropriate is set out in policy OV1.

Countryside

- 3.15 Within the countryside, there are a number of very small isolated clusters of dwellings or small hamlets across the Borough, which lack any community facilities or services and rely on nearby villages or towns to meet their daily needs. Although they provide a community function for residents, their location is physically detached and sometimes remote, from the larger village to which they relate, and accordingly they are classed as countryside. Development within the countryside will be restricted to activities that either require a rural location or proposals that help sustain a rural community and local economy and which help protect the rural character of the areas where the development is being proposed. The type of development considered appropriate within the countryside is set out in policy OV2 of the Local Plan.

Policy SG1: Colchester's Spatial Strategy

Throughout the Borough, growth will be located at the most accessible and sustainable locations in accordance with the spatial strategy for North Essex set forth in Policy SP3 in Section One and with the spatial hierarchy set out in Table SG1. The spatial hierarchy ranks areas of the Borough in order of their sustainability merits and the size, function and services provided in each area. The centres hierarchy is set out in Policy SG3.

Development will be focused on accessible locations to reduce the need to travel. Development will be supported where a real travel choice is provided and sustainable travel for different purposes is promoted throughout the day.

This spatial hierarchy focuses growth on the urban area of Colchester, reflecting its position as the main location for jobs, housing, services, and transport. Within this urban area, the Central Area of Colchester including the Town Centre is the most sustainable location for new development given that it can accommodate higher densities reliant on its good access to public transport and concentrated mix of uses which minimise the need to travel. The surrounding built up, North, South, East and West (including Stanway) urban areas of Colchester provide the next sub-level of well-connected, sustainable locations for growth. The next tier of preferred growth includes a Garden Community straddling the boundary with Tendring District Council providing a new greenfield sustainable community which will grow gradually, over time, extending beyond the plan period. The second tier also includes existing Sustainable Settlements within the Borough most of which are planned for appropriate growth.

In the remaining Other Villages and Countryside of Colchester, new development will only be acceptable where it accords with policies OV1 and OV2. New development in the open countryside will be required to respect the character and appearance of landscapes and the built environment and preserve or enhance the historic environment and biodiversity to safeguard the rural character of the Borough.

Table SG1: Spatial Hierarchy

Urban Area of Colchester	
Central Colchester	
South, East, North and West Colchester, including Stanway and Myland and Braiswick (Neighbourhood Plan made 2016),	
Garden Community	Sustainable Settlements
Tendring/Colchester Borders Garden Community	Abberton and Langenhoe Boxted (Neighbourhood Plan made 2016) Chappel and Wakes Colne Copford and Copford Green Dedham Eight Ash Green Fordham Great Horkesley Great Tey Langham Layer de la Haye Marks Tey Rowhedge Tiptree West Bergholt West Mersea Wivenhoe
Other Villages	
Aldham Birch Dedham Heath Easthorpe East Mersea Fingringhoe Great Wigborough Layer Breton Little Horkesley Messing Mount Bures Peldon Salcott Wormingford	
Countryside	

Housing Delivery

- 3.16 Colchester Borough shares its housing market area with Braintree District, Tendring District and Chelmsford City. The Council has worked with all of these authorities in jointly commissioning housing studies to determine the respective levels of housing needs for each district over the plan period. For Colchester these studies have determined that the Objectively Assessed Housing Needs (OAHN) for Colchester Borough is 920 new dwellings per year or 14,720 new homes over the plan period between 2017 and 2033. Since the plan was submitted, 3,337 new dwellings were delivered between 2017 and 31.3.2020. Accordingly, during the remainder of the plan period, the Council needs to plan for a minimum of 11,383 dwellings in order to meet the objectively assessed need.
- 3.17 Colchester has an excellent track record of housing delivery. Since 1974 an average of 833 new dwellings have been delivered in the Borough every year. Over the previous plan period to date of submission (2001 – 2016) the Council exceeded its cumulative housing target by almost 900 dwellings. Therefore, at the beginning of the new plan period the Council was not in a position where it needed to make up any previous shortfall in housing delivery.
- 3.18 To plan for the Borough's OAHN, the Council needs to ensure enough land is allocated for residential uses to accommodate the predicted level of housing growth over the plan period. The land required to accommodate this housing growth is known as the housing land supply. The housing land supply comprises existing commitments, new allocations and broad locations for growth.
- 3.19 Existing commitments are residential sites with planning permission or where the granting of planning permission is considered to be imminent. Many of these sites, particularly the larger sites, were allocated for residential use in the previous Local Plan. For the remainder of the new Local Plan period these existing commitments account for approximately 5,900 new dwellings. Site specific information on existing commitments can be found in the Housing Trajectory.
- 3.20 New allocations are sites which have been allocated for residential uses as part of the preparation of this Local Plan. Colchester has a very good track record of regenerating previously developed land within its urban area and as a result the Borough has a limited and diminishing supply of brownfield sites that can contribute to accommodating new growth. Accordingly, new allocations within the plan include a level of new greenfield sites. These sites have been subject to thorough assessment and public consultation to determine their sustainability and suitability for residential uses. All new allocations have also been subject to exhaustive discussions with stakeholders including landowners and service providers to ensure sites have been selected based on their availability, achievability and deliverability.
- 3.21 The Place policies in this plan provide detail on specific new allocations along with further information on infrastructure improvements and mitigation measures required to address site constraints and opportunities at each location. Given the time that elapsed between submission of the plan and adoption, some of the allocations were converted into commitments following the grant of planning

permission. Within the remainder of the Plan period new allocations account for approximately 7,100 new dwellings. New allocations are set out in their respective Place policies as well as detailed in the Housing Trajectory.

3.22 Housing land supply is also comprised of a broad location for growth. As set out in Section One of the Local Plan the broad location for a Garden Community is expected to contribute 1,100 to 1,250 new dwellings to Colchester Borough's housing supply within the plan period. Information relating to the broad location for growth is detailed in Section One and listed in the Housing Trajectory.

3.23 Ensuring the quality of new housing development is equivalent in importance to ensuring its quantity. Policies in the Development Management section of this plan accordingly provide for affordable housing (DM8), housing to meet the needs of a range of different groups within the population (Housing Diversity DM10), and good design (Design and Amenity DM15).

Policy SG2: Housing Delivery

The Local Planning Authority will plan, monitor and manage the delivery of at least 14,720 new homes in Colchester Borough between 2017 and 2033. The housing target is based on a robust Objectively Assessed Housing Need figure of 920 homes a year and provides alignment with the targets for the delivery of employment land.

The overall distribution of new housing, as shown in Table SG2, is guided by the settlement hierarchy set out in the Spatial Strategy and Policy SG1. New housing development will be focused on the following key areas:

- Colchester urban area (Place policies for Central, North, South, East and West Colchester)
- Tendring / Colchester Borders Garden Community (Section 1 Policy SP9)

Detailed decisions on the location, type and level of development to be carried out in the Garden Community will be made through a joint plan to be agreed with Tendring District Council, as outlined in Section 1 of this plan.

To maintain the vitality and viability of the Borough's smaller towns and villages, an appropriate level of new development will be brought forward in Sustainable Settlements to support new homes and economic and social development. Details on those allocations are provided in Policies SS1- SS16 (Sustainable Settlements).

Table SG2: Colchester's Housing Provision

Settlements and Key Development Areas		Homes Delivered 2017-2021	Existing commitments (2021-2033)	New Allocations (2021-2033)	Policy reference
Colchester Urban Area		2544	4011	2201	TC3, NC3, SC1, SC2 EC3, WC4
Stanway		502	919	956	WC2
Tendring / Colchester Borders Garden Community				1,100 - 1,250	Section 1 SP8 and SP9
Tiptree		149	326	400	SS14
Sustainable Settlements	Abberton and Langenhoe	6	899	55	SS1-16
	Boxted	28			
	Chappel and Wakes Colne	2		30	
	Copford and Copford Green	1		120	
	Fordham	1		20	
	Great Horkesley	22		13	
	Great Tey	1		45	
	Langham	0		40	
	Laver de la Haye	8		70	
	Marks Tey	39		0	
	Rowhedge	209		40	
	West Bergholt	15		50	
	West Mersea	29		200	
	Wivenhoe	297		250	
Other Areas		222		0	
Total		4075	6155	5740	15,970

Source: CBC, Colchester Housing Trajectory 2017-33, May 2021

Note SP3 in Section One refers to the housing supply period of 2013-2033 therefore refers to a higher supply total of 18,400. There have been 7,804 new dwellings completed since 2013/14 which when added to the supply of 11,895 results in a total of 19,699 units. 4,075 dwellings have been completed since the Local Plan was submitted in 2017.

Economic Delivery Policies

3.24 This section of the Plan sets out the Council's approach to economic growth, including retailing.

3.25 In accordance with the NPPF, the Council has set forth a clear strategy for Economic Growth in its Economic Development Strategy 2015-21, which has the following priorities:

- Creating new jobs;
- Raising the employability and skill levels of our residents and retaining talent;
- Creating, supporting and retaining businesses;
- Improving 'hard' (road, rail and broadband connectivity) and 'soft' infrastructure (business and employment support, employment sites); and
- Securing greater inward investment and funding.

3.26 The focus on digital connectivity in the Economic Development Strategy is further supported by a Digital Strategy for the Borough (2017), with a vision for Colchester to be 'the best-connected borough in the East of England, offering all businesses and all new residential developments world-class, future-proofed connectivity and to drive the uptake of digital technology to make the best of its potential for delivering economic growth and job creation'. Advanced digital connectivity will enhance economic growth and public service delivery, reducing costs while improving coverage and introducing new products and processes. Delivering improved digital connectivity will involve making optimum use of national initiatives, combined with the innovative use of local assets and suppliers.

3.27 The Local Planning Authority's allocations support these strategies and also reflect the need for economic growth to be targeted at the most marketable, accessible and sustainable locations. The Council commissioned studies including an Employment Land Needs Assessment, (ELNA) (January 2015) to update the evidence base and enable effective planning to facilitate the provision of appropriate employment to reflect current trends, market changes and projections for the plan period. The ELNA analysed the forecast fastest growing sectors in the Borough and found that of these, three are fully B class occupiers— Professional Services, Business Services and Real Estate – and one part B class – Construction. The inability of existing stock to accommodate job growth in these sectors requires new suitable land and premises which are well-located within the Borough. Inevitably, this will be predominantly on greenfield employment land as previous development has absorbed the Borough's brownfield land availability.

3.28 The ELNA looked at demand for employment land using four scenarios and concludes that the Council should plan to accommodate at least the 2012 demographic baseline scenario to ensure that the Borough's growth potential arising from its resident workforce is not constrained by lack of spatial capacity in future.

3.29 As part of the preparation of the Local Plan a full review of the unimplemented Strategic and Local Employment sites has been considered, informed by the

ELNA as well as settlement assessments, strategic land availability assessments and policy review in the light of national guidance and other evidence as relevant. The employment land allocations listed in Table SG3 below provide for a total of 28.5 ha of B use employment land in Strategic and Local Employment Areas and a further 3.5 ha of B use employment land in the Garden Community within Colchester during the plan period. This total figure of 32ha accords with the baseline scenario. Table SG3 also illustrates the potential B use floorspace that could be delivered on these sites. It is also recognised that a major contribution to jobs in the Borough comes from other economic uses which are not classified as B class uses. Essex County Council has undertaken a 'Grow on Space Feasibility Study' to explore the need for employment 'Grow-On Space' within the County. Such flexible employment space, between 100 – 300 sqm in scale, is required to enable flexible premises for businesses to move on from incubation / enterprise centres / start-up spaces, and free up these units for other start-ups. The Essex Economic Commission also identified an inadequate supply of flexible tenures (e.g. Grow-on Space), which is holding back successful businesses that want to expand and grow. The Council will consider which interventions are the most appropriate and viable to ensure the provision of flexible local employment space (by tenure) in the plan area.

- 3.30 In order to bring forward these sites and maintain an appropriate level and type of employment provision a specific policy approach for each area is appropriate. Around the edge of urban Colchester there are three Strategic Locations for economic growth; to the east, north and west of Colchester. Local Economic Areas (LEAs) are dispersed around the Borough. Some LEAs are located within sustainable settlements which provide a key role in supporting the economic sustainability of the settlements. Other established sites are operating successfully in more remote rural locations. While the latter are less sustainable in terms of accessibility, the role they play in contributing to the wider rural economy and their function within the Borough-wide economic area is important, hence the continued protection of some of these sites. The ELNA highlights some sites as being somewhat dated and that modernisation should be encouraged if opportunities arise through reuse or expansion proposals.

Strategic Economic Areas

- 3.31 The Strategic Economic Areas (SEAs) are the best employment sites in the Borough and should be retained for employment purposes to meet anticipated needs over the plan period, in accordance with the NPPF. Up to date evidence however suggests not all the land previously allocated for employment will be required and, accordingly, the boundaries of each SEA has been reassessed.
- 3.32 The Knowledge Gateway and University SEA reflects opportunities associated with the growth plans for the University of Essex and the benefits linked to the new Garden Community to the east of Colchester. Additional land to expand the Knowledge Gateway is expected to be allocated within the Garden Community to the east.
- 3.33 The Northern Gateway and Severalls SEA responds to the potential to maximise its prime location adjacent to Junctions 28 and 29 of the A12, for the retention and expansion of the Business Park and for opportunities to deliver an enhanced sports and leisure hub. A reconfiguration on the previous allocation has taken place to reflect approvals and the changing economic market which has seen a reducing demand for land for B uses.
- 3.34 The third SEA at Stanway continues to be a favoured location for strategic economic opportunities taking advantage of good access to the A12 and A120. The Stanway SEA has been reviewed and reflects planning approvals and the decreasing demand for traditional employment land.
- 3.35 To allow for flexibility, the SEAs are divided into sub areas (zones), the policy context for which is set out in the individual place policies. The Local Planning Authority will work with other key stakeholders to ensure a comprehensive approach to the delivery of employment land and other mixed commercial uses within the SEAs in accordance with policies NC1, EC1 and WC1.

Garden Community Strategic Allocation

- 3.36 Policy SP3 in Section 1 of this plan indicates that the new garden community will make a strategic contribution to employment provision serving the sustainable community and the rest of the Borough. The extent, location and policy context for the garden community to the east of Colchester will be informed by future master planning and Development Plan Documents for the area.

Policy SG3: Economic Growth Provision

The Local Planning Authority will encourage economic development and have allocated 32 hectares of land to plan for the delivery of employment land (principally Class B2, B8 uses, supporting Class E uses and any associated employment generating sui generis uses) in Colchester Borough up to 2033. An additional 3.5 hectares of employment land is expected to come forward in Colchester within the Tendring Colchester Borders Garden Community with a further 25 hectares to be allocated in the overall Garden Community for

development post-2033. Existing economic uses on the sites identified will be safeguarded in accordance with the relevant policies. New development for employment uses will primarily be provided on a range of sites to ensure jobs are accessible to new and existing communities across the borough. Sites include;

- Land within Strategic Economic Areas as indicated on the policies maps (policies NC1, EC1 and WC1)
- Land within Local Economic Areas identified on the policies maps
- Land within defined mixed use special policy areas as shown on the policies maps (Policies TC3, NC2-3, EC2)
- Existing sites with planning permission.

Within some of the defined economic areas alternative economic non- B class uses contribute to the provision of jobs providing flexibility and securing delivery of the additional jobs. Suitable alternative economic uses will be supported within the defined areas where they are in accordance with all relevant policies in the plan.

Table SG3: Colchester Employment Land Supply 2017-2033

Location / Allocations		Site area (ha.)	Office (B1 a/b) sqm	Industrial (B1c/2/8) sqm	Total sqm
Strategic Economic Areas (SEAs)					
North Colchester		10.4	56,696	0	56,696
Stanway		1.4	0	5,600	5,600
Knowledge Gateway		7.0	22,538	0	22,538
Local Economic Areas (LEAs)					
Colchester Town Centre	Town Centre Core	0.7	3,160	0	3,160
	Edge of Centre	3.5	0	13,959	13,959
District Centres (outside Colchester)		1.5	3,078	3,078	6,156
Other Rural Areas		4.0	2,000	14,000	16,000
Total SEAs and LEAs		28.5	87,472	36,637	124,109
Tendring Colchester Borders GC		3.5	TBD	TBD	TBD
Total all allocations		32			

Sources: Lichfields (March 2017); CBC Planning Policy (April, 2017)

3.37 Additionally, further floorspace for non B-class economic uses will be provided within the following areas of urban Colchester:

- Colchester Town Centre (Policy TC3)
- North Station Special Policy Area (Policy NC2)
- East Colchester – Hythe Special Policy Area (Policy EC2)
- Colchester Zoo (Policy WC4).

Local Economic Areas

3.38 The Local Economic Areas provide an important contribution to the Colchester economy alongside the Strategic Economic Areas. Local Economic Areas are listed in policy/table SG4 and in each case they are cross referenced in the place policies.

3.39 The Economic Areas shown on the Policies Maps provide a framework within which Colchester's business community can develop and compete at a local, regional, national and international level. The Council will work with businesses within these areas to encourage them to adapt and respond to changing economic conditions in order to support business growth and ensure the economic viability of local communities.

3.40 Employment sites are under increasing pressure to be developed for housing and other uses but it is important to retain existing employment sites where possible and appropriate. Employment site retention and provision is particularly necessary to enable balanced job and housing growth and to provide choices for businesses looking to expand or relocate.

3.41 Economic Areas contain a range of sites and premises that meet the needs of the business community and offers flexibility and choice. However, the NPPF advises local planning authorities to take a pragmatic approach to the protection of employment sites where there are high vacancy rates and/or where there is no reasonable prospect of a site being used for the allocated employment use. To build a strong, responsive and competitive economy, policies need to be flexible whilst ensuring that the needs of the community are met. To this end, the Local Planning Authority will, where possible, seek to retain Class B uses at employment sites whilst at the same time preventing the long-term vacancy of land and units where other non-Class B uses may be appropriate.

3.42 There is pressure to change commercial land and premises into higher value uses but if an employment site were lost to a higher value use every time an application was made then this would run the risk of a declining stock of employment premises that would hamper the ability of the Borough to maintain and increase employment growth. The loss of commercial space to other uses could also lead to future economic and social problems such as increased unemployment and increased out commuting.

Policy SG4: Local Economic Areas

The Local Economic Areas as defined on the policies maps and listed in policy tables SG3 and SG4, will be safeguarded primarily for B class uses and office use within E Class where appropriate to provide, protect and enhance employment provision in a range of locations across the borough to enable balanced job and housing growth. Planning permission will be granted for the redevelopment or change of use for non-Class B uses where:

- i) it can be demonstrated that there is no reasonable prospect of the site concerned being used for Class B purposes; and
- ii) The supply, availability and variety of B use class employment land is sufficient to meet Borough and local needs; and
- iii) it can be demonstrated that the alternative use cannot be reasonably located elsewhere within the area it serves; and
- iv) The proposal does not generate potential conflict with the existing proposed B class uses / activities on the site; and
- iv) the use will not give rise to unacceptable traffic generation, noise, smells or vehicle parking; and
- v) The proposal provides the opportunity to maximise the sites potential for economic growth and support the continued operation of existing employment uses within the economic area.

Opportunities to enhance and renew more dated buildings within Local Economic Areas will be supported when proposals are promoted for improvements to existing operations or for new operations where the use and scale is appropriate.

Table SG4: Local Economic Areas

Local Economic Area	Place Policy Reference
Colchester	
Barrack Street	EC3
Brook Street	EC3
Chandlers Row (Port Lane)	EC3
COLBEA (George Williams Way)	EC3
Crown Interchange	NC3
Davey Close (including Oyster Park)	EC3
Gosbecks Road	SC1
Maldon Road (including Shrub End Depot)	SC1
Middleborough Area (including Fairfax House/Digby House, Causton Road and Sheepen Road)	TC3
Eastgates (including Moorside)	EC3
Southway	TC3
Whitehall Industrial Estate	EC3
Outside Colchester	
Abberton - Pantiles Farm, Peldon Road	SS1
Boxted - Classic Pot Emporium	SS2

Local Economic Area	Place Policy Reference
Boxted - Tin Bins Skip Hire)	SS2
Dedham/Langham - Depot (Old Ipswich Road)	SS9
Great Horkesley - Holly Lodge	SS7
Great Tey - Tey Brook Farm	SS8
Langham – Lodge Lane	SS9
Langham - Powerplus Engineering and Whitnell Contractors Site, School Road	SS9
Marks Tey – Timber Yard	SS11
Tiptree - Alexander Cleghorn	SS14
Tiptree - Tower Business Park	SS14
Tiptree - Wilkins & Son	SS14
Tiptree – Basket Works	SS14
West Bergholt - Pattens Yard, Nayland Road	SS15
West Mersea - Waldegraves Farm	SS12a
West Mersea - Boat Yards, Coast Road	SS12c
West Mersea - Rushmere Close	SS12a
Wormingford Airfield – (Packards Lane, Fordham Road North and South)	OV1

Retailing

Centres Hierarchy

- 3.43 The NPPF provides specific guidance on town centre uses and requires that local authorities should define a network and hierarchy of centres to help ensure their vitality. The Local Planning Authority's Centre Hierarchy accordingly, identifies Colchester Town Centre at the top of the hierarchy, followed by District and then Local Centres, in accordance with the recommendations of the 2016 Retail and Town Centre Study.
- 3.44 The hierarchy in Colchester Borough has two principal functions. Firstly, it will help to establish the Local Planning Authority's overarching strategy for the growth and management of town centre uses in the Borough's centres. It should therefore influence developer's decisions about where they seek to bring forward new development and of what type and scale. Secondly, when planning applications are submitted, the hierarchy will inform decisions on whether a particular centre is an appropriate location for the type and scale of town centre use(s) proposed, having regard for the primary role and function of that centre refer to Policy SG5 'definitions' below.
- 3.45 National planning guidance provides for the definition of Primary Shopping Areas to safeguard concentrations of retail uses which underpin the vitality and viability of Town Centres. In Colchester, Primary Shopping Areas have been defined for the Town and District Centres and will be used for the purposes of assessing sequentially preferable locations for retail developments. Within the Town Centre Primary Shopping Area, further refinement of town centre character is made in Policy TC2 through the definition of primary and secondary retail frontages in recognition of the Town Centre's more diverse character and larger size in relation to the District Centres. To help manage the appropriate growth of the District Centres, Primary Shopping Areas (PSA) are defined primarily having regard to the extent of main retail and service uses.

Town Centre

- 3.46 Colchester Town Centre is the principal comparison goods shopping destination in the Borough supported by a number of non-retail facilities including services, leisure, cultural, and community uses. Research and analysis has established that the Town Centre is relatively healthy, although there are areas of weakness and concerns over longer term investment prospects. New retail and leisure development in particular is necessary to ensure the Town Centre's vitality and viability over the plan period. To address this, a robust 'town centre first' approach is adopted to ensure that larger scale development is focused on the Town Centre, helping to protect it against competition from other shopping destinations and maintain its position at the top of the Borough's retail hierarchy. Policy TC3 provides detail on the allocation of land within the Town Centre to provide additional town centre use capacity. Policy TC1 (Town Centre) provides more detail on the implementation of this approach. In line with the requirements of the NPPF the Town Centre Boundary is defined on the policies map, together

with the Primary Shopping Area and within this both Primary and Secondary Street Frontages referred to in Policy TC2.

District Centres

3.47 Colchester Borough has a number of district centres, each with their own characteristics and functions but each serving the day-to-day needs of their local populations as well as providing access to shops and services for neighbouring areas across and beyond the Borough, but not to a level comparable with Colchester Town Centre. Further district centres will be planned within the new garden community to serve their population as the master planning for the area progresses.

3.48 The evidence indicates that the overall strategy for the Borough's district centres should focus on the appropriate diversification of the non-retail offer, including services and community facilities, to better serve the day-to-day needs of their local communities. They do not require substantial new retail development to ensure their vitality and viability over the plan period. Instead, larger scale retail development should be focused on Colchester Town Centre in accordance with the hierarchy to help strengthen its primary role as a sub-regional shopping destination.

District Centres within Colchester Urban Area

Tollgate

3.49 Tollgate is located in Stanway (approximately 4.8 km) to the west of Colchester Town Centre) and is the largest of Colchester's district centres. It has evolved from a predominantly 'bulky' retail park into an established shopping destination with a substantial range of multiple comparison goods retailers (such as Next, Argos, Sport Direct, Boots, Currys and PC World), a Sainsbury's food / non-food superstore, and a number of food and drink uses.

3.50 Tollgate competes with Colchester Town Centre for comparison goods expenditure. This is likely to be intensified by two schemes for additional development of town centre uses allowed on appeal. It is important that planning policy for Tollgate District Centre ensures that it plays a subsidiary position to the Town Centre in the centre hierarchy as set out in Policy SG5 and Table SG5a. Its role and function as a district centre would be enhanced through the introduction of new services and/or community facilities.

Turner Rise

3.51 Turner Rise is a District Centre dominated by large buildings set around extensive areas of surface car parking. It is located approximately 1km to the north of the town centre, and within 250m to the east of Colchester Rail Station. The surrounding area is characterised by a mix of uses with residential development to the north and east of the site, and commercial uses to the west around the railway station. The Turner Rise District Centre consists of a large supermarket, retail units and a restaurant. The retail mix has changed over

recent years from mainly bulky goods retail to an increased range of retail units. In 2016, two new food and drink pod units were constructed. Overall, the retail evidence confirms that Turner Rise is performing well, largely underpinned by the Asda superstore and a 'value' focused comparison goods retail offer. Its role and function as a district centre would be enhanced through the introduction of new services and/or community facilities, as opposed to new retail development. The PSA is defined on the policies Map and will be the focus for any further retail uses, in accordance with Policy SG6.

Peartree Road

3.52 The Peartree Road District Centre is located approximately 3.5km to the south west of the town centre and the surrounding area is predominantly residential. It consists of three separate areas:

- North of Peartree Road – supermarket, retail units, offices and food outlets.
- The Peartree Business Centre and Peartree Road – variety of small retail units ranging from bicycle sales, bulky goods and builders merchants in addition to services such as dry cleaners and a gym.
- South of Peartree Road and Moss Road – variety of units including bulky goods retail, offices, builders merchants and leisure units

3.53 Overall, the retail evidence confirms that Peartree Road is performing well albeit is lacking in terms of services and/or community facilities. Its role and function as a District Centre would be enhanced through the introduction of such uses, to complement the existing retail and leisure attractions. The PSA is defined on the policies Map and will be the focus for any further retail uses, in accordance with Policy SG 6.

Highwoods

3.54 The Highwoods District Centre is located approximately 2.5km to the north east of the town centre and serves a distinct surrounding residential catchment area. It consists of a large supermarket and local community facilities and services such as a dry cleaners, post office, surgery and community centre. Overall, the retail evidence confirms that Highwoods District Centre is performing well for the main food shopping needs of the surrounding communities. It also has a limited but important service-based role and function. The PSA is defined on the policies Map and will be the focus for any further retail uses, in accordance with Policy SG6.

District Centres Outside Colchester Urban Area

Tiptree

3.55 Tiptree is situated approximately 16 km to the southwest of Colchester Town Centre. It is dominated by Tesco and Asda superstores with Tesco in particular, given its closer relationship with the core shopping area focused along Church Road, being an important anchor to the centre. According to the market share evidence, Tiptree's substantial convenience goods shopping offer also principally serves the western parts of the Borough, including some smaller rural settlements where there is a very limited retail offer. The centre is situated within a substantial residential area which is reasonably well served by bus. It includes a wider range of retail, service and community uses including a library. Key retailers include Iceland and Boots, while there are also several independents.

3.56 Overall, the retail evidence confirms that Tiptree performs an important role in terms of serving predominately localised shopping and service needs, and it is a vital and viable centre.

West Mersea

3.57 West Mersea is situated approximately 16 km to the south of Colchester Town Centre. It includes a range of retail, service and community facilities (i.e. Post Office, library, leisure and / community centre and several food and drink establishments). Key retailers include Boots, Tesco Express, Co-Op and Spar. Reflecting its Island location, the market share evidence indicates that the centre principally draws trade from its immediate catchment. Mersea Island also has a tourist/ holidaymaker function, which is likely to help support its shops and other facilities. The centre's retail offer is somewhat dispersed but relatively distinct owing to the diversity of independent retailers. It has a substantial walk-in catchment and is reasonably well served by bus.

3.58 Overall, the retail evidence confirms that West Mersea is a vital and viable centre within the limitations of its small scale and localised nature. The mix of uses and the high level of occupancy would suggest that it serves an important role in the retail hierarchy.

Wivenhoe

3.59 Wivenhoe is situated approximately 6.4 km to the southeast of Colchester Town Centre. It has a limited range of retail, service and community facilities (i.e. Post Office, library, hair/ beauty salon). There are also a number of food and drink establishments and the Co-op. Thus the centre has a convenience-based function, principally serving the day-to-day needs of the local community, and this is reflected by the market share evidence. The centre has an attractive historic character and is reasonably well served by bus and rail.

3.60 Overall, the retail evidence confirms that Wivenhoe is a vital and viable centre within the limitations of its small scale and localised nature. The mix of uses

(albeit very limited) and the high level of occupancy would suggest that it serves an important role in the retail hierarchy.

Local Centres

- 3.61 The Retail and Town Centre study commented that local centres “perform an important role in terms of providing small scale retail and service uses to meet the basic needs of local communities”.
- 3.62 Local centres are categorised as containing at least one foodstore or convenience store and a small range of other shops/ services/ community facilities of local importance. Smaller retail areas are neighbourhood parades and whilst they fulfil an important role for local communities, they do not form part of the centres hierarchy.
- 3.63 It is important to retain retail, retail services, community uses, financial/ business uses and leisure services within local centres at ground floor level. These uses serve local communities and reduce the need to travel for basic services. If lost to residential use and / or alternative uses they are unlikely to return, to the detriment of local communities. Many of the Borough’s local centres include residential within upper floors, which the Local Planning Authority encourages.
- 3.64 The Local Planning Authority will consider favourably proposals for expansion of Local Centres where they are of an appropriate scale and type, having regard to the definition set out in Policy SG5, which would enhance the vitality of the Local Centre and would not adversely affect residential amenity. Where appropriate, measures will be required to promote sustainable travel to ensure that the amount of vehicular movements to / from the local centre is not increased as a result of the expansion. Where necessary conditions will be attached to control hours of operation, types of use etc to protect residential amenity.
- 3.65 The Borough’s local centres are largely located within the heart of residential areas within the urban area of Colchester. Local centres outside of the urban area of Colchester include Dedham; London Road, Marks Tey; and Vine Road, Wivenhoe.
- 3.66 Dedham is situated in a rural location approximately 11.2 km to the northeast of Colchester Town Centre. It has a limited range of retail, service and community facilities including a community centre, various retail outlets and several food and drink establishments. Dedham also has a tourism industry, which is likely to help support its retail shops and other facilities. The centre’s retail offer is concentrated along the High Street and whilst limited, it does serve as a local centre providing a vital role for the settlement and for other surrounding villages in North Colchester where there are very few shops and services. The mix of uses and the high level of occupancy would suggest that it serves an important role in the retail hierarchy in a local context.
- 3.67 London Road, Marks Tey local centre is remote from the main residential area of Marks Tey. There are high end convenience uses in this centre; a butchers and Chateau Wines, as well as three take-aways and a garage with a shop.

- 3.68 Vine Road in Wivenhoe includes a One Stop convenience store, estate agent, pharmacy, hairdressers and beauty salon, and take away. These uses serve a local catchment and parking is located in front of this linear local centre.
- 3.69 As the master planning work on the garden community develops local centres will be planned to serve communities and compliment the district centres, as appropriate.

Policy SG5: Centre Hierarchy

In accordance with the NPPF the centres identified in the following hierarchy will be the preferred location for main town centre uses such as retail, office, leisure and entertainment.

Definitions of centres:

Town Centre: the Borough's principal and a sub-regional centre for comparison goods shopping, services, culture, leisure, with 'regional' aspirations

District centre: important role serving the day-to-day needs of their local populations as well as providing access to shops and services for neighbouring areas across and beyond the Borough, but not to a level comparable with Colchester Town Centre.

Local centre: essential role providing a range of small shops and services to meet the basic needs of local communities, serving a small catchment.

Table SG5a: Colchester Borough's Hierarchy of Centres

Town Centre Colchester Town Centre	
District Centres Tiptree West Mersea Wivenhoe Tollgate Peartree Road Turner Rise Highwoods	Proposed District Centre Tendring / Colchester Borders Garden Community
Local Centres: St Christopher Road, St Johns Hawthorne Avenue, Greenstead Iceni Way, Shrub End William Harris Way, Garrison Homefield Road, Garrison Monkwick and Mersea Road The Willows Old Heath Road Hythe Quay London Road, Stanway Villa Road, Stanway Blackberry Road, Stanway The Commons, Prettygate Dedham London Road, Marks Tey Vine Road, Wivenhoe The new Garden Community will include local centres to compliment district centres and build on the network of centres in the hierarchy.	

3.70 In order to manage appropriate growth within the Town and District Centres and to help safeguard the current hierarchy and the role and function of each of the centres, planning applications will be required to address the provisions in the National Planning Policy Framework concerning the sequential test and retail impact assessments.

Sequential Test

3.71 Applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan should demonstrate that sequentially preferable sites have been thoroughly considered. Centre sites are sequentially preferable, followed by edge of centre sites. Only if suitable sites are

not available should out of centre sites be considered. In accordance with Paragraph 24 of the Framework, sequential testing will start from the Primary Shopping Area boundary for retail uses and the town centre boundary for all other town centre uses.

Impact Assessments

- 3.72 Above a specified threshold, planning applications for town centre uses, not in an existing centre and not in accordance with an up-to-date Local Plan, will be required to include a Retail Impact Assessment. The NPPF provides for Local Planning Authorities to set local floorspace thresholds, above which retail impact assessments will be required. Based on this floorspace thresholds will apply to Colchester Town Centre and the District Centres as set out in the table below.
- 3.73 In addition proposals for retail and leisure uses within the Tollgate District Centre, above the floorspace thresholds set out below will also be subject to an Impact Assessment and will be supported where no significant adverse impacts to Colchester Town Centre (and/or any other defined centre) are demonstrated. This policy response seeks to manage the growth of the Tollgate District Centre and protect the Town Centre's position at the apex of the hierarchy.
- 3.74 Where a retail impact assessment is required, this should be carried out in accordance with the guidance set out in the Assessment Specification 2021 or any updated guidance which applies at the time.
- 3.75 In accordance with the NPPF in cases where a planning application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the factors identified above in the impact assessment, it should be refused.

Policy SG6: Town Centre Uses

Proposals for town centre uses that are not within a defined centre and are not in accordance with this Plan, including proposals for a change or intensification of use, or variation of a planning condition, will need to demonstrate that a sequential approach has been under taken to site selection as required by national policy.

Applicants should demonstrate flexibility on issues such as format and scale. Only when in-centre sites are not suitable and/or available should edge and then out of centre sites be considered.

In cases where the Local Planning Authority are satisfied that the sequential test has been met, proposals will be supported where they also comply with each of the requirements set out in criteria (i- vi below).

- i) Proposals for main town centre uses in or on the edge of centres are of a type, proportion and scale appropriate to the role and

- function of the centre and would not threaten the primacy of Colchester Town Centre at the apex of the centre hierarchy, either individually or cumulatively with other committed proposals, and;
- ii) Proposals for main town centre uses in or on the edge of centres are suitable to the town / district centre function and maintains or adds to its viability and vitality and enhances the diversity of the centre without changing the position of the centre within the overall hierarchy and;
 - iii) Proposals would not give rise to a detrimental effect, individually or cumulatively, on the character or amenity of the area through smell, litter, noise or traffic problems and
 - iv) The proposal would not have a significant adverse impact on the vitality and viability of Colchester Town Centre and/or any other defined centre either individually or cumulatively with other committed proposals and;
 - v) The proposal would not have a significant adverse impact on committed and / planned public or private investment in Colchester Town Centre and /or any other defined centre either individually or cumulatively with other committed proposals and;
 - vi) In relation to criteria (iv) and (v) above an Impact Assessment must be provided where the proposal;
 - a. Exceeds the thresholds set out in table SG6 below.

Table SG6 Impact Assessments Thresholds

Centre	Retail and/or leisure floorspace (sqm gross)
Colchester Tollgate Peartree Road Turner Rise Highwoods	1,500
Tiptree West Mersea Wivenhoe	1,000

Policy SG6a Local Centres

Local centres will be protected and enhanced to provide shops, services and community facilities for local communities. Proposals for change of use within designated local centres will need to demonstrate that it will provide a retail use, retail service, community use, financial/ businesses service or a leisure service and will meet the basic needs of local communities.

Proposals to expand a local centre will be considered favourably where it can be demonstrated that the use is small scale proportionate to the role and function of such centres and will serve the basic needs of local communities. Proposals outside of local centres will be assessed in accordance with the sequential test.

Proposals will be required to demonstrate that they will not adversely affect residential amenity, particularly in terms of car parking, noise and hours of operation. Proposals should take every opportunity to promote sustainable travel behaviour.

New strategic residential sites should incorporate local centres at accessible locations within the site where appropriate to provide for the needs of new communities.

Infrastructure

3.76 The Local Planning Authority fully appreciates that the delivery of new homes and jobs needs to be supported by infrastructure, including a wide range of transport options, utilities, and community facilities. This issue is of particular concern to existing residents and businesses. The Local Planning Authority has prepared an Infrastructure Delivery Plan (IDP), to inform the local plan, based on other evidence work; studies prepared for the Garden Community; relevant Neighbourhood Plans; topic based national and local studies; and discussions with infrastructure providers. The IDP will sit alongside this plan and provide specifics on the main items of infrastructure required, when they are likely to be provided and who will pay for them. Additionally, the place policies in this plan will highlight essential pieces of site specific infrastructure as relevant for all new allocations.

3.77 The broad categories of necessary infrastructure covered in the IDP include:

- Water and Drainage – water supply, waste water, flood risk management and resilience, and water quality.
- Energy – electricity, gas, and renewable energy.
- Communications – broadband coverage and provision.
- Leisure and green infrastructure – sport, open space and community facilities.
- Education –early years and childcare, primary, secondary, further education, and higher education.
- Health – hospitals, health centres, GP surgeries, dentists, public health, and preventative health care.
- Transport – highways, cycle and pedestrian facilities, rail, bus, park and ride, travel management, and car parking.

3.78 For the purposes of this policy the widest reasonable definition of infrastructure and infrastructure providers will be applied. Examples of types of infrastructure are provided in the glossary appended to this plan. Regard should be had to the latest version of the ECC Developers' Guide to Infrastructure Contributions as well as Council Guidance.

3.79 Infrastructure and community facilities are mainly provided by partner agencies and service providers such as water and energy provision by the utility companies; a range of services including highways and social services by Essex County Council; education by a range of public and private sector providers, and healthcare services and facilities by the North East Essex Clinical Commissioning Group and National Health Service England Midlands and East (NHSE) England. The IDP identifies the different investment and development time scales for these providers and the Council will work with those providers to help deliver a co-ordinated approach to new infrastructure delivery.

3.80 Telecommunications and digital infrastructure technologies are evolving rapidly, and proposals will need to enable sites to access high quality digital infrastructure including fibre and wireless services (5G and Long Term Evolution i.e. successor technologies) which are accessible from a range of providers.

- 3.81 Developers will be expected to contribute towards meeting appropriate infrastructure costs. This will include contributions to both on-site costs and strategic off-site infrastructure costs. Contributions will be secured under S106 of the Town and Country Planning Act 1990 (as amended) and/or secured through a Community Infrastructure Levy (CIL) as appropriate. CIL will complement and not duplicate planning obligations. A CIL charging schedule linked to this Plan would stipulate a charge, per square metre of gross internal floorspace, for relevant classes of development. A proportion of CIL funds would be passed to Parish/Town councils. The Government is currently considering changes to CIL and it may be that contributions are secured under other provisions in future legislation.
- 3.82 In the event that essential infrastructure cannot be appropriately delivered to support new development it may be necessary to restrict development from being commenced or, in certain cases, from being permitted. When infrastructure cannot be provided within, or is not appropriate to be located on, the development site itself, developers will be expected to make a contribution to the cost to provide the infrastructure elsewhere.
- 3.83 Section 1 provides the strategic priorities for infrastructure provision or improvement in Policy SP4, and Policies SP7, 8 and 9 provide further information on specific Garden Community infrastructure requirements. In Section 2, Policy PP1 provides generic infrastructure requirements for new allocations. Locational specific infrastructure requirements are identified within allocation policies for urban Colchester and the Sustainable Settlements.

Policy SG7: Infrastructure Delivery and Impact Mitigation

All new development should be supported by, and have good access to, all necessary infrastructure.

Permission will only be granted if it can be demonstrated that there is sufficient appropriate infrastructure capacity to support the development or that such capacity will be delivered by the proposal. It must further be demonstrated that such capacity as is required will prove sustainable over time both in physical and financial terms.

Where a development proposal requires additional infrastructure capacity, to be deemed acceptable, mitigation measures must be agreed with the Local Planning Authority and the appropriate infrastructure provider. Such measures may include (not exclusively):

- (i) Financial contributions towards new or expanded facilities and the maintenance thereof;
- (ii) On-site provision (which may include building works);
- (iii) Off-site capacity improvement works; and/or
- (iv) The provision of land.

Developers will be expected to contribute towards the delivery of relevant

infrastructure. They will either make direct provision or will contribute towards the provision of local and strategic infrastructure required by the development either alone or cumulatively with other developments.

Measures required to mitigate the impacts of recreational disturbance on habitats sites will be delivered as detailed in the adopted Essex Coast Recreational disturbance Avoidance and Mitigation Strategy.

Small sites can have a cumulative effect on infrastructure and proportional contributions will be sought from all developments where this is demonstrated to be the case. Developers and land owners must work positively with the Local Planning Authority, neighbouring authorities and other infrastructure providers throughout the planning process to ensure that the cumulative impact of development is considered and then mitigated, at the appropriate time, in line with published policies and guidance.

Exceptions to this policy will only be considered whereby:

- (i) It is proven that the benefit of the development proceeding without full mitigation outweighs the collective harm;
- (ii) A fully transparent open book viability assessment has proven that full mitigation cannot be afforded, allowing only for the minimum level of developer profit and land owner receipt necessary for the development to proceed;
- (iii) Full and thorough investigation has been undertaken to find innovative solutions to issues and all possible steps have been taken to minimise the residual level of unmitigated impacts; and
- (iv) Obligations are entered into by the developer that provide for appropriate additional mitigation in the event that viability improves prior to completion of the development.

Neighbourhood Plans

- 3.84 The 2011 Localism Act introduced the concept of Neighbourhood Planning. Under this Act local communities in urban and rural areas were given new powers to prepare Neighbourhood Plans enabling these communities to have a greater influence over the future land use within their areas.
- 3.85 Neighbourhood Plans can vary in terms of their complexity and approach and can cover one or more of the following topics areas: site allocations, housing type/size, local housing need, affordable housing, local character considerations, design and building materials, boundary fences/walls design criteria, community facilitates and services to sustainable development. The Local Planning Authority will be supportive of communities who want to prepare Neighbourhood Plans.
- 3.86 Neighbourhood Plans are subject to examination and referendum and Plans which successfully pass these two tests will be made (adopted) as part of the Development Plan for Colchester. Any issues which are not covered by the scope of a Neighbourhood Plan will be determined in accordance with the Local Plan.
- 3.87 Practice has shown that the process of developing Neighbourhood Plans is very time intensive for local communities and they face many challenges which are not always anticipated. Where a community has committed to undertake a Neighbourhood Plan, the Local Planning Authority wishes to support them with this and encourage continued commitment to lead to successfully made Neighbourhood Plans. Where circumstances lead to the significant stalling of Plans, serious blockages with little likelihood of solution or failing a Referendum, every effort will be made to work with the Neighbourhood Plan Group to resolve issues, but where this is unsuccessful, there will be a need for the planning function to revert to the Local Planning Authority, in particular when this impacts on planned housing delivery. In such circumstances the Local Planning Authority will intervene as appropriate.
- 3.88 The policy approach for each Neighbourhood Plan allocating sites is set out in the relevant place policy. Neighbourhood Plans not allocating sites will be progressed in accordance with the NPPF/PPG and the most current Neighbourhood Plan Regulations. The preparation of all plans will be reviewed under the Authority Monitoring Report and where progress is stalled for any significant time, in particular for those plans which are allocating sites, the Local Planning Authority will consider the need for intervention.

Policy SG8: Neighbourhood Plans

Towns and villages are encouraged to plan for the specific needs of their communities by developing Neighbourhood Plans. The Local Planning Authority will support Parish and Town Councils and Neighbourhood Forums (in unparished areas) to prepare Neighbourhood Plans containing locally determined policies to guide land use and meet future development needs in their areas.

Once a Neighbourhood Plan is made, this becomes part of the Development Plan.

Neighbourhood Plans have been made for Boxted, Myland and Braiswick, Wivenhoe, West Bergholt and Eight Ash Green and these now form part of the Development Plan for Colchester.

Neighbourhood Plans are required to be compliant with the following Strategic Policies in this Plan: Section 1 Policies SP1-9 and Section 2 Policies SG1-8, ENV1- 5, CC1 and PP1.

4. Environmental Assets Policies

Environment

- 4.1 Colchester's countryside and coastline is extremely diverse and important in terms of its natural and historic environment, including biodiversity, landscape character, archaeology and cultural heritage. The countryside provides the attractive landscape setting that defines and characterises the villages and rural communities of Colchester Borough. The countryside and coastal areas also provide important agricultural, tourism and recreational opportunities that support local economies and communities. The Dedham Vale Area of Outstanding Natural Beauty extends into the northern part of the Borough and has the highest status of protection in relation to its natural beauty and special qualities.

Habitats Sites and Other Designations

- 4.2 The Council has statutory obligations under the Habitats Directive and Birds Directive to protect important habitats and species designated as habitats sites. This policy aims to protect the undeveloped areas of the Colne and Blackwater Estuaries and coast and Abberton Reservoir, and support regeneration that enhances the river's recreation and nature conservation values.
- 4.3 Where a proposal is likely to have a significant effect on a habitats site (alone or in-combination) the local planning authority will make an appropriate assessment of the implications of the proposal for the habitats site(s) in view of the site(s) conservation objectives. Applicants will be expected to provide information for the purposes of the Habitat Regulations Assessment. The Local Planning Authority will only grant planning consent where it can be ascertained that the proposal will not adversely affect the integrity of a habitats site, unless the exceptional requirements of Regulations 62 and 66 of the Habitats Regulations relating to the absence of alternative solutions, imperative reasons of overriding public interest and provision of compensation have been met.
- 4.4 The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Strategy Document was adopted in 2019 and SPD was adopted in 2020. The Essex Coast RAMS, which has the brand name Bird Aware Essex Coast, aims to deliver the mitigation necessary to avoid adverse effects on the integrity of habitats sites from the in-combination impacts of residential development in Essex. The Essex Coast RAMS identifies a detailed programme of strategic avoidance and mitigation measures which are to be funded by developer contributions from all qualifying residential development within the Zones of Influence as defined in the adopted RAMS.
- 4.5 The Borough contains a range of other sites designated for their wildlife interest, including Sites of Special Scientific Interest (SSSI), National Nature Reserves, Local Nature Reserves, Local Sites and Special Roadside Verges. Brownfield sites can also be important for biodiversity.
- 4.6 All development proposals should initially be assessed to establish the likely presence or absence of Protected Species or Species /Habitats of Principal

Importance on the development site. This may be through a Phase 1 Habitat assessment combined with site visits. Where there is a confirmed presence, or reasonable likelihood, of a legally protected species or Species of Principal Importance, on an application site (or where present on adjacent land) and where the species is likely to be affected then detailed ecological surveys should be carried out at the appropriate time of year in accordance with current best practice. Applicants will be required to follow the mitigation hierarchy and demonstrate that adverse impacts upon the species have been avoided. Where impacts cannot be avoided a detailed Ecological Enhancement and Mitigation Plan should be prepared and submitted and agreed with the Local Planning Authority. Where ecological assessments are required, a biosecurity protocol method statement should be included to ensure the introduction of invasive non-native species is prevented. Where district licensing schemes exist, applicants can fulfil their legal obligations regarding protected species by participating in the district licensing scheme. Mitigation must provide net gains for biodiversity and conform to the requirements of relevant legislation and Government Standing Advice.

- 4.7 Where Priority Habitats are likely to be adversely impacted by a proposal, the developer must demonstrate that adverse impacts will be avoided, and impacts that cannot be avoided are mitigated on-site and supplemented with measurable net gains for biodiversity. Where residual impacts remain, off-site compensation and enhancement may be required so that there is a measurable net gain and no net loss in quantity and quality of Priority Habitat in the Borough.
- 4.8 All development proposals must comply with current requirements and best practice for measurable biodiversity net gain and Nature Recovery Strategies and Networks. As a minimum, 10% biodiversity net gain is required or as otherwise indicated in policy and legislation. This is in addition to the requirement to follow the mitigation hierarchy. Biodiversity net gain requirements must not undermine the existing range of protections, in planning policy and legislation, for irreplaceable habitats and protected sites. As part of the planning process a calculation in line with the latest Natural England Biodiversity Metric should be submitted and strict adherence to the mitigation hierarchy should be used to ensure harm is avoided in the first instance, that provision for a minimum 10% measurable net gain in biodiversity is made onsite wherever possible and that offsite compensation with a long term management plan is used as a last resort. All projects should have regard to reducing the impacts of climate change and delivering multiple benefits in terms of but not exclusive to habitats, carbon storage and Natural Flood Management.

Wildlife and Biodiversity

- 4.9 Hedgerows subject to a Hedgerow Retention Notice must be assessed by the Local Planning Authority's Landscape Officer against criteria in the Hedgerows Regulations 1997. Where a hedgerow is deemed to be 'Important' under the Hedgerows Regulations, the developer must demonstrate that adverse impacts upon the important hedgerow will be avoided. This is necessary as the loss of both 'Important' and other significant hedgerows is difficult to mitigate against as they cannot easily be recreated as either a landscape or ecological feature.

- 4.10 The European Water Framework Directive imposes legal requirements to improve the water environment. All waterbodies must achieve 'good ecological status' by 2027, prevent deterioration of surface water and groundwater and seek enhancements where rivers, lakes and estuaries are not achieving good ecological status or potential. The local planning authority supports the directive and proposals which seek to further these aims where it is possible to do so. In pursuit of this aim, proposals should seek to minimise disturbance to riverbeds. Proposals are encouraged to be in compliance with the Anglian River Basin Management Plan (2015) or its successor, which addresses pressures on the water environment and whose environmental objectives are legally binding on all public bodies whose decisions affect the quality of the water environment.
- 4.11 The Coastal Protection Belt protects the open and undeveloped stretches of coastline in the Borough which could be harmed by development that might otherwise be acceptable in a countryside area. The original designation of 1984 has been reviewed with some amendment to the Borough's Coastal Protection Belt, and is shown on the policies map.
- 4.12 A major threat to the low lying coastal and estuary areas is rising sea levels as a result of climate change. This threat will be addressed by increasing the network of green corridors and areas of open space to aid the dispersal of species that will need to migrate as climate change renders their existing habitat unsuitable. Climate change impacts, particularly sea level rise, will also be addressed by accommodating future flood waters and inter-tidal habitats through managed realignment projects identified in the Essex and South Suffolk Shoreline Management Plan, without harm to landscape character and the built and historic environment.

Countryside

- 4.13 Policy ENV1 aims to control development outside of settlements to protect open stretches of countryside around and between existing settlements, to protect landscape character, to prevent coalescence and retain settlement identity. Any development in the countryside, i.e. land outside of settlement boundaries, must be compatible with local landscape character and setting. Development will be supported provided it does not adversely impact on the intrinsic character and beauty of the countryside, the relationship between and the separate identities of settlements, visual amenity, or the factors that contribute to valued landscapes, whilst also complying with other relevant policies of the Local Plan. Proposals are required to have regard to Colchester's Landscape Character Assessment and the Council's adopted Landscape Guidance for Developers alongside any other relevant or updated evidence, in order to identify and evaluate the effect of a proposed development on the character, value and sensitivity to change of a proposed site and its setting to help conserve the Borough's landscape character.

Heritage

- 4.14 The historic environment will be protected across the Borough with reference to studies including the Townscape Character Assessment, the Urban

Archaeological Database and Historic Environment Characterisation Study and updated evidence as produced. Policy DM16 provides criteria for development affecting heritage assets. The Local Plan as a whole protects heritage assets through general and site specific policy criteria, which ensures that the protection of heritage assets is an integral part of every aspect of the Local Plan.

Policy ENV1: Environment

The Local Planning Authority will conserve and enhance Colchester's natural and historic environment, countryside and coastline. The Local Planning Authority will safeguard the Borough's biodiversity, geology, history and archaeology, which help define the landscape character of the Borough, through the protection and enhancement of sites of international, national, regional and local importance. The Local Planning Authority will require development to be in compliance with, and contribute positively towards, delivering the aims and objectives of the Anglian River Basin Management Plan.

A. Designated sites

Development proposals that have adverse effects on the integrity of habitats sites, Sites of Special Scientific Interest or significant adverse impacts on the special qualities of the Dedham Vale Area of Outstanding Natural Beauty (including its setting) (either alone or in-combination) will not be supported.

B. Essex Coast RAMS

A Recreational disturbance Avoidance and Mitigation Strategy has been completed in compliance with the Habitats Directive and Habitats Regulations. Further to Section 1 Policy SP2, contributions will be secured from qualifying residential development, within the Zones of Influence as defined in the adopted RAMS, towards mitigation measures identified in the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS).

C. Biodiversity and geodiversity

Development proposals where the principal objective is to conserve or enhance biodiversity and geodiversity interests will be supported in principle.

For all proposals, development will only be supported where it:

- (i) Is supported with appropriate ecological surveys where necessary; and
- (ii) Where there is reason to suspect the presence of a protected species (and impact to), or Species/Habitats of Principal Importance, applications should be accompanied by an ecological survey assessing their presence and, if present, the proposal must be sensitive to, and make provision for their needs and demonstrate the mitigation hierarchy has been followed; and
- (iii) Will conserve or enhance the biodiversity value of greenfield and brownfield sites and minimise fragmentation of habitats; and
- (iv) Maximises opportunities for the preservation, restoration, enhancement and connection of natural habitats in accordance with the UK and Essex Biodiversity Action Plans or future replacements; and
- (v) Incorporates beneficial biodiversity conservation features, measurable

biodiversity net gain of at least 10% in line with the principles outlined in the Natural England Biodiversity Metric, and habitat creation where appropriate.

Proposals for development that would cause significant direct or indirect adverse harm to nationally designated sites or other designated areas, protected species, Habitats and Species of Principle Importance, will not be permitted unless:

- (i) They cannot be located on alternative sites that would cause less harm; and
- (ii) The benefits of the development clearly outweigh the impacts on the features of the site and the wider network of natural habitats; and
- (iii) Satisfactory biodiversity net gain, mitigation, or as a last resort, compensation measures are provided.

The Local Planning Authority will take a precautionary approach where insufficient information is provided about avoidance, mitigation and compensation measures and secure mitigation and compensation through planning conditions/obligations where necessary.

D. Irreplaceable habitats

Proposals that would result in the loss of irreplaceable habitats, such as ancient woodland, Important Hedgerows and veteran trees will not be permitted unless there are wholly exceptional reasons and a suitable compensation strategy, to the satisfaction of the local planning authority, exists.

E. Countryside

The local planning authority will carefully balance the requirement for new development within the countryside to meet identified development needs in accordance with Colchester's spatial strategy, and to support the vitality of rural communities, whilst ensuring that development does not have an adverse impact on the different roles, the relationship between and separate identities of settlements, valued landscapes, the intrinsic character and beauty of the countryside and visual amenity.

The intrinsic character and beauty of the countryside will be recognised and assessed, and development will only be permitted where it would not adversely affect the intrinsic character and beauty of the countryside and complies with other relevant policies. Within valued landscapes, development will only be permitted where it would not impact upon and would protect and enhance the factors that contribute to valued landscapes.

Coastal Areas

- 4.15 The open, undeveloped and rural landscape character of the coastal area of Colchester Borough is an extremely rich, diverse and irreplaceable natural asset in terms of its natural and cultural features. It includes substantial parts of the Colne and Blackwater Estuaries. The ecological importance of the Colne and Blackwater Estuaries is reflected by the variety of international and European designations covering them i.e. Ramsar sites, Special Protection Areas (Birds Directive), and the Essex Estuaries Special Area of Conservation (SAC) designated under the Habitats Directive. The Colne and Blackwater Estuaries are also protected as part of the larger Colne, Blackwater, Roach and Crouch Marine Conservation Zone. There are also a number of Sites of Special Scientific Interest and Local Wildlife Sites designated around the estuaries.
- 4.16 The Borough's coastline is also home to a number of sizeable communities in West Mersea, Rowhedge, and Wivenhoe. As a consequence there are a number of diverse planning considerations and land uses which all need to be managed in an integrated way within the Borough's coastal belt. These include internationally important habitats, land and water-based recreation, fishing, and heritage assets (including archaeological). Obligations to protect the important natural and heritage assets have to be carefully considered against the need to satisfy legislative requirements and the wider socio- economic needs of the Borough's coastal communities.
- 4.17 Climate change including sea level rise is likely to present increasing pressure on the management of coastal habitats and coastal communities along Colchester's coastal fringe. The Essex and South Suffolk Shoreline Management Plan (October 2010) has shown that sections of the coastal frontage within the Borough are highly vulnerable to the effects of climate change and coastal processes and four potential managed realignment sites have been identified. Two of the managed realignment sites are located along the Colne Estuary (SMP ref D6b Wivenhoe Marshes and D8a Inner Colne West Bank) and the other two are on Mersea Island (SMP ref E2 - Seaward frontage between North Barn and West Mersea and E4a North Strood Channel). All four sites have been identified for re-alignment between 2025 -2055. The sites are shown on the Policies map and will be safeguarded over the lifetime of the Local Plan for the delivery of setback schemes in accordance with the Shoreline Management Plan timetable. It will be important that future land uses and developments along the Borough's frontage, in particular built-up frontages, can demonstrate a high level of resilience in response to changing local climatic conditions.
- 4.18 In 1984, Essex County Council produced the Essex Coast Protection Subject Plan. This defined a county wide Coastal Protection Belt, which was reviewed and updated in 2016 by the Local Planning Authority. The Colchester Coastal Protection Belt aims to protect the rural and undeveloped coastline in the Borough from inappropriate development that would adversely affect its rural, undeveloped and open character and irreplaceable assets, landward and marine sites of nature conservation importance, and buildings and areas of special architectural, historic or archaeological importance. The Belt's rural and undeveloped coastline is of international and national significance for its historic environment assets and

nature conservation interest. These multiple assets are strongly focussed and interrelated within the defined area, including between the coastline and adjoining inland areas.

- 4.19 The Coastal Protection Belt has a unique character, which should be strongly protected and enhanced. There is a local need for greater priority to be given to the restraint of potentially damaging development than is normally possible under national planning policies. The Coastal Protection Belt adopts the precautionary principle and seeks to restrict development to within the built up areas of the coast. Some developments however require a coastal location and cannot be located elsewhere or are needed to help sustain the socio-economic base of a coastal area or serve the needs of the local coastal community. This may include sustainable tourism or leisure related developments where they meet the requirements of policies elsewhere in the Plan. There are also a number of new housing allocations being proposed within Abberton, and West Mersea which are located within the revised Colchester Coastal Protection Belt. Allocating residential development on the edge of these settlements is considered appropriate as it will deliver social and economic benefits to the communities where they are built and ensure that the new housing is sustainably located close to existing facilities and infrastructure. It also helps protect the character of the Coastal Protection Belt by preventing urban sprawl into the more open and undeveloped stretches of the Borough's coastline. Where development is proposed within the Coastal Protection Belt, and where flood risk is also a constraint, the proposed use must be appropriate to the flood zone in which it is to be sited and to the flood vulnerability classification.
- 4.20 The Marine Management Organisation (MMO) has commenced work on the preparation of the first South East (Inshore) Marine Plan. Colchester falls within this plan area. The Marine Plan once completed will cover the area up to Mean High Water Springs, the Borough's coastline and the tidal reaches of the Colne Estuary/ River Colne. The Marine Plan's jurisdiction will overlap with the Local Planning Authority's responsibilities (which extend to mean low water) and due regard must be paid to the Marine Plan. This new and evolving concept of a Marine Plan will at a local level be implemented in accordance with the national Marine Policy Statements. The Local Plan will be integrated with the South East (Inshore) Marine Plan, once it is complete, to provide a consistent approach for planning on land, and within the Borough's inter-tidal and marine environment.
- 4.21 A new coastal path is currently being planned around the whole of England's coastline. The delivery of the England Coast Path is embedded in the Marine and Coastal Access Act and Natural England is charged with its delivery by 2020. Once completed in addition to delivering a new long distance walking route, areas of 'spreading room' may also be delivered beside the route where people can explore and relax.
- 4.22 The Salcott to Jaywick and Mersea Island stretches of the England Coast Path fall within Colchester Borough. Designating these routes as part of the England Coast Path will contribute to coastal regeneration by supporting coastal businesses and services, through increased visitor spending where additional visits are made. This aligns well with the Council's aspirations to support coastal

communities and sustainable coastal tourism initiatives in the Borough. The England Coast Path will avoid private houses and gardens and major ports. The path will also avoid sensitive habitats and areas important for sensitive species. This is important in Colchester as much of the Borough's coast is designated under national, European and international designations.

- 4.23 The Borough Council supports the principle of creating an England Coast Path and will work with Natural England to secure its delivery along the Borough's coastline.

Policy ENV2: Coastal Areas

Until such time as the South East (Inshore Marine Plan) is completed, any planning proposals within the Borough's coastal, estuarine, intertidal and tidal environment, will need to accord with guidance set out in the national Marine Policy Statement.

Within the Coastal Protection Belt and along the undeveloped coast an integrated approach to coastal management will be promoted and development will only be supported where it can be demonstrated that it:

- (i) Requires a coastal location and is located within the developed area of the coast; and
- (ii) Is a land use type that is appropriate to the Flood Zone, will be safe from flooding over its planned lifetime and will not have an unacceptable impact on coastal change; and
- (iii) Will not be significantly detrimental to conserving important nature conservation, heritage assets, maritime uses and the landscape and seascape character of the coast; and
- (iv) Will deliver or sustain social and economic sustainability benefits considered important to the well-being of the coastal communities; and
- (v) Provides opportunities and scope for adaptation to climate change; and
- (vi) Will not hinder the future creation and maintenance of a continuous signed and managed England Coast Path.

Green Infrastructure

- 4.24 Green Infrastructure is a strategic network of multifunctional green and blue (water) spaces, and the connections between them, in both urban and rural areas. A Green Infrastructure network may comprise spaces in public or private ownership, with or without public access that is capable of delivering a range of environmental, economic, health and quality of life benefits for local communities and wildlife.
- 4.25 In Colchester, green infrastructure covers a range of green and blues spaces including allotments, community gardens, amenity greenspaces, cemeteries, natural and semi natural green spaces, river and estuary corridors, play areas and parks and gardens.
- 4.26 The benefits delivered by well-connected green infrastructure networks are diverse. Green infrastructure provides an important landscape function by protecting green gaps/buffers and areas of open space within and between developments and settlements. Ecologically, green infrastructure provides important wildlife corridors that species use to move between sites for feeding and breeding. Such networks also provide valuable corridors which aide the dispersal of species in response to changing climatic conditions. Well-designed green infrastructure networks can also play a key role in flood prevention /alleviation as part of new development.
- 4.27 Strategic green links provide valuable corridors for the movement of people. Existing open spaces, sports facilities and green link networks provide the people of Colchester with opportunities for passive and active recreation and encourages healthy and active lifestyles. The availability of a well-functioning green infrastructure network close to centres of population provides an important role in alleviating pressure on sensitive designated habitats sites (Special Areas of Conservation, Special Protection Areas and Ramsar sites) by providing alternative green spaces that people can use for dog walking and general recreational use. It is therefore important that all residents have access to green (or blue) infrastructure close to where they live or work.
- 4.28 The green spaces along the Colne River, connect the town centre, suburbs, countryside, villages and the coast. These corridors provide alternative means for people making journeys into and across Colchester. Safeguarding the important green edge to Colchester will be essential with a new country park provided along the Salary Brook corridor and incorporating Churn Wood. It is important that the existing green infrastructure network is protected and enhanced and new links created as part of future developments to improve Green Infrastructure provision overall including the delivery of sustainable transport corridors across the Borough where gaps exist.
- 4.29 The Council has been working with a range of access groups to deliver a new green infrastructure asset, the Colchester Orbital route. Approximately 14-15 miles in length, the Colchester Orbital is a circular multi-user route around the town's periphery, connecting green spaces, where possible, with cycle routes and bridleways to appeal to the widest range of users. It currently comprises an Inner

Route with proposals to create a secondary outer Orbital route over the plan period. The key aims of the Colchester Orbital project are to create a route that links Colchester's valuable green spaces, to enhance connectivity between them as wildlife habitats, and to create a sense of a green corridor around the town. The project also seeks to strengthen walking links between Colchester, its suburbs and surrounding villages to deliver real alternative sustainable commuting routes, to enhance tourism opportunities and to improve opportunities for active healthy lifestyles, including the expansion of walking horizons of mobility-restricted users.

- 4.30 While much of the Inner Orbital network already exists it is not complete. The route will serve walkers including mobility-restricted users, cyclists and where practical horse riders. Opportunities to improve connectivity between existing Green Infrastructure assets, the Orbital and new development should be maximised. Not all sections of the existing route are currently fully accessible for all potential users. New developments will be expected to contribute towards the creation of new paths /green infrastructure where gaps exist and to improve linkages and connectivity with other spurs of the GI network such as the. Wivenhoe Trail or wildlife areas. New paths/links should be constructed to a standard to ensure that they provide direct links to services, facilities and infrastructure, are useable all year round and make users feel secure and minimise maintenance costs. Designs will need to be sympathetic to the Green Infrastructure environment but not allow the Green Infrastructure to become a barrier to sustainable active travel. Contributions will also be sought, where related to development, to enhance the quality of the existing Orbital route through improved signage, drainage improvements or new landscaping.
- 4.31 The Colchester Orbital route is shown in Appendix 1. An audit of the Orbital route has been completed by the Orbital Access Group and this information will be used to inform improvements that need to be made from development contributions where appropriate.

Policy ENV3: Green Infrastructure

The Local Planning Authority will aim to protect, enhance and deliver a comprehensive green infrastructure network comprising strategic green links between the rural hinterland, urban Colchester, river corridors and open spaces across the Borough. It will seek to protect and enhance the existing network of green and blue infrastructure features and to secure the delivery of new green infrastructure where deficiencies and gaps are identified that will benefit communities, wildlife and the environment. The Council will work with access stakeholder/groups to support the delivery of a 'new' multi user route, the Colchester Orbital, around urban Colchester.

Development proposals that contribute to the delivery of projects identified in the Colchester Green Infrastructure Strategy, the Orbital Project Audit Paper and the Public Rights of Way Improvement Plan for Essex will be positively supported.

The Local Planning Authority will seek opportunities from future developments, where appropriate, to improve the connectivity between the Colchester Orbital

route, new developments and the wider countryside. Radial connections will be secured between existing green infrastructure assets, existing development, and the Orbital routes new development. This will improve the choices available to residents to access and participate more easily in healthy activities, such as walking, cycling and horse riding.

Proposals that cause loss or harm to the green infrastructure network will not be permitted unless the need for and benefits of the development outweigh any adverse impacts. Where adverse impacts on green infrastructure are unavoidable, development will only be permitted if suitable mitigation measures for the network are provided. Key linkages will be constructed to a suitable standard to allow year round secure usage by all.

The Local Planning Authority will seek contributions or require work to be undertaken as part of new development where appropriate, to create new paths where gaps are evident in the existing green infrastructure network/Orbital routes or to enhance the quality of the existing route.

The use of land and buildings as new allotments, orchards, community gardens and for local food growing spaces and production will be supported, including the temporary use of vacant or derelict land or buildings and the use of incidental open space on housing estates and other open space areas, where this does not conflict with other policy objectives.

Green infrastructure that contributes to the protection and enhancement of water bodies will be supported, including de-culverting, creation and management of ecological buffer strips and new wetland areas to help manage flood risk and reduce diffuse pollution.

Dedham Vale Area of Outstanding Natural Beauty

- 4.32 The Dedham Vale Area of Outstanding Natural Beauty (AONB) has been designated for its national importance in terms of landscape quality, and is further enhanced through its close association with the works of artist John Constable. The quality of the landscape is defined by its natural beauty and special qualities and the integration of the man-made elements within it, and the primary aim of the designation is to conserve and enhance its natural beauty.
- 4.33 The features that define the Natural Beauty and Special Qualities of the Dedham Vale AONB have been identified in the Dedham Vale AONB Natural Beauty and Special Qualities and Perceived and Anticipated Risks Report commissioned by the Dedham Vale AONB and Stour Valley Joint Advisory Committee and prepared by Alison Farmer Associates in 2016.
- 4.34 In this report, Natural Beauty has been defined in terms of Landscape Quality, Scenic Quality, Relative Wildness, Relative Tranquillity and Natural and Cultural Heritage Features. The special qualities have been influenced by factors such as traditional land use patterns, evidence of human habitation through history, geology, river valleys and woodlands or association with artists and writers.
- 4.35 Applications within or close to the AONB will need to consider how proposals impact on the Natural Beauty and Special Qualities of the Dedham Vale AONB as outlined in the Natural Beauty and Special Qualities document referred to above. Major applications may need to be supported with a Landscape and Visual Impact Assessment.
- 4.36 A recent report by the International Dark Sky Association concluded that the Dedham Vale night sky was good enough quality to qualify for Bronze level International Dark Sky status. Work started in 2017 on securing this international designation for the Dedham Vale. To help secure this designation in the future it will be essential to minimise and manage light pollution from all future developments within and on the edge of the AONB.
- 4.37 It is essential that the AONB and its setting is conserved and enhanced. However, it is acknowledged that the Dedham Vale is a 'living' landscape which needs to be able to adapt, change and respond positively to changing social, economic and environmental issues (climate change, changing agricultural sector, recreational pressures) to meet the needs of the local community and visitors to the area. In exceptional cases development proposals that help maintain the economic and social wellbeing of the AONB will be supported where these do not detract from the natural beauty and special qualities of the AONB or its setting. Minor house extensions may provide little opportunity to enhance the landscape qualities of the AONB and accordingly will not be exclusively rejected on this basis where otherwise acceptable. Developer contributions can be paid to the Stour Valley Environment Fund to secure environmental gains elsewhere in the Stour Valley.
- 4.38 Solar farms and wind turbines are large developments that can have landscape and visual impacts. Proposals for solar farm or wind farms/turbines within or near

the Dedham Vale AONB should accord with the most current national policy and best practice to help conserve and enhance the natural beauty and special qualities of the AONB.

- 4.39 Proposals outside of the AONB will not be supported where, in the opinion of the Local Planning Authority, they will have a negative impact on the natural beauty, tranquillity, special qualities, setting and public enjoyment of the AONB.

Policy ENV4: Dedham Vale Area of Outstanding Natural Beauty

Development will only be supported in or on land within the setting of the Dedham Vale Area of Outstanding Natural Beauty (AONB) that:

- (i) Makes a positive contribution to the natural beauty and special qualities of the AONB, including tranquillity and the AONB's good quality night/dark skies; and,
- (ii) Does not adversely affect the character, quality views, into and out of the AONB and distinctiveness of the AONB or threaten public enjoyment of these areas, including by increased motorised vehicle movement; and,
- (iii) That there are no adverse impacts on the setting of the AONB which cannot reasonably be mitigated against and,
- (iv) Supports the wider environmental, social and economic objectives as set out in the Dedham Vale AONB and Stour Valley Management Plan.

Applications for major development within or in close proximity to the boundary of the Dedham Vale AONB will be refused unless in exceptional circumstances it can be demonstrated that the development is in the public interest and this outweighs other material considerations.

Where exceptional development is suitable, landscape enhancements, mitigation or compensation measures must be provided. The Local Planning Authority will seek opportunities to mitigate the impact of features identified as having adverse impacts. Residual impacts may be offset by other planning gain within the AONB or contributions to the Stour Valley Environment Fund.

Proposals for solar farm developments or wind turbine/wind farms within or on land within the setting of the Dedham Vale AONB should have regard to the advice in the Local Planning Authority's Guidance Note '*Designing solar farm renewable energy development*' and in the '*Dedham Vale AONB Position Statement Renewable Energy in the Dedham Vale Area of Outstanding Natural Beauty (March 2013)*'.

The Local Planning Authority will also encourage proposals in or near the AONB to underground new infrastructure associated with electricity schemes or communication equipment where financially viable, to help protect its landscape qualities.

Pollution and Contaminated Land

- 4.40 Land and air pollution are subject to regulatory controls under Environmental Health Legislation including the Environmental Protection Act 1990, Pollution Prevention Act 1999 and the Environment Act 1995. There is some overlap with planning in considering proposals for new development, with the need to ensure that in granting planning permission for something it does not create any unacceptable pollution, or worsen an existing issue, and where necessary implements mitigation measures to reduce / eliminate the problem.
- 4.41 Local Authorities have a duty to review and assess local air quality under Part IV of the Environment Act 1995. Where a Local Authority considers that one or more of the objectives are unlikely to be met and there is relevant exposure, an Air Quality Management Areas (AQMA) must be declared and an action plan developed setting out measures to work towards an improvement of the air quality in the area. Within Colchester there are 4 such designated areas. Applications within an AQMA and all major planning applications, may be required to submit an air quality impact assessment to assess and quantify the impact on local air quality and to identify appropriate mitigation measures to ensure that development is acceptable on the grounds of air quality. Contributions may also be required towards the cost of air quality mitigation measures.
- 4.42 Where there are applications for planning permission that will also require an Environmental Permit, consideration should be given to submitting applications in parallel.
- 4.43 Land contamination is also a material consideration for planning purposes. There are some locations where a previous land use has caused an effect on the suitability of the land for some alternative uses or development. In some cases remediation works may be required to make land suitable for the proposed use prior to allowing development to take place. A precautionary approach to considering potentially contaminated land is essential to ensure there is no unacceptable risk to health, or to the environment or amenity. The Local Planning Authority will require the applicant to demonstrate by way of adequate site investigation information, prepared by a competent person, that there is no unacceptable risk to health, or the environment and where unacceptable contamination is found there will be a requirement for mitigation / remediation/verification, as agreed with the Council. Sufficient information must be provided to clearly demonstrate that the risk from contamination can be satisfactorily reduced to an acceptable level before the application can be determined. Where appropriate, investigations and remediation may need to be implemented prior to any development commencing. Where mitigation / remediation cannot be satisfactorily achieved development will be refused.

Policy ENV5: Pollution and Contaminated Land

Proposals will be supported that will not result in an unacceptable risk to public health or safety, the environment, general amenity or existing uses due to the potential of air pollution, noise nuisance, surface / ground water sources or land pollution.

Proposals for developments within designated Air Quality Management Areas (AQMAs) or where development within a nearby locality may impact on an AQMA are required, first, to be located in such a way as to reduce emissions overall, and secondly to reduce the direct impacts of those developments. Applicants shall, prepare and submit with their application a relevant assessment, taking into account guidance current at the time of the application, which must be to the satisfaction of the Local Planning Authority. Permission will only be granted where the Council is satisfied that after selection of appropriate mitigation the development, alone and cumulatively, will not have an unacceptable significant impact on air quality, health and well - being.

Development proposals on contaminated land, or where there is reason to suspect contamination, must include an assessment of the extent of contamination and any possible risks. The onus is on the applicant to demonstrate that there is no likely risk to health or the environment due to contamination. Where planning permission is granted, conditions may be imposed requiring the execution of any necessary remedial works. Where a site is affected by land contamination, responsibility for securing a safe development rests with the developer and/or landowner, who will be required to carry out the above. After remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.

5. Climate Change Policy

5.1 The NPPF states that mitigating and adapting to climate change, including moving to a low carbon economy, is part of the role of the planning system. It recognises that planning can help shape places to secure radical reductions in greenhouse gas emissions, minimise vulnerability and provide resilience to the impacts of climate change, and support the delivery of renewable and low carbon energy and associated infrastructure. This is fundamental to the achievement of sustainable development.

5.2 Sustainable development is at the heart of the Local Plan. Through the Local Plan the Council is seeking to create communities that secure reductions in greenhouse gas emissions through the location, mix and design of development, provide resilience to the impacts of a changing climate, support the delivery of renewable energy technologies and district heating systems, and minimise waste.

5.3 The Local Plan as a whole sets out a strategy for climate change mitigation and adaptation. Examples of climate change mitigation are:

- Reducing the need to travel and providing for sustainable transport;
- Providing opportunities for renewable and low carbon energy technologies;
- Providing opportunities for decentralised energy and heating;
- Promoting low carbon design approaches to reduce energy consumption in buildings, such as passive solar design.

Examples of climate change adaptation are:

- Considering future climate risks when allocating development sites to ensure risks are understood over the development's lifetime;
- Avoiding areas that are most vulnerable to future flood risk;
- Considering the impact of and promoting design responses to flood risk and coastal change for the lifetime of the development;
- Considering availability of water and water infrastructure for the lifetime of the development and design responses to promote water efficiency and protect water quality;
- Promoting adaptation approaches in design policies for developments and the public realm.

5.4 New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. Developers will be expected to demonstrate how the scheme mitigates and adapts to climate change. In particular proposals will be expected to demonstrate how they have taken account of flood risk, water efficiency, biodiversity, landform, layout, building orientation, massing, tree planting and landscaping to minimise energy consumption and provide resilience to a changing climate.

5.5 Policy ENV3 includes detailed criteria relating to green infrastructure. Where possible, connections should be made to the Colchester Orbital. Landscaping and tree planting are important climate change adaptation measures and new

development should take every opportunity to enhance the Borough's green infrastructure network. Landscaping schemes should include species that will tolerate a changing climate, which will help future proof towns and urban areas against rising temperatures. The benefits for the natural and local environment and climate change of tree canopy cover are widely recognised. A study (The Canopy Cover of England's Towns and Cities: baselining and setting targets to improve human health and well-being) carried out in 2017, concluded the following:

- An average TCC of 20% should be set as the minimum standard for most UK towns and cities, with a lower target of 15% for coastal towns;
- Towns and cities with at least 20% cover should set targets to increase cover by at least 5% (ie above the $\pm 2\%$ tolerance of i-Tree Canopy) within ten to 20 years (depending on what is achievable against their baseline); and
- Targets and strategies for increasing tree cover should be set according to the species, size and age composition of the existing urban forest, based upon a ward/district level and land-use assessment.

5.6 The tree canopy coverage for Colchester Borough is currently 18% varying between wards / locations there are some areas with larger and better canopy cover and others with significantly less. As per the recommendation above, the long term aim should be to increase the canopy cover of the borough to 20% and then 25%. It is recognised that this is an aspirational target, but that new development should seek to contribute to increase tree canopy cover where appropriate. It is considered that 10% as a target on development sites where appropriate would help to mitigate the likely losses of trees over the plan period whilst steadily increasing the overall canopy cover of the borough.

5.7 A Canopy Cover Assessment will be required for all major applications¹. Development proposals should seek where appropriate to increase the level of canopy cover on site by a minimum of 10%. In circumstances, where this is not possible or desirable, compensatory provision should be identified and secured through a legal obligation. This will increase the overall canopy cover of the

¹ Major applications are defined as per Article 2 of the Town and Country Planning (Development Management) Procedure (England) Order 2015 as: Development involving any one or more of the following —

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where—
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph ;
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more

borough, enable sites to mitigate and adapt to climate change and deliver biodiversity net gain.

- 5.8 To help contribute towards achieving the national climate change target set out in the Climate Change Act 2008 of net zero carbon by 2050 from a 1990 baseline, the Local Planning Authority will encourage development to meet a proportion of energy needs from renewable or low carbon sources. In 2019, the Council made a Climate Emergency declaration. The Council is committed to firm action and has set a target to be net zero carbon by 2030 and is committed to a significant programme of environmental stewardship. A Climate Challenge and Sustainability Strategy and a Carbon Management Plan will support the Climate Emergency Action Plan and will set out detailed specific carbon reduction projects.
- 5.9 The Local Planning Authority will support proposals for renewable energy development providing that there would be no adverse effects on Special Protection Areas, Special Areas of Conservation, Sites of Special Scientific Interest or the Dedham Vale AONB. Policy DM25 includes criteria that will be used to assess proposals for renewable energy schemes.
- 5.10 Whilst renewable energy has an important role to play in contributing to a reduction in Colchester's greenhouse gas emissions, regard should be had to the energy hierarchy. The energy hierarchy sets out the order in which energy issues should be tackled:
1. Reduce the need for energy;
 2. Use energy more efficiently;
 3. Use renewable energy;
 4. Any continuing use of fossil fuels should be clean and efficient.
- 5.11 The Council is supporting the development of a low carbon district heating system using an open loop ground source heat pump at Colchester Northern Gateway for a mixed used development in conjunction with the Department of Business Energy and Industrial Strategy Heat Network Investment Project.
- 5.12 Existing buildings can also play an important role in reducing greenhouse gas emissions through improved energy efficiency measures where appropriate. Householders and businesses will be encouraged to make energy efficiency improvements to existing buildings as part of proposals for extensions/ alterations. Appropriate energy efficiency measures for historic buildings will be different in relation to certain classes of historic buildings.

Policy CC1: Climate Change

Colchester Borough Council made a Climate Emergency declaration in 2019. A Climate Challenge and Sustainability Strategy and a Carbon Management Plan will support the Climate Emergency Action Plan and will set out detailed specific carbon reduction projects. In addressing the move to a low carbon future for Colchester, the Local Planning Authority will plan for new development in locations and ways that reduce greenhouse gas emissions, adopt the principles set out in the energy hierarchy and provide resilience to the impacts of a changing climate.

A low carbon future for Colchester will be achieved by:

- (i) Encouraging and supporting the provision of renewable and low carbon technologies.
- (ii) Encouraging new development to provide a proportion of the energy demand through renewable or low carbon sources.
- (iii) Encouraging design and construction techniques which contribute to climate change mitigation and adaptation by using landform, layout, building orientation, massing, tree planting and landscaping to minimise energy consumption and provide resilience to a changing climate.
- (iv) A Canopy Cover Assessment will be required for all major applications². Development proposals should seek where appropriate to increase the level of canopy cover on site by a minimum of 10%. In circumstances, where this is not possible or desirable, compensatory provision should be identified and secured through a legal obligation.
- (v) Requiring both innovative design and technologies that reduce the impacts of climate change within the garden community.
- (vi) Supporting opportunities to deliver decentralised energy systems, particularly those which are powered by a renewable or low carbon source. Supporting connection to an existing decentralised energy supply system where there is capacity to supply the proposed

² Major applications are defined as per Article 2 of the Town and Country Planning (Development Management) Procedure (England) Order 2015 as: Development involving any one or more of the following—

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where—
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph ;
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more

- development, or design for future connection where there are proposals for such a system.
- (vii) Requiring development in the Northern Gateway to connect to, or be capable of connecting to the district heating scheme where there is capacity to supply the proposed development and where it is appropriate and viable to do so.
 - (viii) Supporting energy efficiency improvements to existing buildings in the Borough where appropriate.
 - (ix) Minimising waste and improving reuse and recycling rates.
 - (x) Development will be directed to locations with the least impact on flooding or water resources. All development should consider the impact of and promotion of design responses to flood risk for the lifetime of the development and the availability of water and wastewater infrastructure for the lifetime of the development.
 - (xi) Green infrastructure should be used to manage and enhance existing habitats. Opportunities should be taken to create new habitats and assist with species migration. Consideration should be given to the use of green infrastructure to provide shade during higher temperatures and for flood mitigation. The potential role of green infrastructure as 'productive landscapes' should also be considered.

6. Place Policies

- 6.1 The policies and text contained within this section set out allocations for specific parts of the Borough and explain how those allocations align with the Plan's overall spatial strategy and policy objectives. The allocations contain site specific requirements for infrastructure and mitigation and management of any site constraints. These will be required in addition to general requirements for infrastructure contained in Policy PP1 and other requirements as relevant contained in Development Management policies. Policy PP1 highlights general issues concerning infrastructure provision, archaeology and developer contributions that affect proposals across the Borough and are essential to ensuring that new development adequately mitigates its impact on the surrounding area and makes a positive contribution to its character and amenity.

Policy PP1: Generic Infrastructure and Mitigation Requirements

In addition to site specific requirements identified in relevant policies, all proposals will be required to make contributions to the cost of infrastructure improvements and/or community facilities, including education, as required and supported by up-to-date evidence from appropriate sources including the Infrastructure Delivery Plan (IDP), Parish/Town Council, or specially commissioned work. Contributions will be secured to an appropriate level by way of legal agreement or through CIL as required. In addition, proposals must, as relevant, address all of the following Borough wide requirements:

- (i) Adequate wastewater treatment, water supply network enhancements, and sewage infrastructure enhancements for the relevant catchment area;
- (ii) Appropriate SuDS for managing surface water runoff within the overall design and layout of the site;
- (iii) Proportionate mitigation for area-wide transport issues as identified in the policies for North, East, South and West Colchester contained in the 'Places' section of the plan;
- (iv) Safe pedestrian access from the site to existing footways to enhance connectivity;
- (v) Suitable design and screening/landscaping to minimise any negative impact on the surrounding landscape and/or heritage assets;
- (vi) Potential archaeological significance of the site as required, by way of pre-determination evaluation (geophysical survey and trial trenching). Any findings from the evaluation will need to be reflected in a detailed mitigation strategy for further investigation to be agreed and submitted with the application to preserve in-situ or adequately recorded by excavation, secured by a planning condition; and
- (vii) Further to Section 1 Policy SP2, developments will be required to contribute towards mitigation measures in accordance with the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy 2018-2038 (RAMS).

Colchester

- 6.2 As a regional centre Colchester is the key focus for a wide range of development opportunities and challenges. This section covers the area of Colchester, divided up into five broad geographic areas designed to help the user and follow a place based Local Plan. The policies relating to Colchester are set out below under the headings, Central, North, South, East and West Colchester.

Central Colchester

Town Centre

- 6.3 The Town Centre remains largely defined by the Town Walls first constructed by the Romans two thousand years ago and which led to the development of a compact commercial core built to a higher density and different character to development outside the walls. The insertion of new roads on Balmerne Hill and Southway in the 1960-70s created boundaries between the Town Centre and surrounding residential areas to the west and south sides and limits the potential for Town Centre expansion in those directions. Within this plan, the Town Centre boundary has been extended to include the Crouch Street shopping area. This recognises Crouch Street's role in strengthening the Town Centre's presence of independent retailers, food/drink establishments, and small offices.
- 6.4 Policy for the Town Centre is intended to support its pre-eminent position in the Borough's spatial hierarchy and provide a flexible approach to adapting to changing economic and social circumstances. Town centres have been evolving to provide a greater mix of leisure and food/drink uses in previously retail-only areas. In recognition of this trend, the Local Planning Authority will accept a greater diversity of town centre uses in primary shopping areas to support the core retail uses. This approach is intended to increase the mix of compatible uses in Colchester's historic core to provide a more robust economic environment which also stimulate a greater diversity of evening activities. The Town Centre will therefore attract people of various ages and interests at different times of the day and night, and when combined with effective Town Centre management policies, safety and inclusiveness will be improved.
- 6.5 The Town Centre boasts important historic character which must be protected and enhanced by all development as set out in Policy DM16 Historic Environment and relevant supporting guidance as required. Opportunities to enhance the public realm and attractiveness of the street environment will be encouraged where ever possible.
- 6.6 The town centre is the most accessible location in the Borough by all modes of transport. There is an extensive walking network from all directions with approximately 15,900 people (7,600 dwellings) within an 800m walk distance of the town centre; there is a cycle network serving the town centre from all directions with a mixture of on and off road routes. Barriers to cycling have been improved with new shared use bridges across the river to the north and across Balmerne Hill to the west, with cycling allowed through subways under the main

roads to the south and west. Cycle parking is available in the core of the town centre. With a bus travel time of 20 minutes 95% of the urban area of Colchester is served by a regular bus service to the town centre – some services working through the day on a 12 minute frequency. Nearly all the bus services in Colchester pass through the town centre, including those serving the rural areas and the interurban coach services. Park and ride on a 15 minute frequency serves the town centre from the north. Buses pick up and drop off in the heart of the town centre providing excellent access, with the opportunity to interchange between services. The town centre is also served by two railway stations – Colchester Town is on the south east edge of the town centre with a 30minute service from the mainline and the line to Clacton. Colchester station is 1 mile to the north but has regular mainline services and is straight walk to the town centre or a 5 minute wait for a bus. The main vehicle parking is provided around the edge of the town centre with some 3,200 public spaces in the main aimed at short stay shoppers. The road network feeds into the town centre from all directions with an urban dual carriageway to the west and south. No other location in the Borough has this level of accessibility for all modes of transport.

- 6.7 Colchester Borough Council has worked with partners to deliver pure fibre connectivity, delivering up to gigabit speeds, to businesses in the Town Centre. The new infrastructure makes Colchester Town Centre one of the best connected places in the UK and positions it ideally for the future deployment of 5G mobile telephony as well as “smart city” innovations.

Policy TC1: Town Centre Policy and Hierarchy

Colchester Town Centre is at the top of the retail hierarchy set forth in Policy SG5. Accordingly it will be the priority focus for new Town Centre uses and larger scale development.

The Local Planning Authority will encourage development in the Town Centre (as defined on the Policies Map) which is focused on retail (particularly comparison) and supporting leisure, culture, and restaurant / café uses to enhance the Borough’s role as a sub-regional shopping and leisure destination and important tourist destination.

The Council will seek to deliver more attractive public spaces and streetscapes in the Town Centre. The Local Planning Authority will support proposals that positively contribute towards creating an attractive, vibrant and safe Town Centre that offers a diverse mix of uses, including shared mixed-use spaces and short-term uses, and extend the time when the Town Centre is active subject to their impact on local amenity.

Retail Frontages

- 6.8 The extent of the Primary Shopping Area has been reviewed to address the requirement in the NPPF to provide and define the extent of primary and secondary shopping frontages in town centres. The previous Local Plan provided for an the Inner and Outer Core where the requirement for the Inner Core was 85% of frontages to be in retail use with a lower requirement of 50% in the Outer Core. The primary shopping areas illustrated on the Policies map include those selected areas, largely within the previous Inner Core designation, where it is reasonable to maintain a high percentage of retail uses within each street frontage. Greater flexibility for changes of use is provided to maximise the number of occupied units and sustain a more diverse composition of uses. This reflects the increasing predominance of leisure, food/drink and cultural uses within town centre areas historically confined to retail uses only. It will also help accommodate the need for additional capacity for town centre uses in the main Town Centre area.
- 6.9 Town Centre sites are the Council's strong preference for future retail development in line with the retail hierarchy. The need for further development capacity within the Town Centre will largely be met by redevelopment of existing areas, given the land use, environmental and topographic constraints on further Town Centre expansion. The St. Botolph's area to the east will continue to be a focus for new development in the Town Centre, with the Firstsite gallery, which opened in 2011, serving as a catalyst for further culture and leisure-focused development. With permission granted for an arthouse cinema, further development is programmed to include development of town centre floorspace including a hotel; restaurant cluster; and student accommodation.

Policy TC2: Retail Frontages

Given that the Town Centre is at the top of the centre hierarchy in the Borough as a whole, within Colchester Town Centre the Local Planning Authority will seek to maintain a high proportion of retail uses on each Primary Street Frontage within the Primary Shopping Area shown on the Policies Map. Development proposals for non-retail uses within primary frontages will be permitted where they would enhance vitality and viability, be appropriate to the character and function of the area and not compromise the appearance of the frontage and its contribution to the streetscape.

Within the Secondary Street Frontages in the Primary Shopping Area as defined on the Policies map, support will be given for the continuing role of retail uses supported by other activity-generating town centre uses which enhance the vitality and activity of the area, including food and drink premises, non-residential institutions and leisure uses, at ground floor level.

Where planning applications are required, alternative non-retail town centre uses in the Primary Shopping area will be supported where they meet the following criteria:

- Maintain a 70% (Primary Street Frontage) or 50% (Secondary Street

Frontage) level of retail uses on the relevant street frontage unless non-viability of retail use can be demonstrated as detailed above and;

- Make a positive contribution to footfall and levels of activity throughout the day; and;
- Retain and /or enhances the quality and design of the street frontage through the inclusion of active frontages and / displays; appropriate use of materials; sympathetic scale; retention of historic features; and relationship to surrounding streetscape and ;
- Are compatible with adjacent uses – the proposal complements the town centre uses in the immediate area.

Proposals which provide premises occupying small footprints and flexible ground floor footprints will be supported in these frontages to help encourage the town's small / independent town centre businesses.

Town Centre Allocations

- 6.10 Reflecting its position at the top of the retail hierarchy, Colchester Town Centre will be the focus for additional retail floorspace in line with the requirement in the NPPF to meet in full the demand for town centre uses.
- 6.11 Medium to longer term need for town centre use floorspace will be addressed by redevelopment of the St. Botolph's and Priory Walk developments, providing potential opportunities for redevelopment of existing buildings and car parks. At Priory Walk, which provides a key pedestrian link between Firstsite /St Botolphs and the core shopping area, redevelopment could improve the public realm and retail offer either through reconfiguration and refurbishment of the existing outdated centre, or by redevelopment. At St. Botolph's, the Council is actively pursuing a co-ordinated scheme for redevelopment of the outdated buildings and vacant land in line with long-standing Council objectives for the area to achieve a mixed-use development with a focus on leisure and related uses. The need for further floorspace will be kept under review and if required updated evidence will inform specific allocations within these areas and additional areas will be allocated within the Town Centre if necessary.
- 6.12 Additional office floorspace to sustain the Town Centre will be supported at the adjacent Middleborough Local Economic Area as shown on the Policies Map. This is specifically safeguarded for the retention of office uses and also allows scope for redevelopment to provide additional purpose-built modern accommodation well-connected to Town Centre facilities. The area's edge of centre location means it would be considered to be sequentially preferable, if land was available, suitable and deliverable, to other potential locations for offices in the Borough. The Town Centre fringe areas also contain areas of existing employment floorspace at South St. Peters Street, George Williams Way and Southway which will be safeguarded to ensure the supply of well-located business use premises.

Residential allocations

6.13 Residential uses will be supported within the Town Centre to support vitality, diversity, and economic activity. In addition it is expected that further residential units will be created through the permitted development change of use from office to residential, as well as the refurbishment of upper floors over town centre uses. New residential allocations are provided for in the Britannia Street car park and for a portion of the St Runwald Street car park. Development of these car parks would require Transport Assessment work to demonstrate that they would result in a neutral impact on parking provision for the Town Centre, or, to provide alternatives including new spaces or demand management measures as appropriate.

Employment allocations

6.14 All planning proposals for new town centre development will need to have regard to the historic nature of the Town Centre and proposals will be required to meet high design standards; respect the surrounding diverse architectural heritage, and meet policy requirements on archaeological investigation in accordance with the generic requirements in PP1 and other requirements as appropriate.

6.15 Vineyard Gate, St. Botolphs, Priory Street and Britannia St. fall within Critical Drainage Areas CDA 03 as shown in the Surface Water Management Plan for Colchester. Developer contributions will be sought towards the costs of delivering flood defence / flood management solutions within this CDA as specified in the SWMP to help manage flood risk in this part of Colchester. Solutions should be agreed between Essex County (Local Lead Flood Authority), the Environment Agency, developers and the Local Planning Authority.

Policy TC3: Town Centre Allocations

Town Centre Uses - Allocations

Development will need to protect and enhance the character of the conservation area, listed buildings, heritage assets and their setting on and in the vicinity of the site, including where appropriate, the Scheduled Monument (Town Walls).

To address the identified need for additional town centre use floorspace providing a mix of comparison shopping; food and drink; entertainment; and residential uses over the plan period to 2033, additional potential capacity has been identified as follows and is shown on the Policies Map:

Vineyard Gate

Redevelopment of Vineyard Gate over the plan period to provide a residential-led mixed use scheme:

Requirements:

- Approximately 100 dwellings;
- Development will need to protect and enhance the character of the

Scheduled Ancient Monument (Town Walls).

- Provide direct pedestrian connections to/from Lion Walk.

Contributions needed towards the delivery of flood defence/flood management solutions as identified in the SWMP for CDA 03.

St. Botolphs

Mixed use scheme providing cinema, hotel; restaurant cluster; retail; student accommodation; Creative Business Centre (1.86 ha)

Requirements:

- Access off Queen Street.
- Development will need to protect and enhance the character of the Conservation Area and listed buildings.

Priory Walk

Redevelopment and/or extension of Priory Walk area to provide retail and mixed use floorspace (0.95ha)

Requirements;

- Development will need to protect and enhance the setting of nearby listed buildings and the town centre conservation area
- Provide for pedestrian connections between St Botolphs and Long / Short Wyre Street.

The 2016 Retail Study Update identified limited capacity for convenience goods floorspace over the plan period (after allowing for existing commitments).

Residential allocations:

Residential allocations as identified on the Policies Map will be supported where they meet the requirements identified for each site below in addition to generic infrastructure requirements in PP1 and pollution/contamination mitigation in ENV5:

Land at Britannia Car Park

- Allocated for 150 dwellings
- Residential development to have neutral effect on overall town centre car parking capacity.
- Development will need to protect and enhance the setting of the Scheduled Monument (The Priory)
- Development will need to protect and enhance the setting of nearby listed buildings and the town centre conservation area.
- Contribute towards flood risk solutions, in accordance with Flood Risk Management policy DM23 and SWMP recommendations for CDA 03

Part of St Runwalds Car park

- Allocated for 40 dwellings
- Access to be agreed with the Highway Authority
- Development will need to protect and enhance the setting of nearby listed buildings and the town centre conservation area.

Employment allocations:

Additional office floorspace to sustain the Town Centre will be supported just outside the Town Centre boundary within the Middleborough Local Economic Area as shown on the Policies Map. In addition, proposals for office use elsewhere in the Town Centre will be supported where they comply with other policy requirements.

The following LEAs are safeguarded for economic use in accordance with Policy SG4 and as shown on the Policies Map:

- Southway
- COLBEA Business Centre George Williams Way

Transport in Colchester Town Centre

- 6.16 The town centre is a highly accessible location by all transport modes and is central to urban Colchester. Being the town centre there is a high level of pedestrian movement and within the central core pedestrians are given priority. Elsewhere pedestrian movement is managed alongside other users.
- 6.17 The National Cycle network passes through the town centre with routes from the north (NCN1) Highwoods/Ipswich Road Route, west (NCN1) Lexden Route, and the Wivenhoe trail (NCN 51 from the east). The Garrison Cycle Route connects from the south passing through Southway subway.
- 6.18 Nearly all of the urban bus services penetrate into the town centre, with bus priority provided on certain routes to provide a greater reliability of service. Park and Ride also serves the town from the north.
- 6.19 Within the Town Centre there are areas designated Air Quality Management Areas. Measures which help improve the air quality in the area such as, sustainable transport, promotion of low emission vehicles, cleaner vehicles, smoothing traffic flows and improving the street design will be required together with mitigation against any identified impacts.
- 6.20 Strategic Transport Modelling and other ongoing studies identify locations in the Town Centre where improvements to, and investment in, the transport network have been identified as being necessary. Where proposals are demonstrated to add pressure to the transport network measures will be required to mitigate the impact. The transport evidence base is continuously evolving and additional issues and schemes may be identified during the Plan period. The exact scale, timing and nature of this infrastructure will be determined through more detailed assessment as the planning process develops.

Policy TC4: Transport in Colchester Town Centre

Developments in Colchester Town Centre will be expected to contribute to a package of sustainable transport measures including walking, cycling, public transport, travel planning and the promotion of sustainable travel.

Where it is demonstrated that proposals will impact on the highway network, contributions will be sought towards mitigation and improvements, including to the following projects;

- Enhancement to Southway / St Botolphs Roundabout, taking into consideration traffic flows, the quality of place and improving access to the Town Centre and Colchester Town Railway Station.
- Provision for public transport within the town centre area, including; space for bus stops, shelters and linkage to real-time information.
- Provision for Rapid Transit services including space to provide capacity for these and connections onto other locations including the route connecting the Tendring Colchester Borders Garden Community with East Colchester, the Town Centre and North Colchester required by Section 1 Policy SP6.
- Improvements to the pedestrian and cycling network to ensure that developments are accessible and permeable.

For areas with large multiple sites located in close proximity to each other the cumulative impact of all the development in the area must be considered.

The positioning and size of bus shelters, signs and other highways infrastructure must have regard to the historic character of the area and setting of heritage assets.

North Colchester

- 6.21 The North Colchester area has been the subject of various planning applications and development in recent years and this is expected to continue through the plan period. The road infrastructure has already seen significant change with Axial Way, United Way, A12 Junction 28 and the Northern Approaches Road all opened by April 2015. The early delivery of transport infrastructure allowed Colchester United football club to relocate to the Weston Homes Community Stadium in 2008. The stadium was part of a comprehensive development granted planning permission in 2006. The applications allowed for an element of leisure use as well as employment space to support future housing growth in the area. The uses permitted included the community stadium, health and fitness centre, a hotel, public house and other food/drink uses, some of which are under construction. The mix of uses was permitted to enable funding of the stadium and local road infrastructure.
- 6.22 The North Transit Corridor will facilitate high quality public transport services that can bypass traffic and provide easy access by a range of sustainable modes to the town centre, North Colchester and the Park and Ride via Colchester Station. The last section of the North Transit Corridor, referred to as NAR2 Busway in the previous Local Plan, is yet to be delivered and is subject to an existing legal agreement. The remaining link is shown on the policies map and the Council will actively seek to secure its delivery.
- 6.23 All new development must be well connected for walking and cycling to existing and new communities. The dual carriageway A12 trunk road severs the development areas north and south of the A12. Measures need to be included in the masterplan to provide safe, direct, cohesive walking and cycle linkages to allow people to move independently between the development areas and the new opportunities on offer.
- 6.24 The Myland and Braiswick Neighbourhood Plan identifies the Northern Gateway proposals as having the potential to deliver an array of sport and leisure facilities which will provide much needed opportunities for sport and recreation and which will make an important contribution to the sustainability of the Myland area. The Plan indicates that Myland Community Council will work with Colchester Borough Council to ensure the proposed sport and leisure development area will help to satisfy resident aspirations.

Zone 1 – Strategic Employment Area

- 6.25 The Employment Land Needs Assessment identifies North Colchester and Severalls Strategic Economic Area as one of the Borough's best located and connected sites for business, benefiting from excellent access to the strategic road network and as such additional land is allocated for employment purposes. The area is well placed to accommodate over-spill demand from the Colchester and Severalls Business Parks, as expansion and development opportunities become increasingly rare on these well performing and popular business areas. A limited range of non-B class uses will be supported in accordance with the policy where they do not undermine or constrain the main purpose of the economic

function of the area to deliver significant job growth. Main town centre uses will only be supported where they are ancillary to, and related in scale to, the primary employment focus of the area. Examples of acceptable uses include trade counters and services to support employees at the business park.

Zone 2 – Cuckoo Farm North West

- 6.26 Land adjacent the community stadium is allocated for mixed use. It is expected that a mixed leisure and commercial scheme will be delivered to compliment the sport offer elsewhere in the SEA.

Zone 3 - Northern Gateway area north of the A12

- 6.27 It is proposed that the Council will deliver the next phase of the Northern Gateway Masterplan vision through the development of a new sports and recreational hub on land in its ownership to the north of the A12, referred to as zone 3 on the policies map. The scheme provides an opportunity to bring forward the site as a sub-regional leisure destination and to enhance and expand the range of sport and recreational facilities available for local clubs and residents in order to increase participation levels across the Borough.
- 6.28 Development of land to the north of the A12 provides opportunities to deliver a range of new complementary indoor and outdoor sports facilities. The Indoor Sports Facility Strategy has identified a need for more indoor sports facilities to support the growing population of Colchester, especially in north Colchester. The Playing Pitch Strategy has identified the need to increase the number of sports pitches (including artificial grass pitches) and to enhance the quality of existing pitches to improve provision, maintain quality and to meet growing demand. The Playing Pitch strategy has also identified a number of indoor facilities required to compliment outdoor provision, including an indoor sports hub and a rugby club pavilion. New cycling training facilities will be delivered and the needs of sports clubs currently using facilities at Mill Road will be accommodated where practical. Investment will be made in infrastructure to ensure sustainable multi-user access to the development from the local communities and car parking.

Land at and adjacent to the Rugby Club

- 6.29 The Rugby Club site is allocated for residential development and open space to provide enabling development to help deliver the sport facilities detailed above, which will benefit the whole borough. Provision of significant open space will be required within the site to ensure that some of the existing benefits are retained for local residents. There will also be a requirement to provide a community space which may include provision for a church. As with the proposals in zones 2 and 3, there will be a masterplan agreed which will provide a more detailed framework for the area as a whole. Proposals will be expected to comply with this. It is anticipated that development of this site will deliver approximately 300 dwellings. Land within this allocation will also provide 260 units of Extra Care accommodation.

6.30 The Council is seeking to deliver sustainable initiatives as part of the development objectives within this area including opportunities for sustainable energy and potential for a District Heat Network, ultrafast broadband, and sustainable lighting initiative. Opportunities to show case exemplar elements, such as these achieving ambitious sustainability objectives will be encouraged where appropriate. The Council has been successful in a bid for funding for the delivery of the Heat Network in this area.

Policy NC1: North Colchester and Severalls Strategic Economic Area

All land and premises within the North Colchester and Severalls Strategic Economic Area including the areas known as the Northern Gateway and Severalls and Colchester Business Parks will be safeguarded for the identified uses based on a zoned approach as indicated below.

A master plan will be prepared to provide a detailed guidance covering parts of the economic area. Proposals which are in accordance with the agreed masterplan will be supported.

All proposals within the North Colchester and Severalls Strategic Economic Area will be required to provide good public transport, pedestrian and cycle links ensuring good connectivity within the area, with neighbouring communities, to the Colchester Orbital Route, and to and from the town centre and Colchester Station.

Development will be expected to contribute to the cost of infrastructure improvements where necessary and identified in the Infrastructure Delivery Plan (IDP) or subsequent evidence.

Zone 1: as defined on the Policies Map (existing and proposed employment land) will be the primary focus for employment uses and as such, alternative uses will only be supported where they:

- (i) Are ancillary to the existing employment uses on the site intended to serve the primary function of the site as an employment area; and
- (ii) Provide the opportunity to maximise the sites potential for economic growth and support the continued operation of existing employment uses within the economic area; and
- (iii) Do not generate potential conflict with the existing or proposed uses / activities on the site; and
- (iv) There is no reasonable prospect of the site being used for appropriate employment uses.

Zone 2: The area defined on the policies map as zone 2 (adjacent to the Stadium) is being developed by the Council as a leisure / community hub and will be safeguarded for a mix of uses including sport, leisure and recreation. Uses will be permitted where they clearly demonstrate the potential for job creation and provided that they do not undermine or constrain the main purpose

of the economic function of the wider area. Uses may include an appropriate scale of leisure and commercial space, open space and green infrastructure to enhance connectivity. No retail use will be permitted unless it is ancillary to another use and meets the requirements of the sequential test and impact test if required.

Zone 3 as defined on the Policies Map (including areas known as the Northern Gateway area north of the A12) land will be safeguarded primarily for a range of sport and recreation uses within Use classes D, subject to up to date evidence supporting a need for such use. Proposals will need to be in accordance with an agreed master plan.

Allocation for Residential and Open Space Uses

The area shown on the policies map which comprises the existing Rugby Club will be safeguarded for employment use (as set out above) as well as residential use to provide enabling development to deliver the sport and leisure / community uses in Zone 3. Development of the site will provide for approximately 300 new dwellings, 260 units of Extra Care accommodation and community space which may include a church. Access will be taken from Axial Way unless other considerations prevent this.

Proposals will be permitted in accordance with a masterplan to be approved by the Local Planning Authority which will incorporate an appropriate design approach and enhanced public realm to ensure the different uses can be accommodated in a compatible way.

North Station Special Policy Area

- 6.31 Colchester Station is a key gateway to Colchester with the mainline railway station facilitating high frequency services including intercity routes between Norwich and London and services to Clacton and into Suffolk. Regeneration of this area remains key to the continued development of Colchester in a manner that is attractive to investment, visitors and residents.
- 6.32 The North Station area of Colchester was designated as a regeneration area in the Core Strategy and some initial work on developing a masterplan was undertaken post 2010. Implementation of some of the initiatives arising from this, including the Fixing the Link project, have been delivered during the early part of 2016. Many of the concepts remain relevant and the principle of the overall vision remains, to create a welcoming gateway to the town, set within a balanced mix of uses, with enhanced connectivity to and from this area of Colchester.
- 6.33 The North Station Special Policy Area is based on a review of the boundary that was defined in the previous draft masterplan. The area designated on the Policies Map focuses on the North Station Gateway and the existing traditional urban village on North Station Road. Other areas are now covered by different policies. However, the North Station Special Policy Area still builds on opportunities to improve the public realm and enhance connectivity within the wider area including the Town Centre, Cowdray Avenue and Turner Rise, the

surrounding residential areas and green infrastructure links in Castle Park, Highwoods Country Park and the Colchester Orbital Route.

6.34 Colchester Station has been upgraded over the past few years as part of the National Stations Improvement Programme and through the Station Travel Plan initiative. The Colchester Station Travel Plan was developed in partnership with successive Train Operating Companies and Essex County Council and has been running since 2008.

6.35 As part of the Station Travel Plan, objectives have been agreed for improvements to the station forecourt. This will include access to the station for all modes and from and from all directions and prioritise access to the station for sustainable modes.

6.36 The station forecourt needs to become not only an efficient transition point between modes of transport, but also to be seen as a public square and a new public space in its own right. There are regeneration opportunities adjoining the station and off of Clarendon Road, including the car sales site adjacent to the railway bridge.

6.37 The completion of the North Transit Corridor will provide easy access by a range of sustainable modes to the Town Centre, North Colchester and the Park and Ride, via Colchester Station. The Transit Corridor will facilitate high quality public transport services that can bypass traffic congestion in the area.

6.38 The traditional urban area that is situated on either side of North Station Road has a distinctive character. The Fixing the Link project has created new wayfinding to improve the walking route from Colchester Station to the Town Centre. The North Station Road area will be enhanced as a walkable environment which is the focus for the day to day needs of its immediate community, but also improves the route for those passing through the area to and from the Town Centre and the station.

Policy NC2: North Station Special Policy Area

Within the area designated on the policies map as the North Station Special Policy Area, development which contributes to regeneration of the area will be supported. Development will need to address the following criteria:

- (i) Creation of a positive sense of arrival at the station, providing a quality public transport interchange as part of the Station Gateway, improving the accessibility and function of the station;
- (ii) Creation of new areas of high quality public realm in the station area to provide greater legibility within the area;
- (iii) Supports public transport and related physical improvements, including the North Transit Corridor, and encourages more sustainable transport choices, particularly by commuters;
- (iv) Support for redevelopment and appropriate new proposals which enhance built character and promote compatible land uses and activities

	including office floorspace, leisure uses, retail related to the primary function of the area associated with the station, residential and open space;
(v)	Improves the quality of the public realm and streetscape through improvements to footpaths, cycle routes and direct crossings in order to encourage walking and cycling, particularly between the Town Centre, neighbouring commercial areas, communities and the railway station. Opportunities will be sought to widen footpaths and cycleways in the vicinity of the station when opportunities arise and encouragement will be given to the creation of a green link between High Woods Country Park and Castle Park;
(vi)	Assesses the impact of development proposals on pollution levels in the Air Quality Management Area and if necessary provides adequate mitigation against any harmful effects to air quality. Wherever possible opportunities will be sought to improve the quality of air in the AQMA including through improvements to congestion levels and traffic flows;
(vii)	Supports and enhances the vibrancy of the North Station Road area as a focus for the day to day needs of its immediate community and to improve the route for those passing to and from the town centre and the station.

North Colchester other allocations/policies

6.39 North Colchester is designated for the following areas of new residential and employment development:

Land at Braiswick

6.40 Land has been identified at Braiswick at St Botolph's Farm and land south of Colchester Golf Club to accommodate some residential growth over the plan period. These two sites have been promoted for residential uses separately however given their proximity to one another and in order to make the most efficient use of the land, the sites should be planned comprehensively as one development. Planning this development as one site will reduce the number of access points on to Braiswick. Moreover, a comprehensive approach will be capable of delivering better local infrastructure, including combined onsite open space provision; enhanced connectivity; and integrated landscaping. A comprehensive masterplan will therefore be required to accompany any application for residential uses in this area.

6.41 Landscaping within the sites will be an important aspect of any successful scheme given the site's location on the edge of town; its proximity to the A12; its proximity to the golf course; and to reduce the impact of development on neighbouring residents. Therefore a landscape assessment should be carried out as part of any proposed residential development taking into account these local constraints. Existing belts of trees along the western and northern boundaries of the site should be retained and where possible improved because they help to screen the site from the golf course to the north and provide a soft transition from

the Colchester urban area to open countryside and West Bergholt to the west. Furthermore existing landscape features along the western boundary of the site should be retained and enhanced to mitigate the impact of noise from the A12. The most western part of the site is within flood zone 3 therefore no residential uses will be permitted in this area. Finally, an existing Public Right of Way runs alongside the eastern boundary of the site and this route should be retained, enhanced and integrated into the development.

Policy NC3: North Colchester

Land at Braiswick

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the area identified on the policies map, which is must be comprehensively planned setting out how any proposal will provide:

- (i) Up to 70 dwellings; and
- (ii) Access from Braiswick (road); and
- (iii) Contributions to highway improvements on the local road network, in particular at North station; and
- (iv) The retention and enhancement of existing tree belts within the site in addition to a landscape appraisal to look at opportunities to further improve other landscape features within the site; and
- (v) Effective noise mitigation measures; and
- (vi) No residential development in the area of site within Flood Zone 3; and
- (vi) Retention and improvements to the existing Public Right of Way which runs along the eastern boundary of the site.

Transport in North Colchester

- 6.42 The transport network in North Colchester is characterised by access to two strategic routes – the A12 via junction 28 and 29 and the Great Eastern Mainline at Colchester Station. The Great Eastern Mainline runs east west through Colchester splitting north Colchester from Central Colchester. These networks serve significant employment and residential areas which are continuing to grow.
- 6.43 The station and hospital provides a focus for public transport services with regular bus services radiating out from the town centre. There is limited east to west connectivity by bus.
- 6.44 The National Cycle Network (NCN1) runs from the north via the North Colchester Business Park, Highwoods, including the Country Park, under the railway and through to Leisure World and the Town Centre. A connection is also made through the Highwoods Country Park to the railway station. There is an alternative north south cycle route via the A1232 Ipswich Road leading from Cowdray Avenue to the Severalls Business Park.
- 6.45 Strategic Transport Modelling and other ongoing studies identify locations in North Colchester where improvements to, and investment in, the transport network are required. Development that will add pressure to the transport network will be required to help mitigate the impact.

Policy NC4: Transport in North Colchester

Developments in North Colchester will be expected to contribute to a package of sustainable transport measures including walking, cycling, public transport, travel planning and the promotion of sustainable travel.

Where it is demonstrated that proposals will impact on the highway network, contributions will be sought towards mitigation and improvements, including to the following projects;

- Improvements to A12 Junction 28, including the operation of Axial Way/United Way/Via Urbis Romanae
- Improvements to the Ipswich Road approach to the A12 Junction 29
Investment in the Colchester Station area to significantly enhance a Key Gateway into Colchester, providing ongoing improvements including; access for all, interchange and enhancements to encourage walking and cycling to the station.
- Improvements to the current cycle network to provide linkages between developments and access to key locations including; across Highwoods Country Park, Ipswich Road, Mile End Road and Bergholt Road leading to the station and southwards to the Town Centre;
- Enhancements to the East / West public transport services, to serve the area to connect existing and new residential developments with employment and leisure opportunities. This includes the route connecting the Tendring Colchester Borders Garden Community

with East Colchester, the Town Centre, and North Colchester required by Section 1 Policy SP6. The type of public transport service may vary.

- Delivery of The NAR2 busway.

For areas with large multiple sites located in close proximity to each other the cumulative impact of all the development in the area must be considered.

6.46 There are other known improvements to, and investment in, the transport network which have been identified through the Strategic Transport Modelling and other ongoing studies, listed below. In some cases, schemes have also been identified to overcome these issues. The transport evidence base is continuously evolving and additional issues and schemes may be identified during the Plan period. The exact scale, timing and nature of this infrastructure will be determined through more detailed assessment as the planning process develops.

- A1232 Ipswich Road – modification to the A1232 Ipswich Road/A133 Cowdray Road/St Andrews Ave. Funding secured through Local Growth Fund for construction to commence in 2017/18
- A120 upgrades – ECC and Highways England have progressed regarding a new and improved A120 between Braintree and the A12. In March 2020, the government announced its Road Investment Strategy (RIS) which included a commitment to progress further development work on the A120 dualling to prepare the scheme for delivery. The A120 dualling scheme be considered for inclusion in the RIS3 programme 2025 – 2030
- A133/A134 Colne Bank Roundabout capacity enhancements – scheme to improve operation of this key junction on the local road network.
- Support to be given to additional car parking provision at Dedham to address an identified need and associated transport implications within Dedham and the surrounding transport network at peak times.

South Colchester

6.47 Development has gradually extended south of Colchester following the relocation of the Garrison. Further opportunities to expand the urban area southwards presents itself on land which the Ministry of Defence wish to dispose of around part of Middlewick Ranges as well as a number of smaller sites.

Land at Gosbecks Phase 2

6.48 The site at Gosbecks Road, Colchester is well supported by infrastructure including a supermarket. However the immediate area is not well served by public transport with a lack of bus stops on Gosbecks Road. This site has the potential to deliver up to 150 dwellings as part of a logical second phase of residential development at Gosbecks. Any development would be required to demonstrate that development would not cause an unacceptable impact to the adjacent Scheduled Monument (the landowners having previously gifted the land to CBC with funds for preservation), as well as contributions towards public realm improvements. Adequate protection and enhancement of the Scheduled Monument and its setting will be required and agreed by the Local Planning Authority.

South of Berechurch Hall Road

6.49 The proposal for 150 units opposite an existing residential area on Berechurch Hall Road would entail comprehensive planning of two smaller sites accommodating approximately 50 units with an adjacent site accommodating 100 units. Consideration of a cohesive layout, access and design approach to the site will provide a sustainable urban extension to Colchester's southern boundary. Landscaping to this boundary will need to reflect the edge of urban area location to respect the transition of character to the countryside. To address the poor public transport provision in the vicinity of the site, new development will provide improvements, and access to the existing bus service. Development will also need to ensure acceptable access is provided onto Berechurch Hall Road and ensure archaeological investigations are carried out.

Land at Maldon Road / Shrub End

6.50 The employment area at Maldon Road has been extended to include a further 0.8 hectare which is allocated within the 3.5ha shown in Table SG3 for Edge of Centre areas to provide further opportunities in this area for local employment, building on the benefits provided by its location, existing operations and access.

ABRO Site

6.51 The site, known as the ABRO site, was previously part of the Royal Artillery Barracks (latterly known as Le Cateau Barracks), forming a northern most part of the old Colchester Garrison. Now vacant the ABRO site is 4.26 hectares, including a 3.80 hectare area allocated for residential use. The site is predominantly flattened hard surfacing, with some buildings of mixed size and architectural/historic significance. The north east corner of the site is former green

space converted to car parking in recent times. The Roman Circus Scheduled Monument (SAM) extends over the 0.46 hectare southern part of the site and is allocated for open space. A development brief has been prepared for the site and was subject to public consultation 2020/21. The requirements and quantum of development on the site will be set out in the final Development Brief.

Employment Land at Gosbecks

6.52 Gosbecks Farm Gosbecks Road, Colchester is safeguarded as a Local Economic Area which will support the existing employment uses at the site. As an economic area a range of mixed uses will be appropriate with the primary focus of the site being to deliver further employment.

Policy SC1: South Colchester Allocations

Allocations as shown on the policies map will be safeguarded for residential uses. In addition to the requirements in Policy PP1, proposals will be required to satisfy the Local Planning Authority with regard to the site specific requirements as identified below.

Land at Gosbecks Phase 2

Development of this site will be supported where it provides:

- (i) Up to 150 new dwellings of a mix and type of housing to be compatible with the surrounding development;
- (ii) New bus stop provision to service the site and improve sustainable transport links to Colchester Town Centre;
- (iii) New public art and improvements to the public realm; and
- (iv) A contribution to Gosbecks Archaeological Park.

South of Berechurch Hall Road

Development of this site will be supported where it provides:

- (i) Up to 150 new dwellings of a mix and type of housing to be compatible with the surrounding development;
- (ii) Contributions to/delivery of improvements to the local road network
- (iii) New bus stop provision to service the site and improve sustainable transport links to Colchester town centre; and
- (iv) A comprehensive approach to development of the three separate parcels of land which together make up the allocation.

ABRO site

The 4.26 hectare site will provide 3.80 hectares for residential development and 0.46 hectares for open space. Development of this site will be supported where it accords with the ABRO Development Brief.

Any proposals will also take into account the Essex Minerals Local Plan and the developer will be required to submit a Minerals Resource Assessment as part of any planning application. Should the viability of extraction be proven, the mineral shall be worked in accordance with a scheme/masterplan as part of the phased delivery of the non-mineral development.

The following Local Economic Areas as shown on the Policies Map will be allocated/safeguarded for economic uses in accordance with Table SG3 and policies SG3 and SG4:

Land at Maldon Road / Shrub End and Land at Gosbecks.

Land at Middlewick Ranges

6.53 Middlewick Ranges is a 76ha site owned by the Defence Infrastructure Organisation, located between Mersea Road and Abbots Road on the south eastern boundary of urban Colchester. The site is well positioned to key services and is reasonably accessible by public transport. It is located approximately 2.5km to Colchester Town train station and there are buses serving Monkwick and West Mersea that provide regular services past this site. Middlewick Ranges is therefore considered to be sustainable in principle.

6.54 The Defence Infrastructure Organisation is disposing of a number of sites nationally including Middlewick Ranges. The site was originally proposed for the allocation of 2000 dwellings, however as there are a number of constraints at the site which will restrict the final number of dwellings that can be delivered at this location, the allocation is for up to 1000 dwellings. Given the potential constraints and opportunities associated with the site, there will be a requirement for a masterplanning approach working together with the MOD, and any future landowners, to inform the best opportunities for delivering housing and supporting infrastructure, as well as ensuring the delivery of a development appropriate to its setting. More guidance in respect of the approach, scope and requirements for masterplanning for this site are set out below.

6.55 Vehicular access to the site, the impact of any development on the local road network and necessary mitigation, will need to be determined prior to any detailed scheme being submitted. The development would need to be supported by a Transport Assessment that stresses the importance of sustainable transport as the primary means of access and movement to, from and within the site. The Transport Assessment should set out that where impacts would occur and the necessary mitigation to address those impacts; any mitigation which would need to be agreed with CBC and ECC and secured as part of the planning permission. As a minimum the Transport Assessment would need to include details regarding:

- Support for local bus services to traverse the site and provide frequent and regular connections to the town centre, railway stations and any other identified and agreed destinations;
- Provision of bus stops within the site and upgrade of existing bus stops in the vicinity of the site (specification to ECC standards);
- Bus priority measures at key junctions;
- Demonstration of an extensive network of footpaths and cycleways within the site and connections at the site boundaries into the external network. Improvements to the external network of footpaths and cycleways in the vicinity of the site as agreed;
- Provision of a distributor road across the site with dedicated footpath and cycleways alongside it over its entire length;
- Provision of new sections of footway, cycleway and uncontrolled and controlled crossings in the vicinity of the site as agreed;
- Improvements to the Public Rights of Way Network across and in the vicinity of the site; and

- Delivery of a bespoke Travel Plan for the development of the site, with the appointment of a Travel Plan Co-ordinator and commitment to provision of tailored Residential Travel Information Packs for each household.

6.56 In the event that the detailed transport assessment work indicates that the traffic constraints cannot be adequately addressed, the number of homes permitted will be reduced to reflect this with support for up to 1,000 once the traffic impacts can be adequately resolved.

6.57 Middlewick Ranges is a designated Local Wildlife Site (reference Co122). The site was reviewed as part of a wider Local Sites Review in 2015 and as a result of the review the area designated has been extended. The Ecological Evidence Report confirms that the habitats within the site are of high biodiversity value, including 53 Ha of acid grassland. The site supports a range of protected species such as invertebrates, breeding birds and bats, therefore given the site's ecological sensitivity, full ecological assessments will need to be undertaken as part of any planning application including for all Protected Species, and Species of Principal Importance during the appropriate survey season. The Council will also be seeking a minimum 10% biodiversity net gain on the development site, following application of the mitigation hierarchy, in line with the Environment Act 2021. The Council will require a developer to commit to a suitable legal mechanism to ensure the long-term establishment, management and maintenance of the mitigation/compensation land for a minimum of 30 years and a strategy for the monitoring of key mitigation and/or compensation as part of the grant of any planning permission.

6.58 The area is a well-used recreational space, particularly with dog walkers. Any future development proposal will be expected to deliver new open space as well as strategic green infrastructure to meet the needs of existing and new residents in this part of Colchester, to minimise subsequent footfall on the Essex coastal sites and nearby Roman River SSSI, and provide substantial buffers to existing sensitive habitats. The range of typologies may include accessible natural greenspace, formal playing pitches, parks and playspace, green corridors and land for future cemetery use (including potential for a woodland cemetery), if suitable and required. The master planning process will need to inform further consideration in respect of the type, layout and configuration of open space and green infrastructure. A key requirement will be to ensure connectivity between green walking routes across the site and the existing Colchester Orbital, a circular walking and cycling route around the town's perimeter, which runs through the north-west of the Middlewick Ranges linking some of the town's key open spaces, heritage sites and PRoW. The Council will seek to retain and enhance PRoW within the development along with the route and character of the Colchester Orbital.

6.59 The site has archaeological interest due to the potential for the presence of buried archaeological remains, in particular, relating to prehistoric, Roman and civil war and World War II defences. The WW2 pill boxes, and tank line form an important landscape opportunity. The Council believes they also represent an important heritage interpretation and visitor opportunity. Further investigations will be required at a planning application stage, prior to the commencement of any

development. Policy PP1 (vi) will apply in this respect to any planning application on this site. It is also possible that a future management plan for the redoubt may be required as part of the planning permission, which will need to be agreed with the Council.

- 6.60 In terms of local character, the site sits in an area of gently sloping open landscape bordered by Colchester to the north and the wooded Roman River to the south. It currently provides some physical and visual separation between the existing urban area and the Roman River Valley. Any development will need to minimise and mitigate potential impacts on the wider landscape, on adjoining minor roads and recreational pressure on the landscape and biodiversity assets. New development should respond to the existing settlement pattern, screen any existing visual intrusions, conserve and manage existing woodland and hedgerows, and use materials appropriate to local character. An LVIA will be required to inform the proposed masterplan and any subsequent planning application. Extra High Voltage electricity pylons lie at the north of the site. There would be visual benefits to these being undergrounded but in the event that this is not feasible they would act as a constraint on the layout of development.
- 6.61 Development of Middlewick Ranges may be further constrained by pockets of contamination therefore an investigation into all potential sources of contamination will need to be carried out as part of any future development proposals and submitted as part of any planning application. Any investigation will need to include assessment of areas inaccessible during the 2018 site visit, together with any activity since the date of reporting including detail of any fly tipping, and continued MoD uses. Policy ENV5 will be relevant to any planning application in respect of this matter.
- 6.62 The Middlewick Ranges site falls within Critical Drainage Area 01 (Old Heath Area) as defined in Colchester's Surface Water Management Plan (SWMP). Contributions will be sought towards the costs of delivering flood defence/flood management solutions within CDA 01 as set out in the SWMP.
- 6.63 A Masterplan must be agreed with the Local Planning Authority prior to the submission of any planning application, in order to inform the detailed definition and mix of uses within the site. The masterplan process should include engagement of the local community, use of design advice and review where available, and assessment frameworks such as Building for a Healthy Life or similar. The masterplan will be supported, as appropriate, with site wide parameter plans, design codes or design guidance.
- 6.64 Developer contributions will be sought where required towards the cost of mitigation including ecological mitigation, remediation of any on site contamination as part of the development of the site; community infrastructure including education provision; traffic and highways mitigation including enhancements to the public transport, walking and cycling infrastructure; accessible natural green space and public open space.

6.65 Development at Middlewick Ranges will be phased to start towards the middle of the plan period. This is necessary to enable further detailed work to be carried out to inform a comprehensive masterplan process as described above and to allow for appropriate engagement with all relevant parties including the local residents. This will also allow for the commencement of soil preparation for the required biodiversity mitigation, compensation and net gain allowing for the soil conditions to respond to changes in pH, which is imperative to the practical use of turves from the ranges to create new areas of acid grassland. This will help inform or refine the later stages of the net gain strategy. The masterplan will inform any subsequent planning application.

6.66 Due to the high distinctiveness of the biodiversity of the site and the complexity of recreating and managing protected habitats for the long term, both onsite and in the mitigation lands, the Council will require the appointment, by the developer, of a suitably qualified and experienced nature conservation management organisation as a partner to take forward this element of the development. The Council will require the developer to enter into an appropriate legal agreement to secure the long term (minimum 30-year) management and monitoring of retained protected habitats, the biodiversity mitigation, compensation and net gain land, by the nature conservation organisation, including a mechanism for funding and governance that ensures both the nature conservation value and local community interest. The landowner of the mitigation land will need to be party to such an agreement.

Policy SC2: Middlewick Ranges

The allocation shown on the Policies Map is expected to deliver up to 1000 new dwellings. The final number of dwellings will only be confirmed through masterplanning. In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the area identified on the policies map where it:

- i. Delivers up to 1000 new houses of a mix and type of housing to be compatible with surrounding development; and
- ii. Is supported by a Transport Assessment which sets out where impacts would occur and any mitigation to address those impacts, as well as measures proposed to ensure sustainable transport is the primary means of access and movement to, from and within the site. The Transport Assessment and mitigation measures are to be agreed with the Highway Authority and The Council as part of any planning permission; and
- iii. Delivers access and highway works on the local road network, including new junctions, to be agreed with the Highway Authority and delivered at the appropriate time commensurate with the development; and
- iv. Delivers enhancements to sustainable travel connectivity including public transport, cycling and walking infrastructure, including connection and enhancement to the Colchester Orbital; and
- v. Provides for retention or diversion of any existing public rights of way within the site and incorporation wherever possible into the green infrastructure network; and
- vi. The built footprint of the development has been sited to minimise the

- effects on protected habitats and species; and
- vii. Is supported by the submission of appropriate mitigation and net gain plans to enhance the ecology of the remaining areas of the Local Wildlife Site to provide compensatory habitat to replace habitat lost to development and a minimum of 10% biodiversity net gain; and
- viii. Secures the appointment, by the developer, of a suitably qualified and experienced nature conservation management organisation as a partner to take forward the habitat conservation, creation and management of the development; and
- ix. Identifies and commits to a legal mechanism, in a form to be agreed with the Council, to ensure the long-term establishment, management and maintenance of the retained acid grassland, the biodiversity mitigation/compensation and net gain land and a strategy for the monitoring of key mitigation, compensation and net gain. The legal mechanism will identify the funding mechanism and governance structure (including the option of designation as a Local Nature Reserve) that ensures both the nature conservation value and local community interest in the retained acid grassland, other protected habitats, the biodiversity mitigation and compensation land, and areas of net gain; and
- x. Includes a detailed strategy and management plan, to be agreed with the Council, for the existing and proposed green infrastructure and public open space network, including formal playing pitches, strategic green corridors, green buffers and structural landscape; and
- xi. Includes a detailed Landscape and Visual Impact Assessment in order to minimise and mitigate potential impacts on the wider landscape and urban character; and
- xii. Delivers Mitigation measures to address site contamination; and
- xiii. Provides for Primary and early years education as follows;
 - a. a new primary school with co-located 56 place early years and childcare nursery on 3 hectares of suitable land allocated for education and childcare use; and
 - b. a new 56 place stand-alone early years and child care nursery on 0.13 hectares of suitable land allocated for education and childcare use; and
- xiv. Secures financial contribution to early years and childcare, primary and secondary education provision as required by the Local Planning Authority primarily through Section 106 Planning Obligations or the Community Infrastructure Levy.

A Masterplan for the whole site is to be agreed with the Council prior to submission of any planning application. The masterplan must be informed by, or supported by, as appropriate, site wide parameter plans, design codes or guidance, developed through engagement with the local community, be informed by use of design review where available, and assessment frameworks such as Building for a Healthy Life or similar.

Before granting planning consent, wintering bird surveys will be undertaken at the appropriate time of year to identify any offsite functional habitat. In the unlikely event that significant numbers are identified, development must firstly avoid impacts. Where this is not possible, development must be phased to

deliver habitat creation and management either on or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds.

Transport in South Colchester

- 6.67 This area is characterised by a series of B roads radiating out from the town centre, with a number of unclassified roads linking these B roads together. Berechurch Hall Road and Gosbecks Road acts as an informal southern distributor route connecting in the east with the B1025 Mersea Road and in the west to the B1022 Maldon Road.
- 6.68 The bus network radiates out from the town centre, with high frequency services interspersed with lower frequency services serving the rural areas and villages to the south and west. There are no east-west public transport routes. The Garrison development has provided an excellent north south walking and cycle route with a mix of on road and off road routes leading to Southway in the town centre and will be used as an example of good practice in future developments. The Boadicea route provides a link to the west from Berechurch. There are however gaps in the network and east-west routes are limited.
- 6.69 Strategic Transport Modelling and other ongoing studies identifies locations in South Colchester where improvements to, and investment in, the transport network are required. Development that will add pressure to the transport network will be required to help mitigate the impact. The transport evidence base is continuously evolving and additional issues and schemes may be identified during the Plan period. The exact scale, timing and nature of this infrastructure will be determined through more detailed assessment as the planning process develops.

Policy SC3: Transport in South Colchester

Developments in South Colchester will be expected to contribute to a package of sustainable transport measures including walking, cycling, public transport, travel planning and the promotion of sustainable travel

Where it is demonstrated that proposals will impact on the highway network, contributions will be sought towards mitigation and improvements, including to the following projects;

- Improvements to junctions including; Circular Road South/Berechurch Road and Shrub End Road/Maldon Road.
- Improvements to manage the flow of traffic along Gosbecks Road and Berechurch Hall Road.
- Improvements to public transport including potential east / west service and bus priority at junctions, especially where buses are experiencing delays.
- Improvements to routes for walking, cycling and horse riding where appropriate, including links to the Garrison and Boadicea Routes and complete gaps in the network.

For areas with large multiple sites located in close proximity to each other the cumulative impact of all the development in the area must be considered.

East Colchester

Knowledge Gateway and University Strategic Economic Area

- 6.70 The University of Essex is a leading research-intensive university and is ranked in the top 20 for research excellence within the UK. The University currently provides 1870 jobs and indirectly supports a further 2693 jobs, as well as contributing £404 million in turnover and indirect economic impact to the East of England. On the basis of the current Strategic Plan, by 2018, the University will grow to some 15,000 students. Continuation of this current rate of growth in student numbers would see the University achieve a student body of approximately 20,000 by 2025 and 25,000 students by the end of the Local Plan period.
- 6.71 These ambitious plans for the growth of the University have many benefits for Colchester Borough as a whole, the Town Centre and in particular east Colchester, including allowing the development of clusters of companies that can take advantage of co-location whilst minimising the costs of further infrastructure development. Through £13 million of investment and partnership with new and growing businesses, the expansion of the Knowledge Gateway research and technology park on the Colchester Campus has the potential to bring 2000 further jobs to the local economy by 2025.
- 6.72 Colchester's evidence base, the Employment Land Needs Assessment, acknowledges the role and importance of the Knowledge Gateway for developing technological and creative businesses. Unlocking some of the barriers, particularly associated with the existing transport infrastructure will assist in bringing forward further development on this site. This primarily seeks to promote B1 uses within the area, but acknowledges that some flexibility to this approach is beneficial, with the key principle being that proposals should be related to the key function of the economic area.
- 6.73 The University is supporting the designation of a fifth national University Enterprise Zone (UEZ), in addition to those in Bradford, Bristol, Liverpool and Nottingham. UEZs do not come with the same tax and business rate incentives or promises of high-speed broadband that are features of Enterprise Zones. However, they are granted support in driving export trade and attracting inward investment through the government's UK Trade and Investment (UKTI), as well as being subject to simplified planning arrangements. The Essex UEZ would have a focus on digital and creative industries, a sector that contributes £2.5 billion per year to the economy of the South East LEP area. Colchester has the largest concentration of digital creative businesses in Essex and the Haven Gateway, with over 3500 people employed in this sector across more than 600 companies. A UEZ for Colchester can help to ensure that developments in the Knowledge Gateway will also support developments in Colchester Town Centre.
- 6.74 The University competes globally for staff and students and there is a clear need for good quality and affordable accommodation. On the Colchester campus, the University already offers a mix of medium and high rise student accommodation,

and it is likely that future need will mirror this pattern to allow for an efficient use of space, protection of the historic Wivenhoe House, and surrounding parkland and ensure that as many students as possible can be accommodated on the campus. High quality staff housing will also be in demand, with the development of the new Garden Community also providing attractive new locations for University staff to live, adding to the existing blend of urban and rural dwellings in the area. The University strongly supports a vision for a proposed Garden Community to the east of Colchester, providing a sustainable, mixed academic, commercial and residential community that offers a high quality of life to enhance both Colchester and the University. The University will therefore be a key partner in the master planning process for the Garden Community, recognising the importance and mutual benefit to establishing an integrated approach to planning and engagement.

- 6.75 The significant growth envisaged by the University and the associated expansion opportunities for the Knowledge Gateway technology park will be realised over the long term with phases being delivered throughout the plan period and potentially beyond associated with the new Garden Community. This will provide a framework for the expansion of both the University and the Knowledge Gateway and also provide the opportunity to maximise any benefits associated with the new Garden Community. A joined up approach and the mutual opportunities to both are evident, particularly associated with infrastructure improvements with alternative public transport options being a key factor for East Colchester.
- 6.76 It is recognised that the University makes a significant contribution to the economy of Colchester Borough and to the vitality and viability of the Town Centre. There are unique opportunities for the community and the university to feed off each other, particularly as sports and cultural facilities are improved with the potential to create opportunities for the community to benefit from extensive facilities providing a hub in this area of Colchester which would not otherwise be available to them. The benefits and opportunities for shared use will be further explored through the Sports Strategy Delivery Board. In addition opportunities for the University to pursue a greater physical presence in the Town Centre will be encouraged. Expansion proposals for the University will be supported in response to programmed growth.

Policy EC1: Knowledge Gateway and University of Essex Strategic Economic Area

The Council recognises the value of the University of Essex to Colchester Borough's economy and the vitality and viability of the Town Centre, and will work in partnership to maximise the economic and social benefits associated with it.

The area shown on the Policies Map is designated as the University and Knowledge Gateway Strategic Economic Area. Within this area development will be supported which enables significant expansion of the University of Essex as reflected in its current Strategic Plan 2013-19 as well as the retention and expansion of the Knowledge Gateway. Proposals which provide for the retention and expansion of the Knowledge Gateway and which build on the

benefits of the growing University will be supported.

There will be a need for a comprehensive approach to development in conjunction with the Tendring Colchester Borders Garden Community proposed to the east of Colchester, working in partnership with key stakeholders including the University.

Proposals for the expansion of the University will be required to provide good public transport, pedestrian and cycle links ensuring good connectivity to and from the town centre, the Hythe Station and surrounding area, the Knowledge Gateway and the proposed Garden Community to the East of Colchester including contributing to the Orbital route as shown on the Policies Map.

Proposals will need to pay special regard to the preservation and enhancement of the Grade II listed Wivenhoe House and its Registered Park and Garden, including the wider setting of these heritage assets.

Development will be expected to contribute to the cost of direct infrastructure improvements as required, supported by up to date evidence in the Infrastructure Delivery Plan (IDP) or subsequent evidence which will be secured to an appropriate level by way of legal agreement or through CIL as required.

In addition, contributions may be sought to promote the delivery of infrastructure and Green Infrastructure improvements specifically the East Transit Corridor shown on the and the Proposals Map and the Orbital Route, improvements to upgrading the footbridge across the railway between the Meadows 1 and the University Quays to enhance opportunities to the walking and cycling network accessing the university campus with the Town Centre. These will also help to achieve wider objectives which are also linked to University and Knowledge Gateway.

Knowledge Gateway

The area shown on the East Colchester Proposals Map will be safeguarded for the expansion of the Knowledge Gateway associated with the Tendring Colchester Borders Garden Community to allow for provision of a range for additional jobs and to accommodate expansion of the existing research and technology uses.

Within this area, the Local Planning Authority will continue to support the growth and retention of the University Research Park. All land and premises within this area will be safeguarded for employment uses, primarily for office use within E class where appropriate and non- B class employment generating uses of a scale and type compatible with the Research Park. Encouragement will also be given to uses which can be shown to be directly linked to the development of research associated with the University and to the provision of business incubator units. Proposals for uses which are not for office use within E class or where it cannot be demonstrated that they are linked to the Research Park will only be supported where they:

- (i) Are ancillary to the existing employment uses on the site and are intended to serve the primary function of the site as an employment area and research park;
- (ii) Provide the opportunity to maximise the sites potential for economic growth;
- (iii) Support the continued operation of existing employment uses within the employment area and in particular its focus for research and technology contributing towards the delivery of the overall vision;
- (iv) Are generally in accordance with the most up to date masterplan / Strategy for the University and Knowledge Gateway; and
- (v) Do not generate potential conflict with the existing proposed B class uses / activities on the site.

East Colchester/Hythe Special Policy Area

6.77 The Hythe area is a former commercial harbour which includes some rundown and underused industrial land in East Colchester. Together with the University of Essex, the eastern area of Colchester has experienced a period of significant change and growth. The area provides good access to Hythe Station and is located close to the University of Essex but is currently constrained by flooding issues.

6.78 The Hythe is an established regeneration area that seeks to deliver sustainable, mixed use neighbourhoods, oriented towards the River Colne, which respect the historic character of the area. Over the plan period the East Colchester/Hythe Special Policy Area provides capacity to accommodate approximately 800 new dwellings including those already committed. The regeneration of this area needs to secure the viable re-use of heritage assets and provision of a distinctive public realm. Growth needs to be supported by improvements to transport infrastructure and services, flood mitigation and open space to ensure that sufficient amenity space is included to support the increasing population. Regeneration will involve partnership working with public sector agencies, the local community, and the private sector, including support for community-based initiatives such as community land trusts. The Hythe Conservation Area includes the historic port of the Hythe, the medieval church of St Leonard's and a number of listed buildings, in addition to later infill and some modern regeneration. Development proposals must ensure that it responds to the distinctive historic character. Every opportunity should be taken to enhance heritage assets and reinforce the significance of the Hythe Conservation Area.

6.79 The river forms a natural corridor and amenity. Riverside walking and cycle routes which exist should be retained and extended for walking and cycling as part of a green link giving riverside traffic free routes for both commuting and leisure trips; with links to the Town Centre and Wivenhoe along the National Cycle Network Route 1, the Rowhedge Trail and links to New Town, Distillery Pond and Bourne Ponds. The river also forms an east-west barrier to movement. More links across the river are required to access local opportunities and create a cohesive

development area. Opportunities should be sought to bridge the Colne to the south of Colne Causeway Bridge.

6.80 The area is also split by the road and rail network. Peak hour traffic congestion is severe in this area, especially at Greenstead roundabout. The rail line forms an east-west physical barrier especially for pedestrians and cyclists. Improvements are required to address congestion and severance, linking together development areas and opportunities offered by the expansion of the University and the Knowledge Gateway.

6.81 Much of the Hythe area is in flood zone 3. Development must respect this designation and be designed accordingly to minimise the impact of any potential flooding on people and property. The Hythe Special Policy Area also falls within Critical Drainage Areas CDA 01, CDA 02 and CDA03 as shown in the Surface Water Management Plan for Colchester. The Local Planning Authority will work with key stakeholders with responsibilities for flood risk and drainage and developers to deliver infrastructure schemes that provide sufficient capacity in the drainage network to support new developments and regeneration and to manage flood risk. Developer contributions will be sought towards the costs of delivering flood defence/flood management solutions within these Critical Drainage Areas to help manage flood risk in this part of Colchester. Solutions should be agreed between Essex County Council (Local Lead Flood Authority), the Environment Agency, developers and the Local Planning Authority.

6.82 As a working port many of the industries based there historically were “dirty” in nature but suitably located. As the area changes it will important not to locate residential properties on or near to contaminated land if satisfactory mitigation cannot be achieved. The major Colchester Sewage/Waste water plant lies at the south end of the area and includes a cordon sanitaire restricting the type of development which can be located here.

6.83 The river and the quayside is a natural place for residential moorings. Boats for residential purpose will be supported if they are of appropriate quality and enhance the marine environment. Improvements will be sought to the landscape and the utility infrastructure to serve boats.

Policy EC2: East Colchester / Hythe Special Policy Area

Development within the area defined on the Policies Map as the East Colchester/ Hythe Special Policy Area will be encouraged and supported where it contributes to achieving the following key objectives:

- (i) Regeneration of the area at densities appropriate to an urban area with good public transport connections and a mix of commercial, community and residential uses to provide additional jobs, homes and community and environmental enhancements, in line with the site allocations shown on the East Colchester Policies EC1-4 map, and create a strong sense of identity for the area;
- (ii) Maximise the potential benefits of the location adjacent to the University,

enhanced by its expansion (Policy EC1) and supporting development associated with the University Research Park to provide significant office floor space and high quality new jobs;(iii) Deliver significant public realm enhancements appropriate to local context, maximising the potential of the riverside location and improving the environment, increasing connectivity and providing convenient public access for pedestrians and cyclists;

- (iv) Ensure new developments are responsive to the distinctive historic character of the area and reinforce the significance of the Conservation Area designation through the re-use of heritage assets;
- (v) Contribute to the delivery of the East Transit Corridor which will bring significant improvements to public transport and accessibility, through enhanced services, improved links to the Town Centre and new Garden Community;
- (vi) Enhance provision of Green Infrastructure to maximise potential opportunities for biodiversity and habitat creation, benefit nature conservation and landscape, enhance connectivity including linkages with the new garden community and establish new areas of open space for public enjoyment including an urban park to serve the community;
- (vii) Contribute towards flood risk solutions, in accordance with Flood Risk Management policy DM23 and SWMP recommendations for CDAs 01, 02 and 03
- (viii) Provide for a compatible mix of uses having regard to neighbouring amenity;
- (ix) Situate proposals for residential development away from land which is contaminated. Where necessary mitigation measures will be required to be agreed with the Local Planning Authority; and
- (xi) Support the use of residential moorings by boats of acceptable quality which enhance the marine environment and which also satisfy flood risk tests including the provision of safe access from land to the moorings in a flood event.

Development should also seek to soften the environment around the electricity sub-station to minimise its intrusive impact on the surrounding area. Opportunities to maximise the potential for comprehensive regeneration of King Edward Quay will be encouraged including exploring the potential to redistribute uses to allow for clustering of complementary uses and to respond to site constraints such as flood risk and land contamination.

East Colchester other allocations / policies

- 6.84 The following areas of new residential and employment development have been allocated to areas of East Colchester, excluding the Hythe area covered by Policy EC2 on the Hythe Special Policy Area.

Port Lane

- 6.85 This site formed part of the former Paxmans Factory site. In the event of cessation of all industrial uses, the site can deliver up to 130 dwellings. Access to the site will be off Port Lane. Given the site's previous industrial use, assessment of contamination and implementation of any required remediation measures will be required. The site is located within an area of archaeological interest recorded in the Colchester Urban Archaeological Database. There is high potential for encountering early occupation remains at this location so a trial-trenched archaeological evaluation will be required to establish the archaeological potential of the site. Decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation. Any permission granted is likely to include a condition requiring a programme of archaeological work. This site falls within Critical Drainage Areas CDA02 & CDA03 (New Town and Colchester Town Centre Areas). Developer contributions will be sought towards the costs of delivering flood defence/flood management measures within CDA 03 as specified in the Surface Water Management Plan for Colchester to help manage flood risk in this part of Colchester.

East Bay Mill

- 6.86 This site includes a listed mill which has been badly damaged by fire. Redevelopment of the site will involve retention and restoration of this important landmark along with sympathetic development of other dwellings up to a total of 22 units, either independently or as part of a comprehensive scheme. In either case, proposals will need to be in keeping with the site's location within a Conservation Area. The site lies within a flood risk area, so it would need to in the first instance satisfy the exception test for development in such areas, and secondly if that is met, provide adequate mitigation for flood risk such as residential on upper floors only. There is high potential for encountering early occupation remains at this location so a trial-trenched archaeological evaluation will be required to establish the archaeological potential of the site. Decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation. Any permission granted is likely to include a condition requiring a programme of archaeological work. Development will need to ensure contamination and flood risk issues are addressed. Vehicle, pedestrian and cycles arrangements to and within the site will need to have regard to restrictions on access as well as opportunities to provide a riverside path.

Site off Barrington and Bourne Roads

6.87 This 1 hectare site is comprised of vacant greenfield land within a predominantly residential area. The area was allocated for residential development in the previous Local Plan as part of a wider scheme, but this portion did not come forward. Open space delivery on the smaller remaining part of the site will need to address the shortfall in open space left over from the earlier phase of development. To address the issue of the divided ownership of the site, a scheme will need to provide a coordinated approach to secure satisfactory access arrangements, residential amenity and landscaping. This site falls within Critical Drainage Area 02. Developer contributions will be sought towards the costs of delivering flood defence/flood management measures within CDA 02 as specified in the Surface Water Management Plan for Colchester to help manage flood risk in this part of Colchester.

Magdalen Street sites

6.88 Magdalen Street contains a number of older commercial buildings suitable for reuse and/or redevelopment. The area could accommodate up to 200 new residential units. The Local Planning Authority produced an updated Development Brief for the site in February 2014 to realise a vision for the area to create a vibrant community. Architecturally, the Local Planning Authority will seek contemporary responses to the existing character and densities and parking appropriate to the edge of centre location. Magdalen Street is within an Air Quality Management Area and proposals will accordingly need to provide mitigation. The Local Planning Authority will expect development to be set back from the carriageway with large scale forecourts and tree planting to help improve air quality in this part of the town. Vehicular access will only be available via Magdalen Street. Pedestrian and cycle opportunities also need to be addressed as part of any future design and site layout. These sites falls within CDA 03 (Colchester Town Centre Area). Developer contributions will be sought towards the costs of delivering flood defence/flood management measures within Critical Drainage Area 03 as specified in the Surface Water Management Plan for Colchester to help manage flood risk in this part of Colchester.

Employment Sites

6.89 East Colchester contains a number of historic employment sites, a number of which, have already been redeveloped for residential and mixed uses. The Whitehall Industrial Estate is the largest remaining industrial area, and will be a preferred location for new employment development in East Colchester. The employment land allocation in Table SG3 includes 2.7ha in Whitehall. Sites on Barrack Street, Brook Street and Port Lane contain further small areas of employment floorspace which will be safeguarded for employment use.

Policy EC3: East Colchester Allocations

Allocations shown on the policies map will be supported for residential uses. In addition to the requirements in Policy PP1, proposals will be required to satisfy the Local Planning Authority with regard to the site specific requirements as identified below.

Land at Port Lane

Development of this site will be supported where it provides:

- (i) Up to 130 new dwellings of a mix and type of housing to be compatible with surrounding development;
- (ii) Access via Port Lane;
- (iii) Contamination mitigation measures as required; and
- (iv) Contributes towards flood risk solutions, in accordance with Flood Risk Management policy DM23 and SWMP recommendations for CDA 03

East Bay Mill

Development of this site will be supported where it provides:

- (i) Up to 22 new dwellings of a mix and type of housing to be compatible with surrounding development, including the Listed Building
- (ii) Adequate access including appropriate treatment / diversion of the existing Public Right of Way;
- (iii) A satisfactory NPPF flood risk exception test and if met, provide flood risk mitigation measures;
- (iv) Protection and enhancement of the setting of listed buildings and the Hythe conservation area;
- (v) Appropriate conversion of the listed mill; and
- (vi) Satisfactory contamination mitigation measures as required;;and
- (vii) An air quality assessment and mitigation against any harmful effects to the AQMA likely to be caused by proposals.
- (viii) Access to river frontage;

Barrington Road/Bourne Road vacant site

Development of this site will be supported where it provides:

- (i) Approximately 28 new dwellings of a mix and type of housing to be compatible with surrounding development;
- (ii) A design and layout in keeping with the development on the other part of the site;;
- (iii) Suitable landscaping and open space; and
- (iv) Access via Knightsfield.

Magdalen Street sites

Development of these sites will be supported where they:

- (i) Accord with the Magdalen Street Development Brief (adopted February 2014);
- (ii) Include an assessment of air quality and mitigation against any harmful effects to the AQMA likely to be caused by proposals; and
- (iii) Contribute towards flood risk solutions, in accordance with Flood Risk Management policy DM23 and SWMP recommendations for CDA 03.

Place Farm

Development of the site will be supported where it provides:

- i. 2.7 ha of employment land, as shown in Table SG3
- ii. Up to 30 new dwellings of a mix and type of housing to be compatible with development in the adjacent Old Heath area.
- iii. Access via Whitehall for the employment and via Rowhedge Road for the residential development.

Local Economic Areas as shown on the policies map will be allocated/safeguarded for economic uses in accordance with Table SG4 and policies SG3 and SG4. The following areas will be protected to retain their function and role as key clusters for a range of businesses including start-ups:

- Whitehall Industrial Estate
- Land at Barrack Street
- Land at Brook Street
- Moorside Business Park, Eastgates
- Port Lane

Transport in East Colchester

6.90 In East Colchester the transport network is fragmented due to the historic nature of development in the area, the physical barrier of the River Colne and the railway which serves and passes through the area. There is a focus of transport routes which converge or cross each other in the Colne Harbour area creating a complexity of competing demands and movements. To the north of the area the A120 trunk road provides access to North Colchester and the A12.

6.91 The roads radiating out from the town centre to the east are designated Air Quality Management Areas, where vehicular transport is the major contributor to the poor air quality. Measures which help improve the air quality in the area such as sustainable transport, promotion of low emission vehicles, cleaner vehicles, smoothing traffic flows and improving the street design will be required together with mitigation against any identified impacts.

- 6.92 The Clacton Branch Line links the coastal towns and rural villages of Tendring with Colchester and the Great Eastern Mainline, with an additional branch to Colchester Town Station. Within Colchester other stations served by the branch line are Wivenhoe and The Hythe which is the closest station to the University. There are two level crossings which impact on both train and road operation.
- 6.93 The area is served by a number of high frequency bus routes, passing through the area from the Town Centre to serve the University and Greenstead. These bus services are heavily utilised routes. The Garden Community and University expansion provide the opportunity and demand for a rapid transit system in the area to link growth in east Colchester and in Tendring through the Hythe Area with Colchester Town Centre and other key destinations.
- 6.94 The National Cycle Network (NCN51) passes through the area as the Wivenhoe Trail running from Wivenhoe through to Lower Castle Park. The Salary Brook Route (also part of the proposed Orbital route) links the large Greenstead Estate through to the University and Knowledge Gateway.
- 6.95 Strategic Transport Modelling and other ongoing studies have identified locations in East Colchester where improvements to, and investment in, the transport network are required. Development that will add pressure to the transport network will be required to help mitigate the impact.

Policy EC4: Transport in East Colchester

Developments in East Colchester will be expected to contribute to a package of sustainable transport measures including walking, cycling, public transport, travel planning and the promotion of sustainable travel.

Where it is demonstrated that proposals will impact on the highway network, contributions will be sought towards mitigation and improvements, including to the following projects;

- Improvements to the A134/A137 corridor including; Greenstead Junction, Colne Causeway, Elmstead Road Junction, Haven Road/Hythe Quay
- Enhancements to the interchange at Hythe Station and improvements to existing public transport services, including the potential for extension to existing services and North Colchester along with the provision of a rapid transit route connecting the Tendring Colchester Borders Garden Community with East Colchester, the Town Centre, and North Colchester required by Section 1 Policy SP6.
- Improvements to connectivity for pedestrians, cyclists and horse riders where appropriate including; existing and new bridges, links to the Wivenhoe Trail and the Salary Brook Route and other routes identified in the Essex Cycle Strategy and the Colchester Cycle Delivery Plan.

For areas with large multiple sites located in close proximity to each other the cumulative impact of all the development in the area must be considered.

6.96 There are other known improvements to, and investment in, the transport network which have been identified through the Strategic Transport Modelling and other ongoing studies, listed below. In some cases, schemes have also been identified to overcome these issues. The transport evidence base is continuously evolving and additional issues and schemes may be identified during the Plan period. The exact scale, timing and nature of this infrastructure will be determined through more detailed assessment as the planning process develops. The following requirements are linked to the transport infrastructure identified to support the Tendring/Colchester Borders Garden Community to be informed by further stages of master planning.

- Rapid Transit – any Rapid Transit system serving the Garden Community will also serve the University, associated employment areas and the Hythe and through to the town centre. It is expected that the system will have a Park and Ride stop in the A133 area.
- A120 – A133 link - It is expected that this new link will be provided as part of the Garden Community but it will draw traffic from east Colchester and provide an alternative access to the A120 and A12 trunk route to the north of Colchester. This link will have an impact on the operation of the Greenstead Roundabout and capacity gained here should primarily be allocated to rapid transit or public transport.

West Colchester

Stanway Strategic Economic Area

- 6.97 The Stanway Strategic Economic Growth Area is situated at the western end of the urban area of Colchester, with good access to the strategic road network at Junction 26 of the A12. It contains a mix of commercial uses including retail and employment floorspace and is the Borough's largest District Centre. A significant amount of new commercial development has been constructed over the last decade, in part enabled by the completion of a new bypass. The 2013 Tollgate Vision Framework prepared with local landowners in the area set forth a vision for the area 'to create a sustainable and balanced place as the heart of the Stanway Growth Area and to transform the character of the Tollgate area to become a stimulating, attractive and economically vibrant hub for the growing population, building on its success as a retail and commercial destination'. There are a number of listed buildings in the area whose setting and continued beneficial use should be considered as the area continues to develop.
- 6.98 The area shown as Zone 1 of the Stanway Strategic Economic Area on the Policies Map is allocated for further employment land supporting the basis of the areas good location and potential for development of high quality additional employment floorspace to contribute to the Borough's supply of employment land. Table SG3 shows an allocation of 1.4 ha of employment land in Stanway. Alternative uses will only be supported where they are ancillary to the employment focus of the area and they support the continued operation of the employment uses within the SEA. The retail / leisure element within the area will expand following the grant of planning permission on appeal for a range of main town centre uses.
- 6.99 The area shown as Zone 2 comprises Tollgate District Centre. It has evolved from a predominantly 'bulky' retail park into an established shopping destination with a substantial range of multiple comparison goods retailers (such as Next, Argos, Sports Direct, Boots, Currys and PC World), a Sainsbury's food/non-food superstore, and a number of food and drink uses. Tollgate competes with Colchester Town Centre for comparison goods expenditure, and this has been reinforced by the additional food / drink uses and retail-led expansion allowed on appeal. Accordingly, it is important that planning policy for Tollgate District Centre ensures that it plays a subsidiary position to the Town Centre in the centre hierarchy as set out in Policy SG5 and Table SG5a. Its role and function as a district centre would be enhanced through the introduction of new services and/or community facilities.
- 6.100 In order to help manage the future growth of this centre to ensure it retains its role and function in relation to its position in Colchester's hierarchy, a Primary Shopping Area is defined. Further retail development will only be supported outside of the Primary Shopping Area where it meets the sequential test and can demonstrate that it will not have a significant adverse impact on Colchester Town Centre (and / or any other centre) where an impact assessment is required.

- 6.101 In addition, to help protect the Centre Hierarchy with Colchester Town Centre at the apex and to manage the potential impacts of any further retail and leisure growth at Tollgate on the Town Centre, proposals above the floorspace thresholds set out in Policy SG6 (Table SG6), including change of use or variation of planning conditions, will need to demonstrate that there will not be any significant adverse impacts on the Town Centre (and /or any other defined centre), through an Impact Assessment. The retail evidence concludes that Tollgate does not require substantial new retail development to ensure its vitality and viability over the plan period. Instead, larger scale retail development should be focused on Colchester Town Centre to help strengthen its primary role as a sub-regional shopping destination.

Policy WC1: Stanway Strategic Economic Area and Tollgate District Centre

Any proposals within the Stanway Strategic Economic Area will be required to provide good public transport, pedestrian and cycle links ensuring good connectivity within the area and Zones, to the neighbouring communities, and to and from the Town Centre.

Development will be expected to contribute to the cost of infrastructure improvements as required, supported by up to date evidence in the Infrastructure Delivery Plan (IDP) or subsequent evidence which will be secured to an appropriate level by way of legal agreement or through CIL as required. Such infrastructure is likely to include improvement works to Junction 26 on the A12.

All land and premises within the area allocated as the Stanway Economic Area and Tollgate District Centre will be safeguarded for appropriate commercial uses based on a zoned approach in accordance with the following principles:

Zone 1: as defined on the West Colchester Policies Map and incorporating the Stanway allocations listed in Table SG3 will be the primary focus for employment uses and as such, alternative uses will only be supported where they:

- (i) Are ancillary to the employment uses on the site intended to serve the function of the site as an employment area; and,
- (ii) Provide the opportunity to maximise the sites potential for economic growth and support the continued operation of existing employment uses within the economic area; and,
- (iii) Do not generate potential conflict with the existing or proposed uses / activities on the site; and,
- (iv) There is no reasonable prospect of the site being used for employment purposes.

Zone 2: Within the area shown on the West Colchester Policies Map, comprising the Tollgate District Centre, proposals for main town centre uses will be supported.

Proposals must be of a scale and type appropriate to the centre (having regard the Centre Hierarchy and the definitions under Policy SG5). Proposals should:

- (i) Seek to enhance the role of the centre through the introduction of new

- services and/or community facilities; and,
- (ii) Proposals outside the Tollgate District Centre should meet the requirements of the sequential test as set out in policy SG6 in so far as the Local Planning Authority should be satisfied that there are no suitable alternative sites located more centrally in or on the edge of the District Centre or any other centre (within an appropriately defined catchment area); and,
 - (iii) Where the scale of the proposal requires an impact assessment, in accordance with policy SG6, the Local Planning Authority are satisfied that the proposal will not have a significant adverse impact on a) existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal and b) the vitality and viability of Colchester Town Centre and / or any other defined centre.

Stanway Residential Sites

- 6.102 Stanway is a parished area on the western edge of Colchester and lies adjacent to the A12. Over recent years it has been the location for significant growth seeing the delivery of the former Stanway Growth Area. Approximately half of the 1800 houses allocated in this Growth Area have been delivered together with elements of infrastructure including new roads. The remaining areas of housing, including Fiveways Fruit Farm and Lakelands remain allocated in this Plan for residential development. Further infrastructure previously agreed, linked to this, will also be delivered as part of these developments including a primary school, road improvements and areas of public open space, including strategic green infrastructure associated with the minerals working restoration.
- 6.103 Stanway Parish Council has commenced work on a Neighbourhood Plan and the Neighbourhood Plan Group is considering the potential scope of the plan working with the community and stakeholders. The Local Plan therefore provides for the strategic significance of the area, particularly for economic growth and the existing commitments associated with the former growth area.
- 6.104 It is considered that there are opportunities for further development in Stanway. Sites off London Road; to the west of Lakelands; the former Sainsbury's site and at Chitts Hill are identified in this plan for additional housing growth. These sites are detailed below.
- 6.105 Existing capacity issues at the primary schools in Stanway will be addressed in the short term by planned expansion at a number of the schools. Further capacity will be created by the provision of a new primary school at Lakelands and a new school on land being allocated off London Road. Additional nursery provision will also be required to accommodate the growth.

Land to the North of London Road

- 6.106 Land between the A12 and London Road has been identified for 630 new dwellings over the plan period. Two sites in separate ownership are included and given the close spatial relationship of these sites it is fundamental to the success of the area that they are comprehensively planned and do not result in competing developments which could prejudice each other's delivery. The Local Planning Authority therefore recommends a masterplan is prepared to inform development proposals in this area.
- 6.107 New development proposals will be expected to deliver a new primary school with integrated early years and childcare provision. This will complement the additional school provision elsewhere in Stanway including planned expansion of the existing facilities and new provision at Lakelands. This new educational facility should be situated in an area within the sites which maximises the use of sustainable transport modes and reduces the need to pick-up and drop-off pupils by car.
- 6.108 A key component of the comprehensive planning of these sites will be the highway arrangements which must minimise the number of vehicular access points onto London Road. Furthermore pedestrian and cycle links should be integrated as far as possible in order to maximise the connectivity of this area of Stanway and reduce the need to travel by car to access local services, facilities and public transport hubs.

Land north of London Road- Almshouse Allocation

- 6.109 Land is allocated north of London Road to expand the existing Rosemary Almshouse site. The site will provide for 26 Almshouse units developed in a way to reflect site constraints including retention of key trees and access.

Land to the West of Lakelands

- 6.110 A site to the west of Lakelands is allocated for a residential development to include approximately 250 dwellings.

Land at Chitts Hill

- 6.111 The site is in a sustainable location with access to public transport. It has natural existing defensible boundaries and is surrounded by areas of predominantly residential development and an existing private school with associated playing fields which are safeguarded as private open space. The proximity of the site to the mainline railway on the northern boundary and the school to the south requires a substantive landscape buffer to minimise amenity impacts.

Land off Dyers Road including Fiveways Fruit Farm

6.112 Sites off Dyers Lane including Fiveways Fruit Farm, for approximately 490 dwellings, remain unimplemented and are therefore re-allocated in this Plan as continued progress demonstrates that these sites will be delivered early in this Plan period. Those requirements, previously identified remain relevant to ensure adequate mitigation is provided against impacts including, ecology/landscaping, archaeology/heritage assets, flood risk/drainage, access and highways management, as well as ensuring adequate provision of open space and community infrastructure. The generic policy requirements are set out in Policy PP1 and the site specific elements identified in Policy WC2 below.

Land between Churchfields Avenue, Church Lane and Partridge Way

6.113 Planning Permission is granted for 28 dwellings on this site, associated with the wider development at Lakelands. It is expected that these dwellings will be delivered during the Plan Period.

Open Space

6.114 An area of land to the east of Tollgate Road is allocated for public open space, recognising its value as a linear link with potential benefits for landscape / amenity, recreation and biodiversity interests.

6.115 Land between Church Lane and Maldon Road including Stanway Hall Farm and Bellhouse Pit, comprising the area of the quarry workings is reallocated for strategic open space which will be delivered post restoration of the quarry (Essex Minerals Local Plan) and previously covered by Policy SA STA5 Open Space in Stanway Growth Area. (Adopted Site Allocations Plan). The use of this for built formal, indoor and outdoor leisure uses will be limited and need to complement the nearby employment and housing allocations and the adjoining open countryside.

Policy WC2: Stanway

Allocations as shown on the policies map will be safeguarded for predominantly residential uses unless otherwise stated. In addition to meeting the requirements set out in Policy PP1, a new primary school will also be required on 2.1 hectares of suitable land allocated for education and childcare use to the north of London Road in a location to be decided. The primary school will be secured through a S106 agreement and will be co-located with an early years and childcare nursery. An additional 0.13 hectares of suitable land for a 56 place early years and childcare nursery will also be required in Stanway in a location to be decided. All new residential developments in Stanway will be expected to contribute towards new education facilities. Commercial developments may be expected to contribute to Early Years and Childcare facilities.

All proposals must also satisfy the Local Planning Authority with regard to the site specific requirements as identified below.

Before granting planning consent for Land to the North of London Road and Land to the West of Lakelands, wintering bird surveys will be undertaken at the appropriate time of year to identify any offsite functional habitat. In the unlikely event that significant numbers are identified, development must firstly avoid impacts. Where this is not possible, development must be phased to deliver habitat creation and management either on or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds.

Land to the North of London Road

Development of these sites will be supported where they provide;

- (i) Up to 630 dwellings of a mix and type compatible with surrounding development
- (ii) A new primary school with co-located early years and childcare nursery places;
- (iii) A comprehensively planned highways access which takes into account adjoining residential allocations in order to minimise the number of new access points onto London Road but without prejudice to the development of the adjoining sites;
- (iv) Suitable landscaping and open space provision to the north of the site to form a buffer between future residential uses and the A12;
- (v) An integrated cycleway and footway serving the development and connecting to the existing network;
- (vi) A design and layout to minimise the impacts from, and mitigate against any impacts associated with noise from the A12; and
- (vii) Suitable landscaping and open space provision to the west of the site to form a defensible boundary and visual separation from Copford.

Up to 26 additional Almshouses (for affordable housing) on land to the north of London Road will be supported where it also provides:

- (i) Safe vehicular, pedestrian and cycle access
- (ii) A Tree Survey, to be agreed with the Local Planning Authority
- (iii) Retention of important landscape features on the northern and eastern boundaries of the site; and
- (iv) Enhancement of the street frontage and the setting of the street scene.

The best way of securing a comprehensive approach to development of these sites north of London Road is through the use of a masterplan which will be prepared prior to the first application being submitted.

Any proposals will also take into account the Essex Minerals Local Plan and the developer will be required to submit a Minerals Resource Assessment as part of any planning application. Should the viability of extraction be proven, the mineral shall be worked in accordance with a scheme/masterplan as part of the phased delivery of the non-mineral development.

Land to the West of Lakelands

Development of this site will be supported where it provides:

- (i) Approximately 250 new dwellings;
- (ii) An ecological survey with appropriate mitigation;
- (iii) Satisfactory access to be agreed with the Highway Authority;
- (iv) Provision for retention or diversion of any existing public rights of way within the site

Land at Chitts Hill

Development of this site will be supported where it provides:

- (i) Up to a maximum of 100 new dwellings of a mix and type of housing to be compatible with surrounding development;
- (ii) Substantive landscaping in particular to reflect appropriate boundary treatment to the north along the railway line and the south around the school;
- (iii) Access to the site to be restricted to Chitts Hill;
- (iv) Open space / green infrastructure provision to compliment the biodiversity and wildlife interests of the neighbouring Local Wildlife designation (CO68) at Iron Latch Lane Woods and Meadows;
- (v) Adequate noise mitigation from the adjacent railway line; and
- (vi) Further exploration of potential archaeological significance of the site.

Land off Dyers Road including Fiveways Fruit Farm

Development of this site will be supported where it provides:

- (i) A mix and type of approximately 490 dwellings;
- (ii) Proposals which accord with the agreed masterplan for the Stanway Growth Area;
- (iii) Local road improvements, including, but not limited to, the closure of Dyers Road to through traffic and;
- (iv) Strategic area of open space to the south of the site
- (v) An ecological survey with appropriate mitigation.

Open Space

Land between Church Lane and Maldon Road, including Stanway Hall Farm and Bellhouse Pit will be safeguarded for strategic open space following restoration works associated with the minerals extraction at the quarry, as shown on the Policies Map. Any built development associated with formal indoor and outdoor leisure provision will be limited in extent and closely related to allocated employment and housing areas to safeguard the more open countryside from built development.

Land to the east of Tollgate Road is allocated for public open space as shown on the Policies Map and will be safeguarded as such.

Colchester Zoo

- 6.116 Colchester Zoo is an important visitor attraction in the Borough and has operated successfully in its current location for over 50 years. The Council recognises that tourist attractions require constant updating and that expansion in its current location could have strong justification. Development that provides enhanced visitor facilities and opportunities whilst having regard to the sensitive location of the zoo will be supported. The extent of any development ancillary to the zoo, such as additional retail, hotel and food and drink outlets, would need to be related to the function of the zoo and assessed against the potential negative impact on the town centre and countryside.
- 6.117 Any proposals for the expansion of the zoo, and associated facilities, should be undertaken through a Masterplan approach, taking into account the sensitive location of the zoo including the issues identified below, and the impact on the Town Centre.
- 6.118 The site is in an environmentally sensitive location adjacent to the Roman River and includes a Scheduled Monument and Gosbecks Archaeological Park. Creation of new wildlife habitats accordingly would need to have regard to the existing habitats and the landscape character of the area.
- 6.119 Additionally, the impact of increased visitor numbers would need to be carefully managed to minimise any impact on the local highway network and ensure safe access to the site via Maldon Road, including the Warren Lane junction. A comprehensive Transport Assessment would be required. Any proposals should promote access by Bus from the Town Centre and local train stations, as well as promoting local access via cycle, footpaths and equestrian routes, where appropriate and improvements to these routes where necessary. There are a number of Public Rights of Way in the area and these would need to be taken into account in any further expansion plans.
- 6.120 Colchester Zoo is located adjacent to an existing sand and gravel minerals extraction site and is in a Minerals Safeguarding Area for sand and gravel as detailed in the Essex Minerals Local Plan 2014. In accordance with national mineral policy and the Essex Minerals Local Plan, a Minerals Resource Assessment must be submitted as part of any planning application. The Minerals Resource Assessment must assess economic viability of prior extraction and be prepared using the latest PERC standard. Should the viability of extraction be proven, the mineral shall be worked in accordance with a scheme/masterplan as part of the phased delivery of the non-mineral development. Consultation with the MPA and LPA will be required to determine whether a separate minerals planning application would be required.

Policy WC3: Colchester Zoo

The Council recognises the importance of Colchester Zoo as a visitor attraction and as a contributor to the local economy. The Local Planning Authority will work in partnership with the Zoo to maximise the social and economic benefits associated with its development while ensuring any development proposals have regard to the environmentally sensitive location.

The area shown on the West Colchester Policies Map will be safeguarded for potential further expansion of Colchester Zoo to provide additional facilities associated with the Zoo's vision for growth. The extent of any development ancillary to the zoo, such as additional retail, hotel and food and drink outlets, will need to be related to the function of the zoo and assessed against potential negative impacts on the Town Centre.

Any proposals for the expansion of the Zoo will be undertaken through a master plan approach taking into account landscape and Scheduled Monument impact, safe access to the site via Maldon Road, existing public rights of way and accessibility by sustainable transport modes. A comprehensive transport assessment would be required. Proposals will need to ensure any necessary road improvements as required in Maldon Road and at the Warren Lane Junction are secured and delivered before expansion takes place. These works may require land and / or financial contributions. An off road cycle route should be provided linking the Zoo with Gosbecks Archaeological Park to facilitate sustainable modes of travel.

Any proposals will include an appropriate SuDS for managing surface water runoff within the overall design and layout of the site.

Any proposals will also take into account the Essex Minerals Local Plan and the developer will be required to submit a Minerals Resource Assessment as part of any planning application. Should the viability of extraction be proven, the mineral shall be worked in accordance with a scheme/masterplan as part of the phased delivery of the non-mineral development.

Before granting planning consent, wintering bird surveys will be undertaken at the appropriate time of year to identify any offsite functional habitat. In the unlikely event that significant numbers are identified, development must firstly avoid impacts. Where this is not possible, development must be phased to deliver habitat creation and management either on or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds.

West Colchester other allocations / policies

- 6.121 The following areas in West Colchester are allocated for residential and economic uses, excluding those areas within Stanway which is covered by Policy WC2.

Essex County Hospital site

- 6.122 The Essex County Hospital site lies within the Lexden Conservation Area on a prominent site lying over a Roman burial area just outside the Town Centre on Lexden Road. The site contains a number of hospital buildings constructed over its two hundred year history, including a Grade II listed main building and a Locally Listed nurses block. In 2015, the Council received notice of the Health Trust's intention to dispose of the site for redevelopment, with the remaining hospital uses on the site being transferred to other sites. The Local Planning Authority has prepared a Development Brief for the site, adopted in December 2014, which provides guidance to ensure appropriate development of the sensitive hospital site within the Lexden Conservation Area. Parking and amenity requirements for the site will reflect the site's sustainable location near the Town Centre.

Land at Irvine Road

- 6.123 This 0.6ha site is located north west and to the rear of existing residential properties on Irvine Road. The site is currently designated as a Local Site (ref CO97) and along with the Philip Morant playing fields contributes to the green infrastructure in this part of Colchester. The site is accessed via a private track, however there is no public access to this plot of land.
- 6.124 The 2016 Local Site Review concluded that this site is in favourable but declining status as an orchard with no management of the fruit trees or other vegetation in recent years. The grassland is becoming rank and the Prunus scrub which is spreading, is already dominant in some areas. The northern edge of the site is also being managed inappropriately, from a conservation point of view. This lack of active and appropriate management if not addressed over time, will result in further decline in the ecological value of the site. This could result in it eventually being de-designated as a Local Site if it fails to meet the qualifying criteria for designation.
- 6.125 Whilst the site has some limited wildlife value, a small amount of development, of up to a maximum 8 dwellings, covering no more than 40% of the site is considered appropriate at this location. The remaining 60% of the site should be brought back into suitable condition with management to improve the sites ecological value and to ensure it continues to contribute to the local Green Infrastructure network. A detailed ecological management plan and mitigation plan should be prepared as part of any future development proposal to conserve the most valuable habitats/part at this site.

Policy WC4: West Colchester

Allocations shown on the policies map will be safeguarded for residential uses. In addition to the requirements in Policy PP1, proposals will be required to satisfy the Local Planning Authority with regard to the site specific requirements as identified below.

Essex County Hospital site, Lexden Road

Development of this site will be supported where it accords with the Essex County Hospital adopted Development Brief (December 2014).

Land at Irvine Road

Development of this site will be supported where it provides:

- (i) Up to 8 new dwellings of a mix and type of housing to be compatible with surrounding development;
- (ii) Access via existing track off Irvine Road;
- (iii) A maximum development area of 40% of the site;
- (iv) An Ecological Management Plan and Mitigation Plan for the remaining 60% of the site to improve and enhance its ecological value.

Transport in West Colchester

- 6.126 The transport network in West Colchester is characterised by the A12 trunk road running east west carrying very high volumes of traffic, with access via junction 25 at Marks Tey (also giving a connection to the A120 westwards towards Braintree), junction 26 at Eight Ash Green giving access to Stanway and Tollgate. These two trunk road junctions suffer from significant peak hour queuing impacting on the village of Marks Tey and queuing back onto the A12 trunk road. The Great Eastern Mainline runs parallel to the A12, with a station at Marks Tey with a branch line to Sudbury.
- 6.127 Stanway/Tollgate currently forms a natural destination point for buses radiating out from the town centre using London Road. There are high frequency bus routes serving the West Colchester area. A small number of interurban bus services also pass through the area.
- 6.128 The National Cycle Network (NCN1) heads from the town centre through the area prior to heading southwest past the Colchester Zoo towards Tiptree. The Lexden Cycle route follows a mix of on-road and off-road routes linking the town centre to Stanway.
- 6.129 Strategic traffic modelling has been undertaken which has shown a number of links and junctions operating over capacity at peak times. Development will add pressure to the transport network and measures will be required to help mitigate the impact.

Policy WC5: Transport in West Colchester

Developments in West Colchester will be expected to contribute to a package of sustainable transport measures including walking, cycling, public transport, travel planning and the promotion of sustainable travel.

Where it is demonstrated that proposals will impact on the highway network, contributions will be sought towards mitigation and improvements, including to the following projects;

- Improvements to the A12 Junctions 25 and 26 to provide measures which reduce queuing at junctions.
- Improvements to the southern distribution road network to smooth the flow of traffic along this route including the Maldon Road/Warren Lane junction.
- Improvements and extension to the current bus services and routes, to serve developments and link the key attractors in the area and to the town centre. Provision of additional routes to serve the area as it develops further towards the West.
- Improvements to the existing cycle and walking network providing connections from Stanway through the Lakelands and Tollgate area to ensure that the new developments are permeable and connected to the existing services as identified in the Essex Cycle Strategy and the Colchester Cycle Delivery Plan.

For areas with large multiple sites located in close proximity to each other the cumulative impact of all the development in the area must be considered.

6.130 There are other known improvements to, and investment in, the transport network which have been identified through the Strategic Transport Modelling and other ongoing studies listed below. In some cases, schemes have also been identified to overcome these issues. The transport evidence base is continuously evolving and additional issues and schemes may be identified during the Plan period. The exact scale, timing and nature of this infrastructure will be determined through more detailed assessment as the planning process develops.

- A133/A134 Colne Bank Roundabout – scheme to improve operation of key junction on the local road network.
- A120 upgrades – ECC and Highways England have progressed regarding a new and improved A120 between Braintree and the A12. In March 2020 the government announced its Road Investment Strategy (RIS) which included a commitment to progress further development work on the A120 dualling to prepare the scheme for delivery. The A120 dualling scheme be considered for inclusion in the RIS3 programme 2025 – 2030.

Sustainable Settlements

Abberton and Langenhoe

- 6.131 Abberton and Langenhoe were originally two separate settlements but have now effectively merged into one village which share services and facilities. The facilities in the village include a primary school, community hall, and public open space. The village benefits from good road connections to Colchester being situated along the B1025 which has bus stops situated along it which are served by the Mersea Bus.
- 6.132 There are a number of constraints within Abberton and Langenhoe which restrict new development including the fact that much of the land to the south of the village lies within the Coastal Protection Belt. Furthermore there is also a current deficit of pupil places at Langenhoe Primary School so new development proposals will be required to contribute towards improvements and/or expansion of the school to accommodate new provision. Similarly, there is also a shortage of early years and childcare places across the age range in the village.
- 6.133 Land has been identified either side of Peldon Road, adjacent to the existing settlement, which represents a logical extension to the village. Development at these locations will have to be contained within the wider landscape by suitable screening and landscaping to provide a defensible settlement boundary and minimise impacts on the wider landscape. Land to the east of Peldon Road is situated close to a listed building and considerate design will be required to ensure no adverse effects on its setting result from new development at the site.
- 6.134 Development proposals in Abberton and Langenhoe will have to address existing highways issues in the village including a persistent problem with vehicles travelling over the 30mph speed limit along Peldon Road and safety concerns at the junction of Peldon Road with Layer Road. The larger proposal should be supported by a transport statement, which among other issues, should include solutions to these issues where necessary and/or appropriate. Development proposals will also be required to address congestion associated with Langenhoe Primary School through the provision of a new drop-off/pick-up area outside the school. Whilst the provision of such a facility is not normally encouraged, the specific circumstances in Abberton and Langenhoe, including its rural nature, lends itself to such a pragmatic solution.
- 6.135 Additionally development proposals will need to provide improved pedestrian links to the village, including a safe road crossing facility on Peldon Road and a new footpath from Peldon Road to the primary school. Importantly the two sites should be planned comprehensively, taking into account the opportunities presented by their locations.

Policy SS1: Abberton and Langenhoe

In addition to the infrastructure and mitigation requirements identified in policy PP1, development of the sites below, as shown on the Policies Map will be supported where they meet the requirements identified for each site below;

Land to the west of Peldon Road

Development will be supported which provides;

- (i) 50 dwellings of a mix and type of housing for which there is a demonstrated need; and
- (ii) A transport statement to include but not limited to a safety assessment of the Peldon Road/Layer Road junction and any necessary mitigation; and
- (iii) Provision of a new drop-off/pick-up point at Langenhoe Primary School; and,
- (iv) Provision of new public footpaths to the north of the site connecting to the school and village.

Land to the east of Peldon Road

Development will be supported which provides:

- (i) 5 dwellings;
- (ii) A new pedestrian access route from Peldon Road to the grounds of Langenhoe Primary School;
- (iii) Provision of a new drop-off/pick-up point at Langenhoe Primary School.

Development must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings).

Designated heritage assets close to the sites include the Grade II Pete Tye Hill and Old Cottage.

Pantiles Farm on Peldon Road is allocated as a Local Economic Area and will continue to be protected for this use. Any future development proposals will be required to comply with policy SG4.

Boxted

- 6.136 Boxted is a rural parish located approximately 3km to the north east of urban Colchester. Development in Boxted is currently concentrated within three distinct settlement areas: Boxted Cross, Workhouse Hill and Mill Road. These latter two settlement areas are not considered suitable locations for new growth as they have no community facilities and are not well served by public transport. Boxted Cross is considered to be a sustainable location for limited growth only as the few community facilities that Boxted does have are concentrated in this northern part of the parish. Like the rest of Boxted, this area also has limited access to public transport. Community facilities comprise a primary school, village hall, playing field, social club and community shop.
- 6.137 The Dedham Vale AONB abuts the north eastern edge of Boxted Cross settlement boundary in the vicinity of Cooks Lane. This restricts development opportunities northwards to ensure that the qualities of the Dedham Vale AONB are protected. Development is constrained to the northwest and west by arable land and land used as orchards/vineyard. Growth opportunities are constrained to the east by the sports and recreation ground and arable land. A local wildlife designation (Local Site Co136 Black Brook), is an extensive mosaic of habitats forming an important wildlife corridor on the eastern edge of Boxted Cross and represents a further constraint on development in this direction. Development southwards is also constrained due to the desire to prevent further ribbon development along Boxted Straight Road leading to the coalescence of settlements and to discourage further housing away from existing village services and facilities.
- 6.138 Boxted Parish Council has produced a Neighbourhood Plan that covers the whole of the Parish and was made on 8 December 2016. The Neighbourhood Plan sets out a policy framework the wider Parish that all future development proposals in Boxted will have to accord with, now that the Neighbourhood Plan has been made. Development proposals will also be required to comply with Local Plan policies where relevant and outside of the scope of the Boxted Neighbourhood Plan.

Policy SS2: Boxted

All development proposals in Boxted parish will be determined against and be required to comply with policies in the Boxted Neighbourhood Plan and any relevant Local Plan policies.

- 6.139 There are two Local Economic Areas on Boxted Straight Road. Development proposals affecting these sites will be required to comply with policy SG4.

Chappel and Wakes Colne

- 6.140 Chappel and Wakes Colne are two parishes located 7km to the north west of Colchester separated by the A1124 (Colchester to Halstead road) and the River Colne. Although separate Parishes they have a close inter-dependency in respect of shared community facilities split between the two settlements either side of the A1124.
- 6.141 Chappel has one core settlement area with three remote/dispersed small clusters of housing at Rose Green, Swan Street and Wakes Street. Wakes Colne is also the main settlement area with smaller dispersed clusters of housing around Inworth Lane and at Middle Green.
- 6.142 Despite being two distinct villages, both provide an important community function in terms of the provision of local services which all residents use and benefit from including the railway station at Wakes Colne. The main part of Chappel has a village shop, post office, primary school and pub.
- 6.143 A site in Chappel, to the east of Chappel Hill and to the south of the Swan Grove development is considered suitable for some limited development. This site is well located relative to the existing facilities in Chappel and within walking distance of the train station in Wakes Colne. This site could deliver 30 units which is considered appropriate given the available services in Chappel and Wakes Colne and the capacity based on constraints and opportunities. Chappel and Wakes Colne is served by Earls Colne Water Recycling Centre which has sufficient headroom capacity to serve the proposed development.
- 6.144 Suitable screening/landscaping will be needed to replace any hedgerows removed to accommodate the development and to minimise any visual and landscape impacts. A single access should be provided via Swan Grove and development will need to provide a suitable pedestrian access from the site into Chappel. Good design will be needed to complement the existing built character and to protect the setting of Hill House, Martyn's Croft and Brook Hall which are all Grade II listed buildings.

Policy SS3: Chappel and Wakes Colne

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the area identified on the policies map which provides:

- (i) 30 new dwellings of a mix and type of housing to be compatible with surrounding development; and
- (ii) A single site access via Swan Grove; and,
- (iii) A design and layout which complements the listed buildings and their setting.

Copford and Copford Green

- 6.145 Copford represents an appropriate location for additional growth over the plan period given its proximity to Marks Tey train station, the A12/A120, and the main urban area of Colchester. To contribute to the continued sustainability of Copford two sites have been allocated for housing development over the plan period: land to the East of Queensberry Avenue north of London Road and land to the west of Hall Road, south of London Road. These sites will deliver an additional 120 houses by 2033.
- 6.146 Copford's close proximity to Marks Tey means that it is important to seek to prevent coalescence between the two settlements to ensure that both villages retain their individual identities. Development that would not represent a logical extension to the existing built up areas of Copford will be discouraged to prevent coalescence between settlements. Development will be also be discouraged in the most northern part of the village, adjacent to the A12 to protect local amenity, and open spaces and to avoid land at risk from flooding. Growth will be discouraged to the east where the character is more rural/or is open countryside and to the south to discourage further development away from existing village services and facilities and to help protect the setting of Copford Green Conservation Area.
- 6.147 Waste water and sewage infrastructure is over capacity and it will be necessary for these issues to be resolved prior to the start of development. Copford Primary School is also currently at capacity. Contributions will be sought to replace the temporary accommodation at the primary school to meet the increased demand that the new development will generate and to improve secondary school provision where a need is demonstrated.
- 6.148 Development of land to the east of Queensberry Avenue represents a sensible and logical extension to the existing built up area of Copford to the north of London Road. The site has been proposed for allocation for residential use, but the delivery of new extra care facilities at this location would also be supported, given its proximity to existing similar facilities to the north of London Road. Access to this site will be via Queensberry Avenue or London Road, where feasible. There is a Public Right of Way running along the western boundary of the site and development proposals will need to consider a permanent diversion or upgrade to the public footpath.
- 6.149 Good design will be needed to complement the existing built character, to provide suitable screening / landscaping, to replace any hedgerows removed to accommodate the development, to minimise visual impacts on the local landscape and to protect the setting of any Listed Buildings close to the development site.
- 6.150 Development of land to the west of Hall Road represents an appropriate extension to the existing built up area to the south of London Road. Development will need to provide suitable vehicular and pedestrian access between the site and London Road into Copford. Good design will be needed to complement the

existing built character and to protect the setting of Brewers Cottage, Old Mill House and Shrub House which are Grade II Listed Buildings. The land to the south of this site is in agricultural use, therefore suitable screening / landscaping will be also be needed to replace any hedgerows removed to accommodate the development and to minimise any visual and landscape impacts. The proposed site is of potential archaeological significance. It is, therefore, likely that heritage assets of archaeological interest will be found, i.e. below-ground archaeological remains and site investigations will need to be completed prior to the start of development. Detailed flood modelling will also need to be completed to assess flood risk from the Roman River.

- 6.151 The potential archaeological significance of the site should be further explored, by way of a pre-determination evaluation (geophysical survey and trial trenching), before any decision is made as to whether all or part of the site would be acceptable for development. The Local Planning Authority will, on request, provide a brief for each stage of the archaeological evaluation.
- 6.152 There is a Water Recycling Centre located to the east of Copford village. Anglian Water has indicated that there are significant water supply and waste water infrastructure capacity issues in Copford. To address this waste and water treatment from new developments in Copford will be directed to Colchester's Water Recycling Centre. As a precautionary approach, development of these sites cannot come forward until there is sufficient water supply, network capacity, waste water treatment and sewage infrastructure capacity to cope with the two developments. Where this cannot be demonstrated it will be necessary to seek further advice from Anglian Water.

Policy SS4: Copford

East of Queensberry Avenue

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the area identified on the policies map which provides:

- (i) 70 new dwellings of a mix and type of housing to be compatible with surrounding development;
- (ii) Access via Queensberry Avenue and/or London Road;
- (iii) The permanent diversion and/or upgrade to the existing Public Right of Way which runs along the western boundary edge of the site.

West of Hall Road

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the area identified on the policies map which provides:

- (i) Up to 50 new dwellings of a mix and type of housing to be compatible with surrounding development;
- (ii) A single site access via Hall Road;

- (iii) Detailed flood modelling to assess flood risk at Hall Road from Roman River; and
- (iv) A safe pedestrian footway agreed with the Highways Authority from the site to London Road to enhance connectivity with Copford.

Development must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the two allocated sites include the Grade II Copford Place and stable, Brewers Cottage, Stanway Bridge and Brook Cottage.

Dedham

- 6.153 Most of the Dedham parish area falls within the Dedham Vale Area of Outstanding Natural Beauty. The largest settlement within the parish is the historic village of Dedham to the north. The smaller settlement of Dedham Heath lies to the south of the parish along with two smaller clusters of properties to the west and east of Dedham Heath known as Lamb Corner and Bargate Lane, respectively.
- 6.154 Dedham village has a range of services and facilities, including its own primary school, a GP, Post Office and a number of shops and services. As such Dedham is designated as a Local Centre providing a range of small shops and services which meet the basic needs of local communities, in the rural north of the borough. The other settlement clusters within Dedham parish not only lack such essential services and facilities but also have limited safe walking and cycling access to them. Dedham village therefore is considered a sustainable settlement for the purposes of the spatial strategy but the other clusters of housing in Dedham Parish are not considered to be suitable to support further residential growth.
- 6.155 Despite Dedham village's status as a sustainable settlement it is heavily constrained by its location within the AONB. Furthermore a lack of suitable and available development land means that no growth has been proposed for Dedham village during the plan period.
- 6.156 As well as being a service centre for surrounding villages, Dedham is also a popular tourist destination. At certain times the existing roads and car parks struggle to cope with the additional traffic and the Parish Council have indicated that they would support additional car parking. Applications which help address this issue will be supported where they meet other policy objectives.
- 6.157 Dedham Heath as a smaller settlement with limited sustainability is an Other Village in the spatial hierarchy and not therefore been identified for any additional growth. The two more remote clusters of residential development to the west and east of the Heath are within the countryside and as such are not sustainable locations for growth.

Eight Ash Green

- 6.158 Eight Ash Green is a rural parish located approximately 6km to the north west of urban Colchester. Within Eight Ash Green development is mainly concentrated around Fordham Heath and Choats Corner. There is also a small cluster of housing at Seven Star Green, located to the south of Halstead Road which separates these dwellings from the key facilities in Eight Ash Green village.
- 6.159 Despite being located approximately 5km from both Marks Tey and Colchester train stations, Eight Ash Green is considered a Sustainable Settlement as it has a reasonable number of local services and facilities which serve the needs of local residents. Local facilities include a village hall, three shops, a takeaway, convenience store, beauty salon and a pub. There is also a primary school located within the Choats Corner settlement boundary.
- 6.160 The Eight Ash Green Neighbourhood Plan was made in 2019. The Neighbourhood Plan allocates land to deliver 150 new dwellings at Fiddlers Field in Eight Ash Green over the Local Plan period.

Policy SS5: Eight Ash Green

All development proposals in Eight Ash Green parish will be determined against and be required to comply with policies in the Eight Ash Green Neighbourhood Plan and any relevant Local Plan policies.

Fordham

- 6.161 Fordham is identified as a sustainable settlement and is a linear village with a core concentration of development which has evolved over time, including a number of small estate type developments. Although spread out, it is well served by key community facilities including, a primary school, village hall and playing field. Also within the village is a community orchard maintained by the local community as well as an area of community woodland managed by the Woodland Trust.
- 6.162 The character of the village is influenced by a few significant listed buildings and their setting and the extensive areas of well established, locally managed woodland. It is important to protect and where possible enhance these characteristics. Small scale development adjacent to Plummers Road has recently delivered an attractive enhancement to the connectivity between this area and the rest of the village via a landscaped footway set back from the road. Further enhancement to connectivity through the village would be beneficial to existing and future residents.
- 6.163 Allocation of a site to the east of Plummers Road for additional small scale growth of up to 20 dwellings is considered a logical extension to the settlement. This provides for the continued sustainability of the key services in the village and accommodates an appropriate level of growth over the plan period. Development of this site will need to respond to particular site constraints including sensitive consideration in relation to the setting of a Listed Building.
- 6.164 Fordham Parish Council has indicated a wish to deliver a rural exception site in the village to provide housing for local people. Numbers and house types will be informed by a local housing needs survey. Land adjacent to the allocated site in Plummers Road may be a suitable location for the rural exception site. Due to the nature of rural exception sites, this development will be delivered outside the Local Plan process. Despite this, if two adjacent sites are brought forward there are benefits to planning them in a comprehensive manner, for example through shared highways access, community infrastructure, affordable housing delivery and complementary design. If a rural exception site is to be delivered on the adjacent site, a masterplan will be required which demonstrates how the allocated residential site will positively and comprehensively relate to any future rural exception site. The masterplan should accompany any planning application for residential uses in this area.
- 6.165 The proposed site is of potential archaeological significance. It is therefore likely that heritage assets of archaeological interest will be found, i.e. below-ground archaeological remains. This will require further investigation initially by way of pre-determination evaluation report. Decisions on the scale of development and also the need for, and scope of, any further archaeological work, should be based upon the results of this evaluation.

Policy SS6: Fordham

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the area identified on the policies map which provides:

- (i) Up to 20 new dwellings, the mix and type to be informed by evidence including the Fordham Housing Needs Survey and archaeological evaluation;
- (ii) Access from Plummers Road with appropriate junction improvements;
- (iii) A new footway along the frontage/behind the existing hedgerow to provide safe pedestrian access from the site linking with existing footways and the rest of the village;
- (iv) Conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the site include the Grade II Plummers Farmhouse, Grade II Thrifts Cottage and Plummers Green Monument.

Great Horkesley

- 6.166 Great Horkesley is essentially linear in shape and has developed over time along the old Roman road that radiates away from north Colchester (now the A134). Development has spread westwards along a number of roads off the main road. Great Horkesley is fragmented with the main core of the settlement to the south and two smaller fragments to the north along the A134. The southern edge of the main part of the village is approximately 0.6km from the Colchester urban edge and is located north of the A12. There is a primary school, new village hall, church and dental surgery within the main village and a petrol station, post office, shop, scout hut and the old village hall, as well as a number of public houses along the A134.
- 6.167 Great Horkesley's close proximity to the main Colchester urban area means that it is important to seek to prevent coalescence between the southern edge of Great Horkesley and the northern edge of Colchester in order to retain the individual identity of the village. Development that would not represent a logical extension to the existing built up area will be discouraged in order to prevent further ribbon development to the north along the A134 and to the west; away from existing village services and facilities and where it is more rural in character.
- 6.168 Infrastructure in the village is at capacity and will need to be improved / enhanced to support any new development. Requirements include new allotments, enhanced community buildings and a new scout hut. Improvements will also be sought to the A134 between the village and North Colchester to promote walking and cycling and to improve accessibility to services and facilities in Myland.
- 6.169 Land at Great Horkesley Manor represents a logical extension to the village between existing dwellings at the heart of the village and development would be contained within the wider landscape by a belt of trees and small brook to the east. Access will be from Nayland Road (A134) and access points will need to be kept to a minimum to avoid disrupting the flow of traffic along this busy main road. Footways, suitable traffic management and crossing opportunities will be needed as development will require school pupils to cross the main road. Appropriate design and landscaping will be required to preserve the setting of the existing manor building and the tree-lined approach road from the main road. Whilst the existing manor building is not listed it is considered to be a visually prominent local building set within large, open grounds, the character of which should be protected. There is an area of low/ medium risk of surface water flooding along the eastern boundary of the site. Site layouts should take this into account to ensure that flood risk is not increased.
- 6.170 Land off School Lane to the north of the village offers the opportunity for a small development which includes the redevelopment of a brownfield site, improved access to the old village hall and improvements to the scout hut. The site includes a listed building and care will need to be taken to safeguard its setting. The existing scout hut is in poor condition and development proposals should look to replace and/or contribute to its relocation.

Policy SS7: Great Horkesley

Great Horkesley Manor

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the area identified on the policies map which provides:

- (i) 80 new dwellings of a mix and type of housing for which there is a demonstrated need;
- (ii) Provision of allotments;
- (iii) Contributions to enhancing community buildings;
- (iv) Provision of a scout hut with parking;
- (v) Retention of the belt of trees to the east of the site;
- (vi) Access from Nayland Road;
- (vii) Contributions towards improving walking and cycling facilities along the A134; and
- (viii) Provision of footways and suitable traffic management and crossing opportunities on Nayland Road.

Any proposals will also take into account the Essex Minerals Local Plan and the developer will be required to submit a Minerals Resource Assessment as part of any planning application. Should the viability of extraction be proven, the mineral shall be worked in accordance with a scheme/masterplan as part of the phased delivery of the non-mineral development.

School Lane

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the area identified on the policies map which provides:

- (i) 13 new dwellings;
- (ii) Development will facilitate access to the old village hall and either contribute to the replacement of the scout hut or to the enhancement of community buildings other than the old village hall;
- (iii) Access from School Lane;
- (iv) Development must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the site include the Grade II Church of England School, School House and Oak Cottage.

The designated Local Economic Area at Holly Lodge Farm shown on the policies map will be retained and any future development proposals at this site will be required to accord with policy SG4.

Great Tey

- 6.171 Great Tey is situated north of the Roman River and is a small rural community that contains a few local amenities including a village pub, a school, and a church. Bus services operate between Great Tey, Marks Tey railway station, Tollgate Retail Park and Colchester.
- 6.172 The RCCE completed a Rural Housing Needs Survey in 2012 which indicated a need for four affordable units. The Parish Council thus acknowledge a need for lower cost/smaller houses in the village. To contribute to the continued sustainability of the key services in the village and accommodate an appropriate level of growth over the plan period, two sites for housing development are allocated in accordance with Policy SS8 below.
- 6.173 Land at Brook Road is capable of accommodating 10 dwellings. The number reflects the edge of settlement location, the adjacent Conservation Area and Listed Building and the desire for single storey dwellings with a larger land take. The site is adjacent to a listed building and a Conservation Area and care will need to be taken to safeguard its setting. There is also a Public Right of Way immediately adjacent to the site. Suitable footways will be needed to link the development with the rest of the village.
- 6.174 Land off Greenfield Drive is capable of accommodating 30 dwellings with access off Greenfield Road. The site is adjacent to the existing public open space and the opportunity will be sought to extend this open space as part of the proposal to provide for a wider range of facilities.
- 6.175 Great Tey Parish Council has confirmed that it intends to prepare a Neighbourhood Plan for the village, which will determine how each of the sites allocated in this local plan will be developed. The Neighbourhood Plan will develop a policy framework to guide and meet the strategic policies in this Plan and for all other development or community needs identified in the village.

Policy SS8: Great Tey

Land on Brook Road

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the area identified on the policies map which provides:

- (i) 10 new dwellings, which shall include single storey units;
- (ii) Suitable design and screening/landscaping to maintain and where possible enhance the character and setting of the adjacent Conservation Area and listed building (Rectory Cottage) including its setting.

Land off Greenfield Drive

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the policy area identified on the policies map which provides:

- (i) 30 new dwellings with pedestrian and cycle access off Greenfield Drive (Harvesters' Way and/or Farmfield Road) and vehicle access from Newbarn Road; and
- (ii) A minimum of 1ha of public open space.
- (iii) The emerging Neighbourhood Plan is intended to shape the character of the development.

Tey Brook Farm is an allocated Local Economic Area as shown on the policies map and will be protected for this use. Any future development proposals will be required to comply with Policy SG4.

Langham

- 6.176 Langham includes two settlements, Langham Moor and St. Margaret's Cross, linked by School Road. A former WWII airfield lies between the two areas. The village contains a mixture of historic properties and farmhouses along with more recent development.
- 6.177 Langham has a number of facilities including a community centre and shop, public house and a primary school. Langham has limited access to public transport. Dedham Vale Area of Outstanding Natural Beauty adjoins the village to the east, although it is separated by the A12.
- 6.178 Langham is considered an appropriate location for limited development. Accordingly, three small sites have been allocated. Approximately 10 dwellings are appropriate on Land at Wick Road in keeping with the existing detached housing adjoining and opposite. Land at Wick Road abuts the former airfield and development will need to have regard to both its landscape character and connectivity to existing footways.
- 6.179 Land at School Road represents a logical extension to the village as it lies between existing housing and employment sites and is well located for the school and community centre/shop. Two sites are allocated there providing a total of 70 dwellings, a school car park and extension to the playing fields. Whilst the Parish Council favour frontage development there is potential on these sites for an estate or green approach to layout given that they are at the heart of the village. Both sites abut the former airfield, and development would need to have regard to both its landscape character and connectivity to existing footways.
- 6.180 The 2016 Water Cycle Study identified a lack of head room capacity at the Langham Water Recycling Centre (WRC). With regards to waste water, the report also identified the need for upgrades at the Langham Water Recycling Centre (WRC) to enable it to accept all wastewater flows from the proposed development. Discussions are underway between the Local Planning Authority, the Environment Agency and Anglian Water to resolve the above issues.
- 6.181 A joint Position Statement is currently being prepared between The Local Planning Authority, the Environment Agency and Anglian Water. The Position Statement will identify water and sewage capacity shortfalls at the Langham WRC, infrastructure upgrades needed to address these, consider the need for a review of current licences/permits and recommend any further changes needed to the policy SS9.
- 6.182 The Water Cycle Study also identified water quality issues in the receiving water bodies feeding into the Stour Estuary. This has been further considered in the Appropriate Assessment completed as part of the evidence base of the Local Plan. Any proposed WRC infrastructure upgrades and/or permit reviews identified in the Position Statement provide the mitigation needed to ensure that quality of the water bodies feeding the Stour do not deteriorate further as a result of development in Langham. The delivery of waste water and sewage infrastructure

upgrades specified in policy PP1 will be essential in Langham as they are required as mitigation to ensure compliance with the Habitats Regulations 2010 (as amended).

Policy SS9: Langham

In addition to the infrastructure and mitigation requirements identified in policy PP1 developers could be required to demonstrate the impact of their proposals on the strategic and local transport networks, including the cumulative impact of multiple developments (in line with national guidance). Development should not commence until adequate waste water and sewage treatment capacity is available to serve the new housing.

Development on land shown the Policies Map will be supported where they meet the requirements identified below for each site;

Wick Road

Development will be supported provides:

- (i) 10 new dwellings of a mix and type of housing to be compatible with surrounding development;

Development must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the site includes the Grade II New House.

School Road

Development will be supported which provides:

- (i) 70 new dwellings of a mix and type of housing for which there is a demonstrated need, including smaller family homes and sheltered housing;
 - One site to the east of the Powerplus site to accommodate 40 dwellings plus a car park for the school;
 - One site to the west of the Powerplus site to accommodate 30 dwellings plus an extension to the adjacent recreation ground;
- (ii) A landscape Appraisal which will then inform appropriate design and suitable screening/landscaping to minimise any negative impact on the surrounding landscape, including visual screening around the School Road employment site and;
- (iii) A design and layout which protects and enhances the listed buildings including their setting including suitable screening/landscaping. Development must conserve, and where appropriate, enhance the significance of heritage assets (including any contribution made by their settings). Designated heritage assets close to the site includes the Grade II School Farmhouse.

The Powerplus Engineering and Whitnell Contractors site on School Road, Langham Airfield (Lodge Lane) and The Depot, Old Ipswich Road, in Langham

are designated Local Economic Areas as shown on the policies map. The sites will remain allocated, including an extension to Lodge Lane, and any future development proposals at this location will be required to accord with policy SG4.

Layer de la Haye

- 6.183 Layer de la Haye is an historic village, located approximately 2.5km south west of the Colchester urban area. The village is well served by community facilities including a primary school, village shop, GP surgery, public open space at New Cut and Malting Green, and two public houses. Layer de la Haye is also well connected to Colchester by road with several bus stops providing public transport to residents.
- 6.184 Layer de la Haye is therefore considered a sustainable settlement and suitable for some additional residential growth over the plan period. However the GP surgery is currently at capacity and ECC has indicated that the school will require investment in the coming years to maintain its current capacity. Therefore new development will be required to contribute to this local infrastructure to mitigate the impact of additional residents in the village.
- 6.185 Land has been identified for residential growth for up to 35 dwellings on land adjacent The Folley. This site is in a location which integrates well with the existing settlement by utilising existing screening features and new open space can be delivered without detrimental impact on neighbouring residents and the surrounding landscape. In addition to contributing towards existing infrastructure, new development will also provide new facilities on site including areas of open space, an equipped children's play area and a footpath connecting new dwellings to existing village facilities.
- 6.186 Layer de la Haye Parish Council has carried out a local housing needs survey which has demonstrated a need for up to eight new affordable homes for occupation by existing residents or by those with a close connection to the village. Land has been identified which could accommodate a rural exception site to provide for this local need adjacent the residential allocation mentioned above. Due to the nature of rural exception sites, this development will be delivered outside the Local Plan process. Despite this, there are benefits to planning the two sites in a comprehensive manner, for example through shared highways access, community infrastructure, affordable housing delivery and complementary design. If a rural exception site is to be delivered on the adjacent site, a masterplan will be required which demonstrates how the allocated residential site will positively and comprehensively relate to any future rural exception site. If the sites are developed concurrently, the affordable housing provided for on the exception site will be discounted from the overall requirements for affordable housing on the allocated site. The masterplan should accompany any planning application for residential uses in this area. It will also be required that the overall provision shall not exceed 50 dwellings.

Policy SS10: Layer de la Haye

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the area identified on the policies map which provides:

- (i) At least 35 new dwellings of a mix and type compatible with surrounding development, to include bungalows and small family homes;
- (ii) Primary highways access to serve the development from Great House Farm Road with secondary, non-thoroughfare access, from The Folley to serve a limited number of dwellings;
- (iii) New areas of public open space, to include an equipped children's play area; and
- (iv) A masterplan demonstrating how the development will positively and comprehensively relate to the future delivery of a rural exceptions site on adjacent land.

Any proposals will also take into account the Essex Minerals Local Plan and the developer will be required to submit a Minerals Resource Assessment as part of any planning application. Should the viability of extraction be proven, the mineral shall be worked in accordance with a scheme/masterplan as part of the phased delivery of the non-mineral development.

Before granting planning consent, wintering bird surveys will be undertaken at the appropriate time of year to identify any offsite functional habitat. In the unlikely event that significant numbers are identified, development must firstly avoid impacts. Where this is not possible, development must be phased to deliver habitat creation and management either on or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds.

Marks Tey

- 6.187 Marks Tey is located at the busy junction of the A12 with the A120. Marks Tey is essentially a linear settlement that, while being sustainably located has been fragmented by the railway and A12/A120. Its good range of facilities are provided in different sections of the village with a railway station providing an interchange between mainline to London and branch services to the east, a larger area of modern housing, village hall, and the primary school to the west and retail facilities to the south of the A12.
- 6.188 Development constraints in Marks Tey include the community separation resulting from the two roads and the rail line running through the village, with only limited pedestrian accessibility currently possible over these barriers. The northeast is affected by environmental constraints including the head of the Roman River valley and associated flood risk. Any development in the area will be required to deliver SuDs to manage the risk from surface water management. In addition there may be a need for contributions towards sewage infrastructure capacity which will depend upon the scale of development which is delivered in. In addition there is a minerals and waste safeguarding zone around the historic brickworks, which is designated as a Site of Special Scientific Interest (SSSI). Marks Tey also contains a significant number of grade II listed buildings, including the scheduled brick kilns and the Grade I Church of St Andrew which would need to be protected and enhanced as part of any development proposals.
- 6.189 The road infrastructure in the area is to be further developed over the plan period. The A12 is programmed in the Road Investment Strategy for widening between junction 19 at northeast Chelmsford and junction 25 at Marks Tey. Consultation on A120 route improvements between Braintree and the A12 ended in March 2017. ECC has identified a favoured route which has been recommended to Highways England and the Department of Transport. In March 2020 the government announced its Road Investment Strategy (RIS2) which included a commitment to progressing further development work on the A120 dualling to prepare the scheme for delivery. The scheme will be considered for inclusion in the RIS3 programme (2025-2030) and is now considered a pipeline project to be progressed by Highways England.
- 6.190 Future development of the area will be guided by the Neighbourhood Plan being developed by Marks Tey Parish Council.
- 6.191 The site known as Anderson's will be retained as a Local Employment Area having been reviewed as part of the Council's evidence update on employment.

Policy SS11: Marks Tey

Growth within the Marks Tey area will largely be guided by the following documents in addition to this Local Plan:

- (i) The Marks Tey Neighbourhood Plan will provide flexibility, including the scope for the allocation of any small parcels of land for development to be considered in the Neighbourhood Plan at the appropriate time.

The Anderson's site is allocated as a Local Economic Area as shown on the Policies Map.

This policy should be read in conjunction with the generic Neighbourhood Planning policy SG8.

Mersea Island

- 6.192 West Mersea is a small coastal town located on the confluence of the Colne and Blackwater Estuaries approximately 15km from the centre of Colchester Town. West Mersea is the larger of two settlements on Mersea Island, the other being the much smaller village of East Mersea. Early development in West Mersea was concentrated around the harbour and nearby oyster pits to the south west of the island. Development has since expanded to the north and west.
- 6.193 West Mersea is a District Centre with a high number of key services and community facilities. There are two supermarkets, a primary school a community centre, as well as a range of independent shops, cafes and restaurants but no secondary school. These services support the needs of local residents and businesses on Mersea as well as communities from the surrounding rural areas in the south of the Borough. It will be important to protect the function of the District Centre in Mersea to ensure that it continues to meet the needs of the local coastal communities who use it. There are frequent bus routes serving the town to and from Colchester and serving the local secondary schools. Accordingly, West Mersea is considered to be a sustainable settlement suitable for growth during the plan period.
- 6.194 West Mersea Town Council is currently preparing a Neighbourhood Plan for the town, which will determine how each of the sites allocated in this local plan will be developed. Given the current number of dwellings in West Mersea and the range of available facilities on the Island, it is considered that an appropriate level of growth across the plan period would see the delivery of approximately 200 dwellings. The Neighbourhood Plan will develop a policy framework to guide and meet the strategic policies in this Plan and for all other development or community needs identified in the town. Accordingly, the Dawes Road allocation incorporates residential and open space allocations and the Brierley Paddocks site is shown as mixed use to provide flexibility to respond to the content of the Neighbourhood plan. As well as delivering 100 dwellings and open space this site could deliver community facilities for new and existing residents if a need is identified in the Neighbourhood Plan.
- 6.195 The Parish of East Mersea is a smaller settlement situated on the eastern side of Mersea Island. It comprises a small cluster of dwellings and a limited range of community facilities. It is also home to Cudmore Grove Country Park which is very popular with visitors at weekends and in the holidays. Due to its size and limited facilities, East Mersea is not considered a sustainable location to accommodate substantial additional growth and is defined as an Other Village in the spatial hierarchy to reflect the important community function the village provides.

Policy SS12a: West Mersea

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the areas identified on the policies map which contributes towards expanding Mersea Island Primary School, provides suitable landscaping to screen the development to minimise any negative impact on the surrounding landscape and protect the open rural character of land within the Coastal Protection Belt, and meets the requirements for each site indicated below. Housing on both sites should address local needs which will be detailed in the Neighbourhood Plan but are likely to include starter homes and single storey dwellings.

Dawes Lane

Development will be supported which provides:

- (i) 100 new dwellings of a mix and type of housing to be compatible with surrounding development;
- (ii) Public Open Space, including sports pitches;
- (iii) Children's play area/land for a sports pavilion if identified in the Neighbourhood Plan;
- (iv) A single site access off Dawes Lane.

Brierley Paddocks

Development will be supported which provides:

- (i) 100 new dwellings of a mix and type of housing to be compatible with surrounding development;
- A satisfactory vehicular access;
- (iii) New public open space; and
- (ii) Community facilities if identified in the Neighbourhood Plan.

There are three existing designated Local Economic Areas in Mersea as shown on the policies map that will continue to be safeguarded for this use. Any future development proposals at these sites will be required to comply with policies SG4.

This policy should be read in conjunction with the generic Neighbourhood Planning Policy SG8 and the West Mersea Neighbourhood Plan, once adopted.

Coast Road, West Mersea

- 6.196 The coastal area of the Borough around Mersea Island is an extremely rich, diverse and irreplaceable natural asset in terms of its natural and cultural features. It includes substantial parts of the Colne and Blackwater Estuaries. The ecological importance of the Colne and Blackwater Estuaries is reflected by the variety of international and European designations covering them i.e. Ramsar sites, Special Protection Areas (Birds Directive), and the Essex Estuaries Special Area of Conservation (SAC) designated under the Habitats Directive. There are also a number of Sites of Special Scientific Interest designated along the estuaries. Accordingly, proposals along Coast Road will need to be screened for likely significant effects on adjacent habitats sites in accordance with Habitats Regulations 2010 (as amended).
- 6.197 Tourism makes an important contribution to both the local Mersea economy and the wider Borough economy. As a consequence, there are a number of diverse and competing interests which all need to be managed in an integrated way within the Borough's coastal zone. These include internationally important habitats, land and water-based recreation, tourism, fishing, archaeological and historic environment assets.
- 6.198 Climate change including sea level rise is also likely to increase pressure regarding the management of coastal habitats and coastal communities along the Borough's coastal fringe.
- 6.199 Future development proposals will have to balance the need to protect the important natural and cultural assets at the coast against competing development pressures and the need to support wider socio-economic needs of the Borough's coastal communities.
- 6.200 Development proposals on the landward and seaward side of Coast Road will have to further balance these issues against the need to protect and enhance the traditional maritime character of this part of West Mersea. Sequentially preferred maritime related uses which could be supported along Coast Road include boatyards, boat restoration business; ancillary uses related to boating, sailing, chandlers, fishing, specialised fish restaurants and shops, fish cookery schools and water based leisure businesses. Proposals for additional residential development on Coast Road will generally not be considered suitable or sustainable and will only be supported on upper floors where sequentially preferred maritime related uses have been discounted in agreement with the Local Planning Authority.
- 6.201 The current Essex and South Suffolk Shoreline Management Plan has shown that the West Mersea coastal frontage is highly vulnerable to the effects of climate change and coastal processes. Future land uses and developments along the coastal frontage will be required to demonstrate the ability to adopt a roll back approach in response to changing local climatic conditions.

Policy SS12b: Coast Road, West Mersea

Development proposals on the seaward and landward side of Coast Road, West Mersea, will be supported where they:

- (i) Are located within the area defined as the developed coast and the development is such that a coastal location is required;
- (ii) Enhance heritage assets, maritime uses, the traditional maritime character of Coast Road and the landscape character of the coast;
- (iii) Can demonstrate no likely significant effects on adjacent Habitats sites and, where appropriate, provide mitigation in accordance with the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS);
- (iv) Will deliver or sustain social and economic benefits considered important to the wellbeing of the coastal communities;
- (v) Will not generate a significant increase in traffic; and
- (vi) Represent an appropriate use with regards to flood risk.

Proposals for all development and change of use on both the landward and seaward side of Coast Road will be expected to enhance the West Mersea Conservation Area and the traditional maritime character of Coast Road, as well as its role as a major yachting, fishing and boating centre. Proposals that would result in the development of existing undeveloped areas of foreshore will not generally be supported unless they accord with criteria in the Coastal Areas policy ENV2.

In exceptional circumstances, development may be permitted where it is proven that the proposal provides an over-whelming public or community benefit that outweighs all other material considerations. In such instances applications must demonstrate that the site is the only available option and be acceptable in terms of its other planning merits.

Houseboats - Proposals for new moorings for permanent residential houseboats will not be permitted in coastal areas including Coast Road because of their landscape and environmental impact on the internationally designated habitats. Houseboat proposals for new moorings on historical vacant sites or houseboats of historical maritime significance, may be acceptable, subject to an installation method statement being submitted which avoids impacts to saltmarsh habitats and which satisfy all other policy criteria. Applications for infrastructure to support existing houseboats including jetties, sheds, platforms and fences and for replacement houseboats or houseboat alterations considered to result in material alterations will be considered on the basis of their scale and impact on surrounding amenity, environment and landscape.

Caravan Parks

- 6.202 There are six caravan/holiday parks on Mersea Island; Firs Chase, Waldegraves, Seaview, Coopers Beach, Mersea Island Holiday Park and Fen Farm. As these are leisure businesses, the caravans and chalets at the caravan parks should only be used as short term holiday accommodation and not for permanent residential use. Where evidence is provided, that people are living in any of the caravan parks on Mersea on a permanent basis, the Local Planning Authority will take appropriate action.
- 6.203 The Local Planning Authority recognises the valuable contribution that the caravan parks make to the supply of holiday accommodation for visitors to Mersea and the rest of the Borough. They are also an important element of the local tourism industry and their retention and improvement is generally supported.
- 6.204 Caravan Parks are under increasing pressure to extend both the length of their opening season and also the range of activities and events operating on the sites to help sustain their business. This has the potential to impact on Mersea residents and sensitive habitats Sites and any resulting need to be carefully managed.
- 6.205 The caravan parks on Mersea are located adjacent to internationally designated habitats sites and because of their coastal frontage locations can be potentially vulnerable to increased risk from flooding. As an important tourist destination, the protection of the EU designated bathing waters around Mersea is an important consideration. All tourism related development proposals including the extension of caravan parks will have to demonstrate that there is adequate waste water and sewage treatment infrastructure in place to serve the proposed development to help protect EU designated coastal bathing waters and to satisfy EU Water Framework Directive requirements. As part of this process applicants should consult with the Environment Agency and Anglian Water at an early stage in the planning application process to ensure that sewage disposal options are fully considered.
- 6.206 All coastal tourism developments must also be sensitive to and integrate well with their sensitive coastal environment and surrounding rural landscape and respect the special characteristics of the Coastal Protection Belt defined on the policies map.
- 6.207 All future development proposals at holiday parks on Mersea located adjacent to designated habitats Sites will only be supported where a sympathetic development approach is followed. It must be demonstrated that proposals will not result in likely significant effects on the habitats Sites and where necessary appropriate mitigation measures implemented to minimise environmental impacts on neighbouring habitats sites. Mitigation proposals will need to be agreed with the Local Planning Authority and Natural England prior to development commencing.

6.208 Extensions to existing caravan parks should not impact on the amenity of residents living and working in close proximity to the parks, through increased noise or light pollution. Proposals should promote a range of measures to encourage sustainable travel for leisure to help mitigate and reduce the impact of leisure related traffic on Mersea Island.

6.209 Sites allocated as Caravan Parks as shown on the policies map will be safeguarded for this use against other less appropriate types of development.

Policy SS12c: Mersea Island Caravan Parks

Development proposals at caravan parks on Mersea Island, including change of use, intensification of an existing use, or change in activities on site will only be supported where they meet all of the following criteria:

- (i) Have adequate wastewater treatment and sewage infrastructure capacity to serve the caravan park and to protect the EU designated coastal bathing water quality and to help meet EU Water Framework Directive requirements;
- (ii) Help protect the integrity of habitats sites and minimise disturbance to designated breeding and wintering species using the sites. Any future extensions to caravan parks will require their own HRA and where required appropriate assessment;
- (iii) Minimise impact on the amenity of residents or businesses living or operating near the site;
- (iv) Are supported with a Site Specific Flood Risk Assessment and Flood Management and Flood Evacuation Plan; and
- (v) Are supported by measures to promote sustainable travel for leisure on Mersea.

Permission will not be granted for caravans or chalets at the caravan parks to be used as permanent residences. They should only be used for holiday accommodation at all times.

All caravan park proposals should be supported by a site specific Flood Risk Assessment and Flood Management and Evacuation Plan. Proposals for caravan extensions in flood zone 3 will not generally be supported due to the increased risk to people and property from coastal flooding.

Rowhedge

- 6.210 Rowhedge is situated to the south east of Colchester on the western banks of the River Colne; it is the only settlement in the parish of East Donyland.
- 6.211 The village has a strong sense of identity which is emphasised by a conservation area at its core and a number of listed buildings, predominately on the riverfront. Rowhedge benefits from its own primary school, GP surgery, village shop, public houses and public open space provision. However due to its history as a fishing village the settlement has grown from the port outwards and this has resulted in new development being situated further away from Rowhedge's historic centre where many of its limited services and facilities are located.
- 6.212 Rowhedge is bordered by the River Colne to the east, and the surrounding land's estuarine nature gives rise to a number of ecological designations which run along the coast and inland to the south of the village. The north of the village is separated from the urban area of Colchester by a relatively short, but nonetheless valuable, expanse of greenfield land. In addition to providing a valuable buffer between Rowhedge and Colchester, much of this land is designated as Coastal Protection Belt because of its high landscape value.
- 6.213 The commenced development at Rowhedge Wharf and the exceptional constraints to expansion surrounding the village renders Rowhedge unsuitable for extensive new development. However redevelopment of Rowhedge Business Centre offers an opportunity to convert low value and underused storage land with limited employment use into new housing in a sustainable location with low landscape impact. Provision of a new healthcare facility is currently being explored by North East Essex Clinical Commissioning Group, however, no infrastructure has yet been formally approved for this community in isolation.

Policy SS13: Rowhedge

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the area identified on the policies map which provides:

- (i) 40 new dwellings of a mix and type compatible with the surrounding area including affordable housing in line with adopted policy;
- (ii) Ecological and arboricultural assessments of the site and mitigation as required; and
- (iii) An area of open space between the site and existing housing which will include protection of trees deemed as valuable in the arboricultural assessment.

Tiptree

- 6.214 Tiptree is a large village located on the south west boundary of the Borough and approximately 15km from Colchester itself. Development has grown up around key highway intersections in a roughly triangular built form. There is a small separate cluster of houses to the south west of the main village known as Tiptree Heath.
- 6.215 Tiptree is a District Centre with a high number of key services and community facilities. There are two supermarkets, 4 primary schools, a secondary school, a community centre, 1 GP surgery, as well as a range of independent shops, cafes and restaurants. These services support the needs of local residents and businesses in Tiptree as well as communities from the surrounding rural areas. It will be important to protect the function of the District Centre in Tiptree to ensure that it continues to meet the needs of the local communities who use it. There are regular bus routes serving the village to and from Colchester Accordingly, Tiptree is considered to be a sustainable settlement suitable for growth during the plan period.
- 6.216 Tiptree is very well served in terms of educational facilities as it has four primary schools and Thurstable Secondary School within the village. There is also a Leisure Centre located at Thurstable School and Colchester United's training ground is located off Grange Road. There are four Local Economic Areas in Tiptree.
- 6.217 There are a number of constraints which limit the amount of land available for growth in Tiptree. Development to the south east is constrained by Tiptree Jam Factory and Birch Wood Local Wildlife Site. Development in this direction would also reduce the green gap between the village and Tolleshunt Knights. Developing in this direction would also be constrained by Layer Brook which is Flood Zone 2. Expansion to the north east of Tiptree is constrained by Thurstable School and Warriors Rest while expansion to the south west is constrained by Tiptree Heath SSSI and Inworth Grange and Brook Meadows Local Wildlife Site.
- 6.218 Tiptree Parish Council is currently preparing a Neighbourhood Plan which will allocate sites for further growth in the Parish. In discussion with the Neighbourhood Plan Group, it has been agreed that Tiptree will deliver 600 new dwellings over the plan period given the current number of dwellings in Tiptree, the good availability and access to services and facilities, and the fact that Tiptree is a District Centre. This is considered an appropriate level of growth for Tiptree.
- 6.219 Infrastructure necessary to deliver the growth up to 2033 will need to consider cross boundary issues with neighbouring Local Planning Authorities and neighbouring Parishes. This will include acknowledgement of the additional traffic generation forecasts for the proposed new junction 24 onto the A12 as well as from the growth locations. With the northern growth location there is potential for a new road which would ultimately link the B1022 and B1023. The Tiptree Neighbourhood Plan will be expected to deliver the first phases of the road through a design which allows future completion/linkage.

6.220 Following the Tiptree Neighbourhood Plan examination which concluded in October 2020, it was recommended that the Tiptree Neighbourhood Plan could not proceed to referendum. The Tiptree Neighbourhood Plan Working Group are preparing a revised draft plan which will include site allocation(s) and be subject to further public consultation. The Plan will allocate final site boundaries and will include a policy framework to support the delivery of a minimum of 400 houses up to 2033 and to guide all other planning issues in the village. The Plan will be subject to examination and referendum prior to being made.

Barbrook Lane

6.221 Planning Permission has been granted for up to 200 dwellings at Barbrook Lane. It is expected that these dwellings will be delivered during the Plan Period. The extent of the application site is reflected on Policy Map SS14 as an existing commitment. Within the site area there will be provision for public open space as well as land reserved for future education purposes as shown on the policies map.

Policy SS14: Tiptree

Within the preferred directions of growth shown on the Tiptree policies map, to the south west and north/north west, subject to existing constraints, the Tiptree Neighbourhood Plan will:

- i. Define the extent of a new settlement boundary for Tiptree;
- ii. Allocate specific sites for housing allocations to deliver a minimum of 400 dwellings;
- iii. Set out any associated policies needed to support this housing delivery i.e. housing mix, type of housing and density for each site allocated for housing;
- iv. Set out the policy framework within the parish to guide the delivery of any infrastructure/community facilities required to support the development in accordance with the requirements of Policies SG7 and PP1. This will include a strategic transport appraisal with a view to confirming provision of phased delivery of a road between the B1022 and B1023;
- v. Consider cross boundary issues;
- vi. Identify other allocations in the Parish, including employment and open space.

Proposals for development outside of the settlement boundary, or settlement boundary defined by the Tiptree Neighbourhood Plan once adopted, will not be supported. This policy should be read in conjunction with the generic Neighbourhood Planning policy SG8, policy SG3 and policies in the Tiptree Neighbourhood Plan, once it has been adopted.

Before granting planning consent, wintering bird surveys will be undertaken at the appropriate time of year to identify any offsite functional habitat. In the unlikely event that significant numbers are identified, development must firstly

avoid impacts. Where this is not possible, development must be phased to deliver habitat creation and management either on or off-site to mitigate any significant impacts. Any such habitat must be provided and fully functional before any development takes place which would affect significant numbers of SPA birds.

6.222 There are currently four designated Local Economic Areas (LEAs) in Tiptree; the Alexander Cleghorn Site, Tiptree Jam Factory, the Basketworks Site and the Tower Business Park. These will continue to be protected for employment purposes. Any development proposals affecting these sites or any other sites providing an economic/employment use in Tiptree over the Local Plan period will be required to comply with policy SG4 unless they are reviewed and amended through the Tiptree Neighbourhood Plan.

West Bergholt

- 6.223 West Bergholt is a rural parish located approximately 1km to the north west of Colchester. It is considered a Sustainable Settlement as it has a sufficient population base and a range of community facilities and infrastructure to support appropriate growth which can be physically accommodated in West Bergholt without compromising the existing settlement shape, form and character.
- 6.224 There are a number of constraints which restrict the availability of sites suitable for development. To maintain the current settlement pattern, development will continue to be located around the three main roads with facilities located centrally where possible.
- 6.225 There is currently limited inter-visibility between Colchester and West Bergholt. However, there is a relatively high potential for visual coalescence of settlements and any new built development on land to the south of the village may undermine the sense of settlement separation. Development to the south of the village towards Colchester on Colchester Road is therefore not considered suitable due to the high potential of visual coalescence.
- 6.226 Development to the north of the village on Colchester Road/Nayland Road would extend new development away from existing key facilities and into open countryside, which is not considered sustainable.
- 6.227 The West Bergholt Neighbourhood Plan was made in 2019. It sets out the planning policy framework needed to support the delivery of 120 houses to 2033 and to guide and meet all other development or community needs identified by the community in West Bergholt.
- 6.228 Pattens Yard in West Bergholt is allocated as a Local Economic Area. This site will remain allocated for this use and any future planning applications will be required to accord with policy SG4. Any development proposals affecting this site or any other sites providing an economic/employment use in West Bergholt over the Local Plan period will be required to comply with policy SG4.

Policy SS15: West Bergholt

All development proposals in West Bergholt parish will be determined against and be required to comply with policies in the West Bergholt Neighbourhood Plan and any relevant Local Plan policies.

Wivenhoe

- 6.229 Originally Wivenhoe comprised two separate settlements: Wivenhoe Cross which was centred on the crossroads of Colchester Road, Rectory Road and The Avenue; and Wivenhoe to the south which was centred on the quay. More recent development has resulted in the coalescence of these two distinct settlements into one.
- 6.230 Since the 1970's growth has included significant 'estate' development including Dene Park during the 1970s; Broomgrove to the west in the 1970/80s; Ferry Marsh in the 2000's and most recently Cooks Shipyard.
- 6.231 The town benefits from good infrastructure provision including a mainline train station, a GP surgery, two primary schools, numerous shops and restaurants and abundant open space provision. This is reflected in the designation of the town as Rural District Centre. There are also frequent bus services between Wivenhoe and Colchester and a cycle path between Wivenhoe, and the University of Essex has recently been built. There is a well-used footpath and cycle route to Colchester along the River Colne (the Wivenhoe Trail), which increases the sustainable nature of the settlement and makes it suitable for additional future growth within the Local Plan period.
- 6.232 An additional 250 dwellings will be delivered in Wivenhoe by 2033. This is an appropriate number of new dwellings along with a number of new dwellings within the parish which will be allocated in the Colchester/ Tendring Borders Garden Community. There are a number of constraints which has influenced the amount of growth considered appropriate for Wivenhoe.
- 6.233 Broomgrove and Millfields schools are both operating at capacity but are currently accepting a small number of pupils from outside of Wivenhoe. There is not a secondary school within Wivenhoe with most children attending the Colne Academy in Brightlingsea or Colchester Academy in Greenstead. Wivenhoe is bordered by the River Colne to the west and south. In addition to the physical boundary that the river presents, there are also other associated constraints such as flood risk zone 3 areas, SSSI, Special Protection Area and the Coastal Protection Belt, which reduces the availability of suitable sites for new development.
- 6.234 The Wivenhoe Neighbourhood Plan was made in 2019. The Plan sets out the planning policy framework needed to support the delivery of 250 houses up to 2033. The Neighbourhood Plan, also allocates sites for other uses identified by the local community as being important in Wivenhoe and develops the policy framework needed to support any such allocations.

Policy SS16: Wivenhoe

The Wivenhoe Neighbourhood Plan has been made and:

- i. Identifies the settlement boundary for Wivenhoe;
- ii. Identifies specific sites for housing allocations needed to deliver 250 dwellings with additional land for a care home outside the settlement boundary at the housing allocation, at Land Behind the Fire Station, Colchester Road, should an appropriate scheme be forthcoming;
- iii. Sets out policies needed to support this housing delivery i.e. housing mix, type of housing and density for each site allocated for housing;
- iv. Identifies other allocations in the Parish, including employment and open space; and
- v. identifies the infrastructure requirements to support new development.

Proposals for development outside of the settlement boundary will not be supported unless the Neighbourhood Plan or other Local Plan policy specifically allows for it.

All development proposals in Wivenhoe Neighbourhood Plan Area will be determined against and be required to comply with policies in the Wivenhoe Neighbourhood Plan and any relevant Local Plan policies.

Other Villages and Countryside

- 6.235 The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF recognises that there are three dimensions to sustainable development: economic, social and environmental. Settlement boundaries are an essential tool for the management of development and contribute to the achievement of sustainable development by preventing the encroachment of development into the countryside, protecting rural character. The spatial hierarchy (Policy SG1 and Table SG1) directs development to the most sustainable locations by defining different tiers for growth. In the first instance development is directed to the urban area of Colchester, which is the main location for jobs, housing, services and choice of means of transport. The second tier is the Garden Community and Sustainable Settlements. Other Villages and then Countryside are next. This approach was informed by evidence in the Settlement Boundary Review, which assessed the sustainability of each of the Borough's settlements, using criteria relating to the NPPF definition of sustainable development.
- 6.236 The Local Plan contributes to the economic dimension of sustainable development through the supply of employment land and retention of employment sites. Allocations and the strategy for future development ensures that development will be located at accessible locations where residents will have good access to employment opportunities and be in close proximity to regularly used services, facilities, shops, etc.
- 6.237 The Local Plan contributes to the social element of sustainable development through the allocation of 14,720 homes between 2017 and 2033, which meets the Borough's objectively assessed need for housing. Residential development in the countryside is not needed to contribute to the social element of sustainable development. Furthermore, residential development in the countryside would be functionally isolated. This would have a negative impact on the ability of residents to access social services and facilities.
- 6.238 The Local Plan contributes to the environmental element of sustainable development by protecting the Borough's landscape character, countryside and coast, and directing development to locations that reduce the need to travel and make sustainable travel a realistic option. Residential development in the countryside could adversely affect landscape character and the undeveloped nature of the countryside and coast. It would lead to reliance on the private car, increasing carbon emissions. Residential development in the countryside would have a negative impact on the environmental dimension of sustainable development.
- 6.239 National evidence indicates that villages in the catchment area of larger towns struggle to retain facilities, even when more housing is built. Colchester Town is the main provider of shopping, services, employment, and community facilities for the Borough as a whole. Elsewhere in the Borough, only Wivenhoe, Tiptree and West Mersea provide a sufficient level of shops, services and employment to maintain a reasonable level of self-containment. In general, rural communities do

not provide sufficient employment opportunities, shops, services and facilities to support significant growth.

6.240 Settlements within the Other Villages category as defined in the spatial hierarchy are small villages which functionally act as local service centres which the local communities rely on for basic facilities and as social hubs. These smaller rural villages often operate as clusters by sharing key services which help provide a strong sense of community for the communities living and working there. These settlements can accommodate a limited amount of small scale development. Appropriate development proposals therefore, that meet a local housing need, increase rural employment opportunities, optimise the sustainability of villages by contributing towards community facilities, or which help retain the vitality and sense of community will be supported in principle where they also comply with other policies in the Plan. Policy OV1 applies to Other Villages and Policy OV2 applies to proposals in the countryside outside of settlement boundaries.

6.241 Due to the relative sustainability of the Other Villages any development in these areas would inevitably place a greater reliance on the use of the car. As a result this will generate higher levels of carbon emissions, than development located in more sustainable settlements. It is acknowledged that access to alternative modes of transport is a key indicator of sustainable development, it is not however the only factor influencing carbon footprint. Design and construction can significantly contribute to reducing the carbon footprint of residents and as such any residential development permitted in Other Villages should be provide high standards of design and sustainable construction to contribute to achieving wider sustainable development principles.

6.242 Areas outside of settlement boundaries are defined as Countryside. Within the countryside, there are a number of very small villages/hamlets and isolated clusters of dwellings which lack any community facilities or access to services and rely on nearby larger villages or towns to meet their daily needs. It is essential that development is restricted in the countryside to protect the landscape, character, quality and tranquillity. Development within the countryside will accordingly be limited to activities that either require a rural location or help sustain a rural community and local economy and which help protect the rural character of the areas where a development is being delivered. The NPPF includes examples of exceptions whereby proposals for isolated dwellings in the countryside may be acceptable. The Local Planning Authority's interpretation of 'isolated' are sites that are physically isolated relative to existing settlements, and sites that are functionally isolated relative to services and facilities.

6.243 The Local Planning Authority is aware that certain buildings within the Borough benefit from Prior Approval for residential use under Class Q of the Permitted Development Order. However, this provision is in place to facilitate the speedy delivery of low-cost rural dwellings, not to add value to land and buildings. Therefore, the Local Planning Authority will not accept this as a "fall-back" position and will treat each application purely on its planning merits whether or not Prior Approval exists.

- 6.244 The Local Planning Authority is also seeking to sustain and enhance local employment and rural enterprises in the Borough. Regard should be had to policy DM6 which sets out the planning approach for economic development in rural Colchester. Regard should also be had to policy DM13, which provides criteria for proposals for residential alterations, extensions and outbuildings, and policy DM14 on rural workers housing.

Policy OV1: Development in Other Villages

The Local Planning Authority will support proposals that enhance the vitality of rural communities and help maintain the sense of community provided by smaller rural villages and in rural areas.

Within settlements classed as Other Villages, the Local Planning Authority will support proposals for appropriate new infill developments, development on previously developed sites, and extensions, restorations or alterations to existing buildings. Policy PP1 includes infrastructure and mitigation requirements, which may be relevant.

The design and construction of new village development must be high quality in all respects, including design, sustainability and compatibility with the distinctive character of the locality.

Proposals in close proximity to a habitats site must demonstrate through HRA screening that the scheme will not lead to likely significant effects to the integrity of the habitats site. Where this cannot be ruled out a full appropriate assessment will be required to be undertaken.

Policy OV2: Countryside

Proposals for sustainable rural business, leisure and tourism schemes, development essential to the effective operation of agriculture, horticulture, forestry, equestrian use, infrastructure, renewable energy generation, and minerals or waste operations in the adopted Essex Minerals and Waste Local Plans may require a countryside location.

Policy DM6 (Economic development in rural areas and the countryside) provides further guidance. In general, proposals for sustainable rural businesses will be supported if they are of an appropriate scale, meet a local employment need, minimise negative environmental impacts, and harmonise with the local character and surrounding countryside where they are being proposed.

Residential development proposals in the countryside, outside defined settlement boundaries, will need to demonstrate that the scheme respects the character and appearance of landscapes and the built environment and preserves or enhances the historic environment and biodiversity. Small scale rural exception sites needed to meet local affordable housing needs will be considered favourably on appropriate sites provided a local need is demonstrated by the Parish Council on

behalf of their residents, based on evidence gained from an approved local housing needs survey. Where there is an identified need for certain types of housing, schemes must demonstrate how these needs have been met.

Proposals in close proximity to a habitats site must demonstrate through HRA screening that the scheme will not lead to likely significant effects to the integrity of the habitats site. Where this cannot be ruled out a full appropriate assessment will be required to be undertaken.

7. Development Management Policies

- 7.1 The policies below will guide the development management (planning application) process. They set out how development will be managed to ensure that it contributes towards the vision and objectives, via the strategic framework put in place by the policies contained in Section 1 and those covering Sustainable Growth, Climate Change, Environmental Assets and Places in Section 2.

Health and Wellbeing

- 7.2 There is a strong evidence base that shows the impact that the built environment has on the health and wellbeing of residents. This evidence base is growing and consideration must be given to how new development will support and integrate health, wellbeing and lifestyle choices through the life course of residents, workers and visitors to these new developments.
- 7.3 Most development has a potential impact upon the health services and facilities that are provided in the Borough. Likewise, through the design of new development, healthy living can be promoted. The extent of these impacts needs to be assessed to ensure that adequate health services continue to be provided for the community as a whole. For developments which have relatively little impact upon health services, an initial assessment may be sufficient to satisfy the requirements of this policy. For developments where an initial assessment indicates more significant health impacts, a comprehensive Health Impact Assessment (HIA) will be required. The Council will liaise with the NHS East Essex Clinical Commissioning Group and ECC Public Health when assessing the scope and scale of likely impacts. A HIA should be prepared following the current best practice advice and reflect the most up to date evidence. Further details on preparing HIAs can be found in the Health Impact Assessment section of the Essex Design Guide (www.essexdesignguide.co.uk).
- 7.4 Primary care is adopting a Digital First approach to primary care investment. An agreed Integrated Care System Road map for Suffolk and North East Essex was introduced in 2019, many of the initiatives were brought forward as a result of the response to Covid 19 and have already proven successful. GP practices, care homes and community service providers have been using telephone/video consultations, smartphone applications to enable patients to request prescriptions and appointments. Practices within Primary Care networks will enable digital first options to improve fast access to primary care, reducing waiting and travelling time for patients, services will include outpatient follow up appointments and medication reviews. Consequently, the need for high speed broadband access and flexibility in terms of the provision of digital health infrastructure to any new housing development is crucial in order to ensure the success of the Digital First approach.

Policy DM1: Health and Wellbeing

All development should be designed to help promote healthy and active lifestyles and avoid causing adverse impacts on public health through:

- (i) Ensuring good access to health facilities and services;
- (ii) Providing a healthy living environment where healthy lifestyles can be promoted including green space and creating attractive opportunities for activities including walking, cycling, horse riding and formal sport, as well as clearly seeking to improve opportunities to increase levels of physical activity within the community; and
- (iii) Providing appropriate mitigation to avoid harmful emissions.

Health Impact Assessments (HIA) will be required for all residential development in excess of 100 units and non-residential development in excess of 2500 square metres and for other developments where the proposal is likely to have a significant impact on health and wellbeing. The purpose of the HIA will be to identify the potential health consequences of a proposal on a given population, maximise the positive health benefits and minimise potential adverse effects on health and inequalities. Any HIA must be prepared in accordance with up to date advice and best practice for such assessments.

All developments with the potential to cause a deterioration in air quality will be required to provide comply with Policy ENV5.

Measures to mitigate any adverse impacts of the development will be provided and / or secured by planning conditions, Section 106 contributions or CIL.

Developments which will have an unacceptable significant adverse impact on health and wellbeing which cannot be mitigated, or that fail to offer reasonable provisions, will not be permitted.

Community Facilities

- 7.5 Community facilities are an essential element of sustainable communities providing for education, childcare, health, culture, recreation, religion and policing (see Glossary). Policies elsewhere in the plan also cover protection and provision of open space, sport and recreation facilities.
- 7.6 The Local Planning Authority needs to deliver a comprehensive range of high quality and accessible community facilities to meet the needs of new and existing communities in Colchester. Community projects such as the Community Stadium and Firstsite, have regional and national significance. Local facilities such as schools and health centres also need to be delivered to support new and existing communities.
- 7.7 The Local Planning Authority will safeguard existing community facilities and will work with partners including the local community to bring together funding from a variety of public and private sources to improve existing and deliver new community facilities. Development proposals will be required to review community needs and provide community facilities to meet the needs of the new population, which will have positive impacts on existing communities.
- 7.8 The Local Planning Authority wishes to protect viable community facilities and services that play an important role in the social infrastructure of the area and support sustainable communities. In communities where access to alternatives may be very limited, the presence of key facilities may be very important in maintaining quality of life. Examples of community sites and buildings include amenity open space, children's play areas, sports fields, village halls, local shops, leisure and cultural centres, public houses, community centres, churches, cemeteries, allotments, post offices, petrol stations, doctor's surgeries, libraries and schools, etc. In line with the NPPF the Local Planning Authority will guard against unnecessary loss of important facilities using processes such as listing facilities as Assets of Community Value where appropriate (under the provisions the Localism Act 2011).
- 7.9 The loss of any community facilities must be fully justified. The Local Planning Authority will require any application involving the loss of a facility to be supported by written evidence and applicants should contact the Local Planning Authority at the earliest stage to discuss the details. The level of detail to be submitted will vary according to the level of access to alternative facilities and the extent to which the facility contributes towards sustainable communities but could be expected to include such evidence as:
- (i) In the case of a business, the current and projected trading performance;
 - (ii) In the case of a community facility, the current and projected patterns of use;
 - (iii) The nature and condition of the building and the cost of repairs, renovations or improvements needed to allow the facility to continue in operation;

- (iv) The extent of the local catchment including the location of the premises in relation to local settlement pattern and accessibility;
- (v) The nature and location of comparable facilities;
- (vi) The potential to relocate the use into other premises in the community;
- (vii) In respect of public houses, the approaches and attempts to transfer from a chain of tied pubs to a free house;
- (viii) In the case of a business, evidence that it has been offered on the open market as a whole (parts having not been identified for separate sale) and at a realistic market value. This should be for a period of not less than six months by a competent agent. Evidence should include sales literature, details of approaches, and details of offers; and
- (ix) Evidence that the local community has been notified in writing of the intention to close the facility and has not, within a period of six months come forward with a realistic proposal to assume operation of the facility, including its proposals to finance and operate the facility.

7.10 The importance of particular facilities will vary between communities, and it is essential that the community is involved in considering the importance of any facility and the suitability of any proposals for alternative forms (and locations) of provision, and in developing means of retaining facilities, should their continued viability of operation be in doubt. Applicants proposing to redevelop or convert facilities valued by the community will be expected to consult local communities about the relative importance of the facilities which could be lost. Not all facilities satisfactorily meet the needs of local communities, and it may be that combining or rationalising facilities might be appropriate. This will be informed by the most up to date relevant evidence.

7.11 Support will be given to the provision of additional facilities where this will enhance the sustainability of community life and will meet the anticipated needs of a growing and changing population. The use of developer contributions and/or the Community Infrastructure Levy may well be appropriate in this respect. The Local Planning Authority will work with local partners, such as Town/ Parish Councils or Community Associations, to plan and manage community facilities.

Policy DM2: Community Facilities

The Local Planning Authority will seek the retention of all existing community facilities and services and allocations for such uses where they meet or will meet an identified local need.

Any proposal that would result in the loss of a site or building currently or last used for, or allocated for the provision of facilities, services, leisure or cultural activities that benefit the community, will only be supported in cases where the Local Planning Authority is satisfied that:

- (i) An alternative, equivalent community facility to meet local needs is, or will be, provided in an equally or more accessible location within walking distance of the locality (800 m); or
- (ii) It has been proven that it would not be economically viable to retain the site/building for a community use; and (in both cases)

- (iii) The community facility could not be provided or operated by either the current occupier or by any alternative occupier, and it has been marketed to the satisfaction of the Local Planning Authority in order to confirm that there is no interest and the site or building is genuinely redundant;
- (iv) The proposal involves a state funded school which is seeking to relocate into new buildings or sell assets to fund improved education services.

New development will be required to provide, or contribute towards the provision of community facilities including education, to meet the needs of new and expanded communities and mitigate impacts on existing communities, which will be secured by Section 106 contributions or CIL/equivalent infrastructure levy.

Where existing facilities can be enhanced to serve new development, the Local Planning Authority will work with developers and local partners to audit existing facilities and deliver any requirements for such facilities to deliver comprehensive provision of services to serve these extended communities.

Education Provision

- 7.12 Expansion to existing as well as new primary schools, secondary schools and early years provision, including special educational needs, will be required in the Borough to support the new homes and communities that are being created. The NPPF states that great importance should be placed on the need to provide new school places. It also states that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, giving great weight to the need to create, expand or alter schools. The amount of land required is specified by Essex County Council as Local Education Authority. New designations will be subject to detailed design and layout to ensure that schools are located in the best positions for new communities.
- 7.13 Existing schools and education facilities, including early years, special needs, higher and further education will be supported to ensure they are able to deliver high quality educational provision and act as hubs for their local community. Remodelling and expansion of schools and education facilities will be supported wherever possible. The loss of school grounds or school buildings themselves will only be supported where it has been proven that there is no longer an educational need for the site, now or in the future, or that improved accommodation is being provided in an alternative location. Applications for existing schools are often dealt with by Essex County Council, but in some circumstances the Borough Council will be the relevant local planning authority. The policy below will apply for decisions made by Colchester Borough Council, and will be used to inform any consultation responses submitted to applications which are determined by Essex County Council, or any other appropriate agency.
- 7.14 The Local Planning Authority recognises the differences in location and design requirements between rural and urban based education proposals in the Borough and will assess applications accordingly. For example, a school with a rural based catchment must promote safe walking and cycling routes. Residential developments may need to contribute to upgrading such routes and to providing adequate and reliable public transport provision for students.

Policy DM3: Education Provision

Sites that are in private or public education use or have recently ceased to be used for education purposes will be protected for that use.

Where in whole or in part educational use of a site is redundant or proposals for alternative use are put forward, re-development of buildings and/or the grounds will be supported where the local community is and will remain adequately served by alternative provision and receipts from the sale of land will be invested in improved or expanded education facilities.

The Local Planning Authority will respond positively to appropriate and well-designed applications regarding the creation of new school and education facilities. As expressed in the NPPF, the Local Planning Authority will use a presumption in favour of the development of schools and educational uses. The Local Planning Authority will engage in pre-application discussions with promoters to develop a collaborative approach to suitable applications.

Sports Provision

- 7.15 The existing sport, leisure and public and private open spaces within the Borough represent important assets serving the communities in which they are located (or in some instances wider areas). This importance can relate not only to their function, but also to the amenity value and contribution to the character of an area in general in providing a 'green lung', opportunities for a well-designed and inclusive public realm, and visual breaks in the built environment. If such provisions are lost to other uses it can be extremely difficult to find alternative locations particularly as open land is scarce and, therefore, at a premium.
- 7.16 Against this background, it is intended to secure the retention and enhancement of existing facilities unless a case can be made that alternative provision will be provided in a wholly acceptable manner. There are a wide range of organisations currently delivering sport and leisure facilities within the Borough including strategic sports providers such as the University of Essex, the Garrison and Colchester Institute as well as Colchester Borough Council.
- 7.17 A Strategic Sports Board has been established and a Sports Delivery Group is being formed to ensure that the delivery of sports and leisure facilities is planned and delivered in a coherent way.
- 7.18 The Local Planning Authority will work with the strategic sports providers as well as developers, schools, sports governing bodies, sports clubs, Active Essex/Active Colchester and Sport England to plan for and secure the delivery of a range of new sport and leisure facilities across the Borough over the plan period to serve residents' needs, encourage active lifestyles and increase participation in formal and informal recreation.
- 7.19 A number of documents will be used by the Local Planning Authority when assessing planning applications relating to proposed development of open space and sports facilities. These include the Sports Facilities Strategies (and subsequent updates) and Sports Development Plans prepared by other strategic sports providers in Colchester. Sport England will be consulted on any application that is likely to prejudice the use of or lead to the loss of use of land used as a playing field (whether presently used, or used within the last 5 years, or allocated for such use).

Policy DM4: Sports Provision

Colchester Borough Council will work with sports providers across the Borough to protect, enhance and deliver new sports and leisure facilities to encourage active lifestyles and to increase participation in formal and informal recreation.

The delivery of new strategic sports facilities will be focused at hub sites including the Garden Community; North Colchester; the University of Essex and the Garrison. Development at these locations will be required to contribute to the delivery of the sport and leisure needs identified in the Sports Facilities Strategies, in the respective Sports Development Plans for The Garrison,

University of Essex and North Colchester (Northern Gateway).

New residential development, outside the strategic sports hubs in the Borough will also be required to contribute to the provision or enhancement of sport or leisure facilities where a need has been identified.

The Local Planning Authority will seek to secure community use as part of all new strategic sports proposals and as part of other smaller sport and leisure schemes submitted, including school sports facilities, where it is practical to do so.

Development, including change of use, of any existing or proposed sports ground or playing field will only be supported where it can be demonstrated that:

- (i) Alternative and improved provision will be created in a location well related to the functional requirements of the relocated use and its existing and future users; and
- (ii) The proposal would not result in the loss of an area important for its amenity or contribution to the green infrastructure network or to the character of the area in general; and
- (iii) It achieves the aims of the Colchester Sports Facilities Strategy.

Development proposals resulting in a loss of indoor or outdoor sport/recreational facilities must additionally demonstrate that:

- (iv) There is an identified excess provision within the catchment of the facility and no likely shortfall is expected within the plan period; or
- (v) Alternative and improved sport /recreational provision will be delivered at a location well-related to the functional requirements of the relocated use and its existing and future users.

In all cases, development will not be permitted that would result in any deficiencies in sports provision or increase existing deficiencies in the area either at the time of the proposal or be likely to result in a shortfall within the plan period.

Tourism, Leisure, Culture and Heritage

- 7.20 Colchester's rich historic environment and range of beautiful landscapes provides the basis for an important tourism sector which creates jobs and provides facilities, attractions and environments for visitors that also enhance the quality of life for local residents. Proposals to support this sector will accordingly be supported subject to their accordence with the Local Planning Authority's spatial hierarchy and policies. It is important to ensure that new development does not detract from the settings and features that make visitor destinations attractive and distinctive.
- 7.21 The Borough's historic Town Centre is the focal point for visitor attractions and accommodation as well as leisure and cultural facilities. In line with national policy, proposals falling within the category of 'town centre uses' as defined in the NPPF glossary will be subject to a sequential test to ensure they align with the Local Planning Authority's spatial hierarchy and centres hierarchy, which prioritises the Town Centre.
- 7.22 In rural areas, the Local Planning Authority recognises that existing visitor accommodation sites may be an acceptable location for further small-scale development although not readily accessible by public transport. In order to maximise the benefits of tourism to rural economies it is important to locate new tourism development in locations where visitors can help to support local shops, pubs and other rural services. Some leisure and cultural facilities including sports facilities such as golf courses, sports pitches and water-based attractions require significant amount of open space and accordingly can be appropriate for suitable countryside locations. Given that they also entail environmental and visual impacts from built structures, increased traffic and landscape and habitat changes, it is important to ensure new facilities are evaluated carefully in light of considerations of amenity, environmental and landscape impact and accessibility. Proposals for new or extended visitor facilities will be assessed against their ability to help deliver policies SG1, SG5, ENV1, ENV4, OV1, OV2, DM16, DM23, DM24, WC3 and other relevant policies.

Policy DM5: Tourism, Leisure, Culture and Heritage

Development for new and extended visitor attractions, leisure, cultural and heritage facilities along with visitor accommodation (including hotels, bed and breakfast accommodation, self-catering accommodation, holiday lodges, static and touring caravans and camping sites) will be supported in suitable locations subject to minimising their impact on, and demonstrating how the development could make a positive contribution to neighbouring areas and provide biodiversity enhancements.

Proposals for tourism, leisure, culture and heritage development should be appropriate in scale and function to the surrounding area; be accessible by a choice of means of transport; and not cause significant harm to the amenity of people living and working nearby.

Proposals that are likely to have an adverse impact on the integrity of habitats

sites or the Dedham Vale AONB will not be supported.

In locations where residential use would be inappropriate, developments of visitor accommodation will be limited by condition or legal agreement to holiday use only and/or certain periods of the year in order to prevent permanent or long-term occupation.

Economic Development in Rural Areas and the Countryside

- 7.23 The Local Plan supports rural communities and sets out a flexible approach that maintains a balance between environmental considerations and appropriate business growth. The countryside is viewed as a good location for some businesses, particularly those specific to rural tourism. Business preference for rural sites also reflects the pleasant environment and the availability of relatively cheaper premises in comparison with built-up areas. The Borough is also coming under particular pressure for employment based development in the countryside because there are a significant number of large agricultural buildings and other rural buildings that are potentially suitable for conversion to employment use. Improvements to broadband is also enabling more businesses to locate to rural areas. This demand needs to be considered in the context of environmental impacts and accessibility.
- 7.24 Policy SG4 sets out the Local Planning Authority's approach for appropriate land uses within all employment sites in the rural area and the criteria for consideration of proposals involving alternative use of employment land. The 'B' Use Class traditionally encompassed the majority of uses considered to constitute employment uses in planning terms. In some cases a more flexible approach around employment uses is now needed to ensure compliance with national planning policy and guidance.
- 7.25 Economic development proposals in the countryside, within a designated Local Economic Area or on a rural site serving a similar function, must contribute to the local rural economy and help sustain rural communities. The proposed use is likely to be small scale and not harm the rural character of the local area either by the nature and level of activity (including the amount of additional traffic generation on rural roads) or any other detrimental effects such as noise, fumes and pollution.
- 7.26 The loss of employment land in the Borough could affect the Council's ability to achieve its economic development objectives. The Local Plan establishes the scale and general location of land for employment purposes and states that as a general principle such land should be safeguarded. However, in accordance with the NPPF, land and premises will not be protected where there is no reasonable prospect of it being developed for an economic use.
- 7.27 Proposals for alternative uses on existing rural employment sites may exceptionally be acceptable, providing evidence is submitted in support of the alternative use and it complies with other policies in this Plan. Consideration of overall economic benefits must also extend to include addressing the future of any firms displaced through the redevelopment, including redevelopment for a new employment use. Applicants will need to demonstrate that the site is no longer usable and viable for another form of employment use, for example where continuation of the employment use would be detrimental to other planning objectives such as regeneration, protecting or enhancing the appearance of the countryside, or where other economic benefits to the area might result such as through tourism.

- 7.28 The Local Planning Authority is more likely to be supportive of the re-use and conversion of rural buildings that are adjacent to or closely related to a sustainable settlement. Conversely, change of use of isolated buildings is unlikely to be acceptable unless they would ensure the retention and preservation of a heritage asset and the use does not result in a significant increase in the level of activity and traffic generation to and from the site. Each proposal will be considered on its merits in line with this policy and other relevant policies in the Local Plan.
- 7.29 Schemes involving the re-use of historic rural buildings will be required to comply with the provisions of policy DM16. Proposals that are small-scale in nature and which respect local character are more likely to be supported, whereas those with the potential to generate traffic related problems may not be supported. There is a presumption that heritage assets will be retained rather than replaced. The replacement of heritage assets in the countryside, which have suffered deliberate neglect or damage will not be supported.
- 7.30 Preference will always be towards re-use and conversion of existing buildings where this is possible rather than the construction of new buildings. Consequently, where a building is to be replaced applicants will need to demonstrate to the satisfaction of the Local Planning Authority that any available buildings are not capable of renovation and may be requested to submit a structural survey.
- 7.31 There are a number of well-established employment sites in the rural areas of the Borough, where some important local businesses are located. Companies are often seeking to expand their operations within their site and this can be more appropriate than the company seeking alternative premises outside of the Borough, in order to retain the economic and social benefits which can arise from companies located in rural areas. It will be beneficial for applications to expand existing operations to be supported by a business plan, depending on the scale of the development proposed. In some cases for the purposes of business or employment use, replacement buildings can be more appropriate than the continued use of existing buildings. There are a number of sites in the rural areas of the Borough which are visually intrusive and where redevelopment could significantly enhance the local environment.
- 7.32 Landscaping and planting should be used to mitigate the impact of new development on the countryside. Proposals for new isolated buildings in the countryside will not normally be permitted in accordance with national policies. Change of use to residential will not be supported within allocated Local Economic Areas or at unallocated rural sites providing an economic uses.

Policy DM6: Economic Development in Rural Areas and the Countryside

The Local Planning Authority will protect Local Economic Areas in rural Colchester that provide an economic function both on allocated sites shown on the policies maps and at other rural locations that provide a similar function.

Sites and premises currently used or allocated for employment purposes in rural parts of the Borough will be safeguarded for appropriate economic uses to ensure local residents have access to local job opportunities without the need to travel. Proposals for alternative uses will be supported where they comply with policy SG4.

Within allocated rural Local Economic Areas and on rural sites providing an economic function, the following uses are considered appropriate in principle:

- (i) Offices to carry out any operational or administrative functions- E(g)(i); Research and development of products or processes -E(g)(ii); Industrial processes - E(g)(iii), general industrial (B2), storage and distribution (B8);
- (ii) Repair and storage of vehicles and vehicle parts, including cars, boats and caravans; and
- (iii) Other employment-generating uses, such as those related to recreation and tourism, which meet local needs and/or promote rural enterprise.

The following additional considerations will also be taken into account where relevant:

(A) Conversion and re-use of existing rural buildings:

Proposals for acceptable uses will only be supported where the building is capable of re-use without significant rebuilding, and the building is deemed to be desirable for retention. In the case of former agricultural or forestry buildings of recent construction (less than 10 years), it will also need to be demonstrated that the original need for the building was genuine and that it is no longer required for agricultural or forestry purposes.

(B) Extension of existing rural employment buildings:

Proposals for extensions will be supported where these are limited to plans which are essential to the operation of an established business. All extensions shall be accommodated satisfactorily in terms of design, scale and appearance within the existing employment site boundary.

(C) Replacement rural employment buildings:

Replacement buildings will only be supported where the existing development is visually intrusive or otherwise inappropriate in its context and a substantial improvement in the landscape and surroundings will be secured through replacement. New buildings should not significantly increase the scale, height and built form of the original building. There is a presumption that heritage assets will be retained rather than replaced.

(D) New rural employment buildings:

Proposals will only be supported in exceptional cases where there are no appropriate existing buildings, there is no available employment land in the locality and a site/area specific business need has been adequately demonstrated.

(E) Expansion of an existing business:

Proposals to expand an existing employment use into the countryside will only be supported in exceptional cases where there is no space for the required use on the existing site, the need has been adequately demonstrated, and the proposals are essential to the operation of an established business on the site. Consideration must be given to the relocation of the business to available land within a Strategic or Local Economic Area or alternative rural site providing an economic function and in a more sustainable location.

In all cases, any new development will be expected to have adequate landscape mitigation to compensate for any additional impact upon the surrounding countryside.

Proposals in close proximity to a habitats site must demonstrate through HRA screening that the scheme will not lead to likely significant effects to the integrity of the habitats site. Where this cannot be ruled out a full appropriate assessment will be required to be undertaken. Additionally, any planning application within 400 metres of a habitats site must provide mechanisms to prevent fly tipping, the introduction of invasive species and vandalism.

Agricultural Development and Diversification

- 7.33 The NPPF promotes the development and diversification of agricultural and other land-based rural businesses. This may well involve adaptation to new markets and ways of operation and diversification of activities.
- 7.34 The agricultural economy in the Borough is changing, as increasingly farmers are seeking to diversify in order to remain in farming. Accordingly the Local Planning Authority is seeking to encourage farm diversification schemes that are planned on a comprehensive basis to retain a viable agricultural unit by seeking additional incomes from other sources which still relate to the countryside. Whilst the Local Planning Authority will support appropriate farm diversification schemes, proposals that would harm the rural area or segregate the existing agricultural use or farm holding will be resisted. A farm shop selling products produced on the farm unit itself and which does not require a new building is unlikely to require planning permission.
- 7.35 In order to protect the quality and distinctiveness of the local landscape, the Local Planning Authority wishes to prevent un-coordinated development in rural areas and the gradual stripping of assets from farms without regard for the viability of the holding. Appropriate sustainable business proposals could include tourism, or conversion of buildings for employment and other uses related to an activity that would normally be found in rural areas. However, schemes that include or could lead to future pressure for new residential dwellings will not be permitted unless there are exceptional circumstances, in line with national policy.
- 7.36 Proposals for farm diversification should also take account of other relevant policy criteria, in particular but not exclusively, policy DM6 in relation to the re-use of existing buildings and appropriate rural employment uses; policy DM16 in relation to the re-use of historic farm buildings and policy DM21 in relation to access considerations.
- 7.37 The Local Planning Authority recognises that provisions within the General Permitted Development Order 2015 (such as Classes P, Q, R and S) are in place to enable a speedy supply of rural-based businesses and a housing stock of smaller rural dwellings, that utilises existing buildings. However, these measures should not be regarded as “fall-back” positions for speculative development by rural land-owners and will not be treated as such by the Local Planning Authority. Any applications falling outside the scope of Permitted Development will be considered against other relevant policies in the Local Plan in the interests of sustainable development.

Policy DM7: Agricultural Development and Diversification

The Local Planning Authority will support and encourage appropriate farm diversification proposals where they help support the rural economy, are compatible with the rural environment and help to sustain the existing agricultural enterprise without the need for subdivision of the holding or separate enterprises unrelated to the existing agricultural use.

All proposals must be accompanied by a satisfactory diversification plan according to the scale of proposals, which describes how it will assist in retaining the viability of the farm and how it links with any other short or long term business plans for the farm. Proposals for farm shops as part of a farm diversification scheme must identify the products produced on site or locally and demonstrate that the location of farm-based retailing is necessary to assure farm income where their needs cannot be met within a nearby settlement or district or local centre.

Proposals that are likely to have an adverse impact on the integrity of habitats sites, Sites of Special Scientific Interest (SSSI) or the Dedham Vale AONB will not be supported.

Proposals for farm diversification schemes will be supported where they meet the following criteria:

- (i) Existing buildings are re-used wherever possible. Schemes involving the re-use of historic farm buildings shall maintain and enhance the historic environment; including the character of the built heritage; or
- (ii) The development is well-related to existing buildings if no suitable buildings are available for re-use; and
- (iii) The development is secondary to the main agricultural use of the farm; and
- (iv) The proposal will not be likely to require new dwellings within the rural area to support the enterprise either at the time of first submission or at any future date.

Where new buildings are proposed, the development should incorporate the removal of any redundant, under-used, unsightly or otherwise harmful buildings elsewhere within a site as part of the compensatory mitigation for the additional development being proposed.

In all cases, any new development will be expected to have adequate landscape mitigation to compensate for any additional impact upon the surrounding countryside.

New agricultural buildings requiring planning permission will be guided to locations on the farm which are sensitive to their environment.

Affordable Housing

- 7.38 The need for affordable housing is high in Colchester Borough, as it is elsewhere in the Eastern region. The evidence in the Strategic Housing Market Assessment supports a target of 30-35% affordable housing in new developments, but this target must be balanced with viability considerations and the fact that some sites may not deliver affordable housing for example, due to government policy thresholds. The urban area threshold is over 10 units, but a lower policy threshold of 6 or more dwellings in rural areas has been set to allow for the provision or contribution towards affordable housing in areas where larger schemes are very infrequent. Policy DM10 (Housing Diversity) provides further guidance on how developers will be expected to meet demand identified in the Strategic Housing Market Assessment for those with particular housing needs. Viability work will be updated as required to ensure the target reflects the balance between essential housing need and viability. Where 30% is not considered to be viable, applicants will need to submit information on viability. The Local Planning Authority will expect developers to meet the Council's reasonable costs associated with viability appraisals in instances where the level of affordable housing is disputed.
- 7.39 In instances where the provision of affordable housing is supported by the delivery of some open market units on a rural exception site, it will be essential to ensure that the number of open market units never dominates a particular scheme. In determining the number of open market units required to facilitate the delivery of affordable units, the Local Planning Authority will expect applicants to demonstrate viability calculations starting with 100% affordable housing. The same calculations should then be applied with the introduction of one open market unit at a time until a point is reached where the delivery of the rural exception site becomes viable. The number of open market units on a rural exception site should be less than the number of affordable units delivered.

Policy DM8: Affordable Housing

The Council is committed to improving housing affordability in Colchester. Accordingly 30% of new dwellings (including conversions) on housing developments of 10 or more dwellings (major developments) in urban areas and above 5 units in designated rural areas (in accordance with Planning Policy Guidance), should be provided as affordable housing (normally on site).

Where it is considered that a site forms part of a larger development area, affordable housing will be apportioned with reference to the site area as a whole.

This level balances the objectively assessed need for affordable housing in the Borough established by the evidence base, against the requirement for flexibility to take account of changing market conditions. At present the overwhelming need in Colchester is for affordable rented properties, which should be reflected in development proposals. For sites where an alternative level of affordable housing is proposed below the target, it will need to be supported by evidence in the form of a viability appraisal.

In exceptional circumstances, where high development costs undermine the viability of housing delivery, developers will be expected to demonstrate an alternative affordable housing provision.

The Local Planning Authority will require developments to integrate affordable housing and market housing, with a consistent standard of quality design and public spaces, to create mixed and sustainable communities. The affordable housing provision should proportionately reflect the mix of market units unless otherwise specified by the Local Planning Authority. In schemes over 15 units the affordable housing should be provided in more than one single parcel. Elsewhere the affordable housing mix on any site should normally be “pepper potted” throughout the scheme in groups, the size and location of which should be discussed and agreed with the Local Planning Authority.

Affordable housing development in villages will be supported on rural exception sites adjacent or continuous to village settlement boundaries or where it will enhance or maintain the vitality of rural communities, provided a local need is demonstrated by the Parish Council on behalf of their residents, based on evidence gained from an approved local housing needs survey. A proportion of market housing which facilitates the provision of significant additional affordable housing may be appropriate on rural exception sites. Information to demonstrate that the market housing is essential to cross-subsidise the delivery of the affordable housing and that the development would not be viable without this cross-subsidy will be required. At the scheme level, the number of open market units on the rural exception site will be strictly limited to only the number of units required to facilitate the provision of significant affordable housing units on a rural exception site. The number of affordable units and total floorspace on a site should always be greater than the number of open market units or floorspace. The actual number will be determined on local circumstances, evidence of local need and the overall viability of the scheme.

Development Density

- 7.40 The density of new developments can have significant implications for sustainability, local character, travel behaviour, the efficient use of land and residential amenity. In practice many factors will have a moderating effect on densities including the provision of on-site facilities such as the provision of public open space, vehicular access, sustainable drainage systems, vehicle parking and cycle storage facilities.
- 7.41 Where development is proposed in highly accessible locations, it is important to optimise capacity through the use of higher densities. For example locations with good accessibility to services and sustainable transport, such as the Town Centre, are more suited to higher density development than areas with poor accessibility to services and sustainable transport. Higher densities in accessible locations can accommodate more people and allow residents to easily access their needs by walking and cycling as well as providing a sufficient threshold of demand to support public transport provision which in turn supports the viability of local businesses, and other forms of key economic and social infrastructure.
- 7.42 However it is important that the Local Planning Authority has a flexible approach to housing densities in order to reflect site-specific considerations such as local character and townscape because development that is poorly located or poorly designed can have adverse impacts on the quality of life of both existing and future residents. It is therefore vital that high density developments are well designed and have regard to the provision of adequate open spaces and a high quality public realm whilst also enhancing heritage and biodiversity conservation.
- 7.43 Densities therefore may need to be moderated at less accessible locations and to reflect local character. The provision of open space, parking and a mix of housing will also have moderating affect on densities. The density of developments also needs to be informed by the provision of open space, parking, the character of the area, and the mix of housing.

Policy DM9: Development Density

The Local Planning Authority will support development densities that make efficient use of land and relate to the specific opportunities and constraints of proposed development sites. Proposals with development densities that encourage sustainable transport and help sustain local amenities will be supported. In particular all residential development will need to be at an appropriate density and massing, having regard to:

- (i) The character of the site and its immediate surroundings, as well as the wider locality, including where applicable the setting of important heritage assets;
- (ii) The adequacy of the access and the local road network to accommodate the traffic likely to be generated by the proposed development as well as the scope to enhance walking and cycling access to local amenities and public transport;
- (iii) The existing landscaping, trees and hedgerows on the site and the need

- for further landscaping;
- (iv) The provision of appropriate on-site amenities to serve the development in accordance with policy SG6 and any relevant adopted guidance including the provision of open space and sustainable drainage facilities where suitable;
 - (v) The provision of appropriate parking to serve the development in accordance with the relevant standards and policy DM22.
 - (vi) An adequate standard of residential accommodation being provided for future occupants in accordance with policy DM12.
 - (vii) An appropriate mix and type of housing as informed by the various housing policies set out in the Local Plan.

Housing Diversity

- 7.44 All housing developments in Colchester should be inclusive and accommodate a diverse range of households and housing need to create mixed communities. Housing developments must provide a range of housing types that can accommodate a range of different households, including families, single persons, older persons, those with care and/or support needs, and low income households.
- 7.45 There is an important relationship between housing diversity, density and the accessibility of the location. Town Centre locations, for example, are highly accessible and can support high density flats, but they also need to accommodate a range of household sizes. Suburban locations have moderate access and should accommodate a range of housing types and household sizes. Rural locations have low accessibility and will suit low density development, but should also still provide for small and low income households.
- 7.46 In 2011, the average household size was 2.33 persons. Approximately 29% were single person households, roughly 36% were 2 person households, and another 29% of households had dependent children. In 2021, the average household size is projected to shrink to around 2.31 persons, and single person households are likely to grow to about 35% of the total. The Council's Strategic Housing Market Assessment indicates that the number of lone parent households is expected to increase the most in the Housing Market Area over the period 2015-2037, followed by one person households. Couples with children are projected to fall in number.
- 7.47 All housing developments therefore need to provide a more balanced range of housing types to reflect identified community need. The mix of housing should reflect the housing needs of the community, and therefore higher density developments in the urbanised areas still need to provide accommodation suitable to families and larger households, and low density developments in villages still need to provide housing for small and low income households.
- 7.48 The NPPF requires local authorities to have a clear idea of the housing needs of various subgroups in the population. The Strategic Housing Market Assessment undertaken to provide this understanding provides information on the following sub-groups:
- A. Older persons and specialist housing** – Colchester is expected to record a 60.6% increase in its population of those age 65 and over. In response to this growth, the SHMA indicates that if occupation patterns of specialist accommodation remain at current levels there is a requirement for 2,147 additional specialist units of which 2,066 should be specialist and older person's housing and 81 extra care housing. In Colchester, this means that an additional 94 specialist and extra care housing units should be provided each year. This is in addition to the requirement for housing suitable for the needs of older people which allows people to live in their own homes for as long as possible.

Addressing this need will entail a number of solutions as people have different housing requirements. As well as the adaption and design of buildings to allow people to stay in their own homes, the need may also be met through the delivery of smaller properties or small scale residential complexes in areas where a demand can be demonstrated.

This approach, as well as increasing the stock of small scale properties, enables older people to downsize to smaller houses and to continue to live independently in an area they know well, and also enables larger dwellings to be freed up within the housing market. An extra care scheme is planned as part of the Northern Gateway proposals.

Essex County Council is the provider of social services in the Borough. Its Independent Living Programme is encouraging the provision of specialist accommodation in Essex as a means by which older people can continue to live healthy and active lives within existing communities and for Colchester Borough has set the target of delivering 297 additional units of specialist accommodation (124 through rental and 173 through ownership) to enable older people to live independently within the community by 2020. This target is set out in the Essex County Council's Independent Living Position Statement (2016). This approach to meeting the specialist accommodation needs of older people is intended to reduce the demand for residential/nursing home care, which is a considerably more expensive way of meeting the needs of older people, and can unnecessarily restrict independence within this age group.

- B. Self-build/custom build housing** – As required by national guidance, the Council maintains a register of persons interested in purchasing self-build/custom build plots. This register requires applicants to disclose their financial capacity and the Local Planning Authority will use this information to ensure that stated demand is realistic before using it to assess demand for this housing type. The Council will work with developers and housing providers to bring forward self-build allocations to meet identified need in appropriate development sites. The Garden Community (Part One policy SP9) will provide specific allocations for self-build allocations.
- C. Gypsies and travellers** – The Gypsy and Traveller Accommodation Assessment prepared for Essex local authorities provides that Colchester should provide 15 pitches to 2033 to meet need overall. Policy DM11 provides criteria and allocations for meeting this need.

D. Students – The University of Essex had 11,657 students registered for the 2015/16 academic year. The University plans to expand to accommodate around 15,000 students by 2019. The University has long term plans to extend its accommodation provision to respond to increasing numbers. Additionally, Wivenhoe, Greenstead and the Hythe areas house a number of students in both purpose-built and private rented accommodation.

E. Hospice Provision – St Helena Hospice currently provides hospice care for residents of Colchester and Tendring. In response to a rising need and a rising population in north east Essex, the Hospice is considering options as to how it provides care in future. This may involve a new site, new facilities and/or different options for delivering care. The hospice service is much valued in the local community and the Council will support proposals which increase the number of patients who are able to receive care and support.

Policy DM10: Housing Diversity

The Local Planning Authority will seek to secure a range of housing types and tenures on developments across the Borough in order to create inclusive and sustainable communities. Housing developments should provide a mix of housing types to suit a range of different households as identified in the latest Strategic Housing Market Assessment, whilst also realising the opportunities presented by accessible locations.

The Local Planning Authority will seek to provide for the needs of particular groups as follows:

Older people – The Local Planning Authority will require developers to demonstrate how their proposal will be capable of meeting and adapting to the long term needs of the increasing number of older residents. This would include the provision of dwellings constructed to meet requirements M4(2) of the Building Regulations 2015 (accessible or adaptable dwellings) as provided in the Housing Standards policy DM12, or subsequent government standards as appropriate, where there is proven need. The Council will also support proposals that make specific provision for older persons housing, subject to proposals meeting other policy requirements or the need outweighing other considerations.

Specialist Housing – The Local Planning Authority will support provision of schemes providing higher levels of care for specialist groups including those eligible under Essex County Council's Independent Living Programme; disabled people; people with care needs; and other vulnerable people. New development proposals for these groups will be supported where there is a proven need; they are located within settlements; and are accessible by public transport. As

provided in the Housing Standards policy DM12, the Council will require a provision of dwellings constructed to meet requirements of M4(3) of the Building Regulations 2015 (wheelchair user dwellings), or subsequent government standard as appropriate, where there is proven need.

Self-build/custom-build housing – The Local Planning Authority will support proposals for self-build/custom-build housing, to meet demand as indicated by registrations on the Council's Self-Build Register. Registrations should accord with eligibility criteria as appropriate, which may include demonstration of sufficient financial resources and a sufficient local connection. Proposals will be encouraged both on individual sites and as part of larger schemes, including rural exception sites.

Gypsies and Travellers – The Local Planning Authority will meet identified need for gypsy and traveller accommodation, with specific allocations and policy considerations set out in Policy DM11.

Students - Planning permission will be granted for purpose-built student accommodation subject to other policies in this plan and where:

- (i) the location is appropriate in terms of access to public transport and university and college facilities; and
- (ii) the proposal will not result in an excessive concentration of student accommodation in any one locality.

Specific proposals for University based accommodation are contained in policy EC1.

Hospice provision – The Local Planning Authority will support the provision of hospice care in the local community through the use of existing or new sites.

Gypsies, Travellers, and Travelling Showpeople

- 7.49 The Local Planning Authority will seek to provide appropriate sites to meet the needs of gypsies, travellers and travelling showpeople in the Borough as identified through the latest Gypsy and Traveller assessment work and further to guidance from government set forth in 'Planning Policy for Traveller Sites'. These sites need to provide gypsy and traveller communities with good access to education, health, welfare, water, sewage and employment infrastructure, bearing in mind the need to have due regard to the protection of local amenity and local environment. Sites should not be located in areas at risk from flooding and where practical to achieve be connected to the mains sewer system.
- 7.50 In August 2015 a new definition of Gypsy and Traveller was introduced via 'Planning Policy for Traveller Sites' which limits the definition of gypsies and travellers to those who continue to travel as part of their work. This required an update to the existing evidence base looking only at those households that fall within the new planning definition. As a result of this assessment only two pitches were identified as being needed to meet the needs of nomadic travellers. It is however still considered necessary to provide for the full need of those identifying as gypsies and travellers as they are amongst the groups identified as having particular needs in the Strategic Housing Market Assessment. This is reflected in the provision of a further 13 units to meet the needs of non-nomadic travellers.
- 7.51 No current need has been identified in the Borough for accommodation for travelling showpeople, however any need that arises over the life of the plan will be addressed using the criteria based policy approach below.

Policy DM11: Gypsies, Travellers, and Travelling Showpeople

The Local Planning Authority will identify sites to meet the established needs of gypsies, travellers and travelling showpeople in the Borough.

There is an overall need for 15 pitches over the life of the plan to 2033 which takes into account the need for both the statutory requirement to provide 2 pitches for nomadic travellers as well as the additional need for 13 pitches for those identifying as gypsies and travellers.

The need for 6 pitches by 2021 can be met by expansion of the existing site at Severalls Lane. The existing site has successfully operated since 2012 and is considered a sustainable location for small scale expansion. The need for the remainder of the plan period will be met through strategic sites and allocations within the Garden Community, to be finalised through the process of agreeing detailed allocations and masterplans for those areas.

Proposals for any further applications will be judged on the basis that sites should be located within reasonable proximity to existing sustainable settlements, and with access to shops, schools and other community facilities. Sites should also provide adequate space for vehicles and appropriate highway access.

Planning permission will be refused for the change of use of all Gypsy and Traveller sites or Travelling Showpeople yards identified in the Gypsy and Traveller Accommodation Assessment unless acceptable replacement accommodation can be provided, or it can be demonstrated that the site is no longer required to meet any identified needs.

Site selection should ensure that pitches are not located within areas at risk of flooding and are capable of being provided with appropriate drainage, water supply and other necessary utility services. For sewerage, a connection to the main sewer system will be preferable except when it is impractical to achieve.

Housing Standards

- 7.52 It is important to strike an appropriate balance between providing freedom and flexibility for the housing market to operate and ensuring that a range of sites are available for different areas of the housing market. However, the different types of dwelling should be suitably designed to consider the potential needs of their perspective occupiers and the Design and Access Statements submitted with planning permissions should cover this point.
- 7.53 The revised Part M Building Regulations stipulate the minimum standard for all new dwellings which make them suitable to be visited by a wheelchair user. The Council has identified a baseline standard of a minimum of 10% of market housing and 95% of affordable housing to meet Building Regulations 2015 Part M4 (2) accessible and adaptable standards and 5% affordable homes to be Part M4 (3)(2)(b) - wheelchair user standards. This means that new affordable housing will be suitable at all stages of life. The application of these Part M requirements will be subject to consideration of the impact on viability as well as site constraints, in accordance with national policy and guidance.
- 7.54 Building for a Healthy Life is endorsed by government and is the industry standard for the design of new residential developments. The assessment tool can be used by local authorities, developers and community groups to help highlight design quality, local design constraints and opportunities for improvement. The Local Planning Authority will encourage new developments to apply the Building for a Healthy Life design standard.
- 7.55 Accessible, well-designed and easy to use waste and recycling facilities (or storage) will be needed in new developments to help the Local Planning Authority meet its recycling targets. High quality sustainable development must also include adequate arrangements for servicing and refuse vehicles, storage, parking for cars and cycles and electric vehicle charging points, in accordance with Policy DM22.

Policy DM12: Housing Standards

Residential development will be supported where high standards of design, construction and layout are promoted. In considering proposals for new residential development, the Local Planning Authority will have regard to the following:

- (i) New buildings or extensions should be designed to minimise the overshadowing of neighbouring properties as well as to avoid other adverse microclimatic effects;
- (ii) Acceptable levels of daylight to all habitable rooms and no single aspect north-facing homes;
- (iii) Acceptable levels of privacy for rear-facing habitable rooms and sitting-out areas;
- (iv) A management and maintenance plan to be prepared for multi-occupancy buildings and implemented via planning conditions to ensure the future maintenance of the building and external spaces;
- (v) Internal space standards demonstrated to be in accordance with the

- National Described Space Standards (DCLG, 2015) or any future replacement of this;
- (vi) A minimum of 10% of market housing and 95% of affordable housing to meet Building Regulations 2015 Part M4 (2) accessible and adaptable standards and 5% of affordable homes to be Part M4 (3)(2)(b) wheelchair user standards.
 - (vii) Vehicle parking standards as set out in Policy DM22 including the requirements for cycle parking facilities. In the case of flats, secure cycle storage should be incorporated into flat blocks and readily located at the building entrances;
 - (viii) An accessible refuse and recycling storage area, and external drying areas;
 - (ix) Measures to maximise the potential of broadband provision and ensure other infrastructure requirements are met as referenced in Policy SG6; and
 - (x) All new applications for accommodation, with a top storey above 11m (about 4 storeys) in height, are required in accordance with Building Regulations to provide sprinkler systems. Consideration should also be given to the inclusion of sprinklers in houses in multiple occupation (HMOs), care homes and sheltered accommodation.

Domestic Development: Residential alterations, extensions, conversions and replacement dwellings

- 7.56 There have been a number of changes to planning regulations in recent years which have increased the forms and scope of domestic development proposals not requiring planning permission. Further guidance on the types of development that do not require planning permission can be obtained from the government's Planning Portal website.
- 7.57 This policy should be read in conjunction with Policy DM15 (Design and Amenity). Together the policies set out the criteria for assessing planning applications for domestic development proposals which includes residential alterations, extensions and annexes as well as replacement dwellings and flat conversions. In addition to these policies the Local Planning Authority may publish further guidance relevant to domestic development which should be consulted prior to submitting a planning application.
- 7.58 The Local Planning Authority wishes to retain and promote a balanced mix of dwelling types and sizes in the Borough and avoid the loss of smaller and more affordable units. Therefore extensions and annexes should always be compatible and subordinate to the original dwelling and not result in the over-development of residential plots.
- 7.59 The Local Planning Authority also wishes to ensure that dwellings do not incrementally grow by a succession of small extensions which cumulatively can alter the scale and character of the original dwelling. Therefore the cumulative impact of proposals will be taken into account when determining applications for domestic alterations. For the purposes of this policy, the 'original' dwelling is defined as the building as it existed on 1st July 1948, or as it was originally built, if later than this date.
- 7.60 In order to retain the availability of smaller and more affordable dwellings in the countryside, it will be appropriate to require replacement dwellings to be of an appropriate scale.
- 7.61 Extensions to and replacement dwellings in the countryside should respect their rural setting and not result in any greater adverse impacts than the original dwelling. Countryside means all areas outside of defined settlement boundaries.
- 7.62 In order to protect the Borough's countryside, proposals for extensions of domestic gardens into the open countryside will not be permitted if they result in an adverse impact on the surrounding countryside; result in the loss of good quality agricultural land; or set a precedent for unacceptable extensions to gardens at one or more neighbouring properties. Where planning permission is granted, applicants may be expected to relinquish their permitted development rights over the new area of garden.
- 7.63 The Local Planning Authority recognises the important contribution flat conversions make to the provision of smaller and more affordable dwellings in the

Borough, particularly in urban areas where demand for such units are at their highest. However flat conversions will only be permitted where they are sympathetic to the original dwelling and make appropriate provision for amenity, storage and parking. Importantly flat conversions should not result in unsatisfactory living conditions for future residents.

7.64 Domestic development proposals represent a large number of planning applications received by the Local Planning Authority. It is important to reflect the competing interests of planning applicants and other stakeholders, including those most affected by development proposals such those occupying neighbouring dwellings.

7.65 Policy DM13 allows householders the freedom to develop their property in a manner they choose whilst ensuring that proposals do not adversely affect the original dwelling or the surrounding area or residential amenity.

7.66 From a strategic perspective the policy recognises the requirement to retain and promote a balanced housing stock by preventing smaller and more affordable properties from being either extended into a much larger property or being replaced with a larger dwelling. Existing buildings can play an important role in reducing greenhouse gas emissions through improved energy efficiency measures where appropriate. Householders should consider the opportunities for improving energy efficiency as part of proposals for extensions/ alterations. For example, improved insulation, draught proofing, orientation for solar gain, energy efficient appliances and lighting, and water saving devices.

Policy DM13: Domestic development

Residential alterations, extensions and outbuildings

Residential alterations, extensions and outbuildings will be permitted, provided the proposal meets the following criteria:

- (i) The proposal is compatible with the scale, appearance and character of the original dwelling including taking into account the cumulative impact of such development;
- (ii) The proposal does not result in the over-development of the site, and demonstrates design in scale with its surroundings, taking into account the footprint of the existing dwelling and the relationship to neighbouring site boundaries;
- (iii) Proposals for extensions and outbuildings are subordinate to the original dwelling in terms of design and setting;
- (iv) The proposal will not result in unacceptable adverse impacts on the amenities of neighbouring residential properties, including on privacy, overbearing impact, overshadowing or loss of light;
- (v) The proposal will not result in adverse impact to the appearance of the street scene and character of the area.

Residential annexes

Residential annexes will be supported where the need for additional space cannot be met within an existing dwelling or buildings suitable for conversion on the site in the first instance, provided the proposal meets the following criteria:

- (i) The proposal is physically attached or closely related to the main dwelling so that it cannot be subdivided from the main dwelling;
- (ii) The proposal retains some form of demonstrable dependence on the main dwelling, such as shared access (including both vehicular access and doorways) and communal amenity spaces (the use of annexes as a separate dwelling will not be permitted and the desire for annexed occupants to be independent from existing residents will not be considered as adequate justification to allow self-contained dwellings in annexes);
- (iii) The proposal respects and enhances both the character of the original dwelling and the context of the surrounding area through high quality design; and
- (iv) The proposal does not result in the loss of amenity to neighbouring properties.

Replacement dwellings in the countryside

Replacement dwellings in the countryside within existing curtilages will be supported, provided the proposal meets the following criteria:

- (i) It is on a one-for-one basis and the property to be demolished is a permanent lawful dwelling;
- (ii) It is of a high quality design that is appropriate to the rural area in scale and character and preserves or enhances access, siting and dwelling orientation;
- (iii) It is of a scale appropriate to the size of the original dwelling to maintain a supply of smaller more affordable dwellings in the countryside;
- (iv) It provides high quality landscaping, where necessary, to integrate the new dwelling into the wider rural context with no greater adverse impacts than the existing dwelling;
- (v) There is a presumption against the demolition of properties considered to be heritage assets and/or properties which positively contribute to the character of a rural conservation area. Note: there is a presumption in favour of retaining properties considered to be heritage assets and/or properties which positively contribute to the character of a rural conservation area; and
- (vi) The flood risk sequential test will have to be applied.

Flat conversions

Proposals for the conversion and sub-division of existing residential premises within settlement boundaries into flats and other self-contained residential units will be considered having regard to the intensity of the use proposed and the sustainability of the location in respect of the proximity of the site to key services and public transport provision. Proposals should also be in accordance with the requirements set out in the Housing Standards policy.

In addition, proposals for the conversion and sub-division of existing residential premises and, conversions of non-residential buildings where planning permission is required, will only be supported if they meet the following criteria:

- (i) The proposal does not result in detrimental effects to the appearance of the building by reason of unsympathetic additions or alterations, either in isolation or due to cumulative impact;
- (ii) Opportunities are taken for improving the character and quality of an area and the way it functions;
- (iii) Appropriate provision is made for parking, private amenity space, cycle storage and refuse storage facilities, in a visually acceptable manner;
- (iv) The internal layout minimises possible noise disturbance and/or overlooking to the immediate neighbours; and
- (v) Overall, the proposal will not result in an unsatisfactory living environment for prospective occupiers.

Rural Workers Housing

- 7.67 The NPPF states that one of the few circumstances where a new dwelling within the countryside may be justified is when accommodation is required to enable agricultural or rural workers to live at or in the immediate vicinity of their place of work.
- 7.68 While the Local Planning Authority's preference is for such workers to live in nearby towns or villages, or suitable existing dwellings to avoid new and potentially intrusive development in the countryside, it acknowledges that there will be some instances where the nature and demands of certain rural businesses will make it essential for one or more people engaged in the enterprise to live at, or very close to, their place of work.
- 7.69 Such a need however must be essential to the successful operation of the rural business. Any proposal for a new agricultural/rural workers dwelling will be expected to satisfy all the criteria set out in Policy DM14.
- 7.70 The need for a rural workers dwelling could be generated by a range of traditional rural land activities such as agriculture, forestry, fisheries, rural estate management, certain equestrian businesses and horticulture.
- 7.71 Applications will be subject to a functions test to establish whether it is essential for the proper functioning of the business enterprise for one or more workers to be readily available. Such a requirement might arise where a worker or workers need to be available round the clock to respond to situations where livestock/animals or agricultural processes require essential care at short notice or emergencies that could otherwise cause a serious loss of crops or products e.g. by frost or failure of automatic systems.
- 7.72 Given the restrictions on the delivery of new dwellings in the countryside, the scale and design of any proposals for rural workers' dwellings should reflect their countryside location and their function as housing for a rural worker. While many people work in rural areas e.g. in offices, schools, workshops, garages and garden centres, it is unlikely that they will have an essential need to live permanently at or near their place of work. Being employed in a rural location is not considered sufficient justification to qualify as a rural worker with an essential housing need.
- 7.73 Changes in the scale and character of agricultural and forestry businesses have the potential to effect the longer-term requirement for dwellings in the countryside particularly where these had an "agricultural worker occupancy" condition attached when planning permission was granted. In such cases, the Local Planning Authority recognises that it would fulfil no purpose to keep such dwellings vacant, or that existing occupiers should be obliged to remain in occupation simply by virtue of a planning condition that has outlived its usefulness.

7.74 Nevertheless, the Local Planning Authority will expect applications for the removal of an occupancy condition to demonstrate convincingly that there is no long-term need for an agricultural dwelling in the locality. Such dwellings could be used by other agricultural and rural workers seeking accommodation within the wider surrounding area, therefore it will need to be demonstrated to the Local Planning Authority that the dwelling tied to an occupancy condition has been effectively marketed to likely interested parties in the area concerned, over a period of time, and that no genuine interest has been shown regarding the purchase or rental of the dwelling for a rural worker with an essential need to live in the local community.

Policy DM14: Rural Workers' Housing

Permanent Rural Workers' Dwellings

Planning permission will be granted for new agricultural/rural workers' dwellings as part of existing businesses where all of the following criteria are met:

- (i) Evidence is provided to show that there is an essential functional need for a permanent dwelling;
- (ii) The need is related to a full time worker who is primarily employed locally in agriculture, forestry or some other rural based business that requires a new dwelling in the countryside;
- (iii) The size and design of dwelling is commensurate with the needs of the rural business;
- (iv) The business has been established for at least 3 years, has been profitable for at least one of them, is financially viable and is likely to remain so in the future;
- (v) The functional need cannot be met by another suitable and available dwelling;
- (vi) The conversion of an existing building should be considered in preference to new build;
- (vii) The proposed development is not located in a recognised area of flood risk; and
- (viii) The proposed development satisfies all other Local Plan policy requirements.

Temporary Rural Workers Dwellings

Where a new dwelling is essential to support a new activity, whether a newly-created unit or an established one, it will normally, for the first three years, be provided by a caravan or other temporary accommodation.

Applications will need to be supported with the following information:

- (i) Clear evidence of a firm intention and ability to develop the enterprise concerned (significant investment in new buildings is often a good indication of intentions);
- (ii) Evidence is provided to show that there is an essential functional need;
- (iii) Clear evidence that the proposed enterprise has been planned on a sound financial basis. The evidence should include a business plan of at least 3 years duration;
- (iv) The functional need could not be fulfilled by another existing dwelling on

- the unit, or any other existing accommodation in the area;
- (v) If permission for temporary accommodation is granted, permission for a permanent dwelling is unlikely to be granted within 3 years. If, after 3 years, a permanent dwelling is approved, the temporary dwelling must be removed from the site; and
 - (vi) The proposed temporary accommodation is not located in a recognised area of flood risk.

Conditions will be attached to all permissions granted for new rural workers dwellings to remove permitted development rights and restrict the occupancy to that required for the rural business concerned or other agricultural/rural uses nearby.

Existing Rural Workers Dwellings

Where a rural dwelling is no longer needed to support a rural business, applications to remove the occupancy restrictions will have to submit evidence demonstrating that an essential functional need no longer exists for the property and is unlikely to in the foreseeable future. The applicant will be expected to provide details of instructions to estate agents, and the response to that advertising, demonstrating that:

- (i) The property has been continuously marketed for rent and sale for at least 12 months and advertised in that period at a price reflecting the occupancy condition;
- (ii) The advertising should include on-line advertising, local newspapers and relevant national agricultural magazines; and
- (iii) The property has been offered both for sale and to rent on the same basis as above to all farmers, horticulturalists and other rural businesses where a dwelling may be justified in the locality (i.e. having holdings within a two mile radius of the dwelling.)

Design and Amenity

7.75 Good design is indivisible from good planning and a key NPPF requirement for ensuring sustainable development. High quality design benefits everyday users and society as a whole, by creating desirable, functional and efficient places, which help support improved amenities, inclusive communities, economic activity and reduced environmental impact. Design quality is particularly relevant in Colchester given the need to generate local support for planned growth, complement historic assets and to ensure regeneration activities leave a lasting place-making legacy.

7.76 In Colchester, as elsewhere in the UK, there is a need to deliver high quality design, whilst still ensuring sustainable development is viable. As a result there is a need to make sure policy guidance helps achieve best practice, providing clarity and securing development which is both good enough to approve and deliverable.

7.77 The promotion of good processes will be important in raising standards, including as appropriate for guidance/development:

- Good design team selection;
- Design guidance (e.g. masterplans, design codes, development briefs and neighbourhood plans) for priority growth and regeneration areas. These might be produced by the Local Planning Authority or other key stakeholders as appropriate;
- Site and context analysis to identify issues and opportunities;
- Alternative options to test the pros and cons of alternative proposals;
- Pre-application dialogue (perhaps as part of a Planning Performance Agreement), to help identify improvements;
- Independent Design Review on appropriate schemes;
- Proposals being informed by key stakeholder consultation;
- Supporting well designed self and community led development;
- Submission of design material which allows for accurate assessment.

7.78 Requests by the Local Planning Authority for information in relation to applicant's design proposals will be reasonable and proportionate to the nature and scale of the proposal. The NPPF highlights the importance of plan-led development through to detailing, especially on larger scale developments. This can be achieved by following the principles of Garden Cities (TCPA publication) or those of other potentially appropriate urban design models, such as urban, village and arcadian case studies outlined in the Essex Design Guide.

7.79 Development must positively contribute to the public realm, preserving or enhancing the sense of place, including historic interest, landscape, townscape, streetscape, character areas, route hierarchy, roofscapes, key views, gateways, nodes, edges, landmarks, green links and spaces. However it is important guidance does not attempt to impose architectural styles or personal tastes, though high quality traditional/contemporary designs and materials should positively respond to their physical and cultural context, and be correctly interpreted through to forms and detailing. Common design risks should be

avoided such as excessive standardisation, mono-use sprawl, ungainly forms, uninspired public realm design, parking dominated streets, use of second-rate materials, poorly applied design styles, weakly defined spatial enclosure, screening as justification for poor design and a lack of townscape interest or legibility.

7.80 Retail centres can play an important role in promoting community vitality, lifestyle and well-being, yet good design and place-making is often particularly challenged by narrow private interests and competing uses. New development should contribute to centres which are compact, genuinely mixed-use, including vertically where appropriate, in particular offering viable retail and service circuits meeting local need, business uses offering local jobs, and residential dwellings providing a self-policing community presence. Centres should be highly accessible, prioritising sustainable transport, and offer a high quality public realm for pedestrians which is not vehicle dominated.

7.81 The promotion of walking, cycling and public transport will assist in creating an environment that is attractive, healthy, sociable and safe, whilst more generally helping promote sustainable forms of development. This can be achieved through good connectivity especially for strategic desire lines, high quality streetscape and landscape, shared space, filtered permeability, car-free zones and wayfinding measures.

7.82 Well-thought out site plans include a consideration of how design can reduce anti-social behaviour by orientating and placing buildings, windows and access points to provide clear lines of sight and natural surveillance. Public and private open space should be clearly differentiated, avoiding piecemeal and isolated patches of public space that could be prone to vandalism.

7.83 The Local Planning Authority's Supplementary Planning Documents (SPDs) provide further design guidance, which is updated from time to time. Reference may also be made to relevant nationally produced guidance, such as the government's 2018 National Design Guide which sets out the characteristics of well-designed places and demonstrates what good design means in practice, and the National Design Code 2021. The Building for a Healthy Life assessment tool is promoted for use on major housing schemes. It is the industry standard, endorsed by government, for well-designed homes and neighbourhoods, helping prompt improvements, qualitative review and performance monitoring.

7.84 Internal infrastructure and services necessary for a development to function effectively should be provided in conjunction with the commencement of the development so as not to place undue strain on the existing environment and local economy.

Policy DM15: Design and Amenity

All development, including new build, extensions and alterations, must be designed to a high standard, positively respond to its context, achieve good standards of amenity, and demonstrate social, economic and environmental sustainability. Great weight will be given to outstanding or innovative designs which help raise the standard of design more generally in the area. Poor design will be refused including that which fails to take the opportunity for good design or improving the local area.

The Local Planning Authority will use and/or promote a range of planning processes and tools to help achieve high quality design. Ultimately, development proposals must demonstrate that they, and any ancillary activities associated with them, will:

- (i) Respect and, wherever possible, enhance the character of the site, its context and surroundings in terms of its layout, architectural approach, height, scale, form, massing, density, proportions, materials, townscape and/or landscape qualities, and detailed design features. Wherever possible development should positively integrate the existing built environment and other landscape, heritage, biodiversity and arboricultural assets and remove problems as part of the overall development proposal;
- (ii) Help establish a visually attractive sense of place for living, working and visiting, through good architecture and landscaping;
- (iii) Promote and sustain an appropriate mix and density of uses which are well located and integrated, optimise the efficient use of land (including sharing), contribute to inclusive communities, and support retail centres and sustainable transport networks;
- (vi) Provide attractive, well connected and legible streets and spaces, which encourage walking, cycling, public transport and community vitality, whilst adequately integrating safe vehicle access;
- (v) Protect and promote public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance, pollution (including light and odour pollution), daylight and sunlight;
- (vi) Create a safe, resilient and secure environment, which supports community cohesion and is not vulnerable to neglect;
- (vii) Provide functional, robust and adaptable designs, which contribute to the long term quality of the area and, as appropriate, can facilitate alternative activities, alterations and future possible development;
- (viii) Minimise energy consumption/emissions and promote sustainable drainage, particularly with regard to transport, landform, layout, building orientation, massing, tree planting and landscaping;
- (ix) Incorporate any necessary infrastructure and services including utilities, recycling and waste facilities to meet current collection requirements, highways and parking. This should be sensitively integrated to promote successful place-making;
- (x) Demonstrate an appreciation of the views of those directly affected and explain the design response adopted. Proposals that can demonstrate

- this inclusive approach will be looked on more favourably;
- (xi) Encourage Active Design; and
 - (xii) Provide a network of green infrastructure, open space and landscape as part of the design of the development to reflect the importance of these networks to biodiversity, climate change mitigation, healthy living and creating beautiful places.

For the purpose of this policy ancillary activities associated with development will be considered to include vehicle movement.

Historic Environment

- 7.85 Colchester's importance as a historic town warrants a policy detailing and reinforcing the need to protect and enhance the historic environment. The policy is also applicable to heritage assets in rural areas of the Borough and will help to protect and enhance assets in these areas. In the local area there are a number of buildings which detract from the appearance of heritage assets and the opportunities for redevelopment should be encouraged.
- 7.86 There will be a presumption in favour of the physical preservation *in situ* of nationally important archaeological remains (whether scheduled or not). The more important the asset, the greater the weight will be for preservation *in situ*. In accordance with national legislation, preservation of remains may require the refusal of development that could be detrimental.
- 7.87 Developers will be required to make provision for the recording of any heritage assets adversely impacted by development and to make provision for full analysis and reporting, and to ensure this, and any archive generated, is publicly accessible. Provision will be required to enhance the Urban Archaeological Database and to provide for the long term curation of the archive.
- 7.88 Where appropriate, provision will be required for interpretation and access *in situ*, where public access is possible without detriment to the site, or at a suitable off-site location, and for realising the social, cultural, economic and environment benefits of the historic environment.
- 7.89 There are a number of existing buildings and built environments within the Borough, which do not have a statutory basis for protection, but which nevertheless retain a distinctive historical or architectural character that it is considered desirable to keep. The Local Planning Authority, working with local experts, will prepare a Local List of buildings and groups of buildings, which are considered to be of particular historic or architectural merit; this will be used to ensure that when assessing applications for planning permission their particular character is considered. Conditions will be applied to allow for the inspection and recording of buildings on the Local List.
- 7.90 There are also a number of neighbourhoods within the Borough that are characterised by spacious properties built at low density within a well treed setting, or else that retain a particular "period" character. Context appraisals will be required for all development and where a proposal is within a neighbourhood with a distinctive character which it is desirable to keep, the proposal will need to demonstrate that it protects and enhances the special qualities of the area.

Policy DM16: Historic Environment

Development that will lead to substantial harm to or total loss of significance of a listed building, conservation area, historic park or garden or important archaeological remains (including the setting of heritage assets) will only be permitted in exceptional circumstances where the harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss. Where development will lead to less than substantial harm this harm should be weighed against the public benefits of the proposal.

Development affecting the historic environment should seek to conserve and enhance the significance of the heritage asset and any features of specific historic, archaeological, architectural or artistic interest. In all cases there will be an expectation that any new development will enhance the historic environment or better reveal the significance of the heritage asset unless there are no identifiable opportunities available. In instances where existing features have a negative impact on the historic environment, as identified through character appraisals (or other method of identification of historic assets), the Local Planning Authority will request the removal of the features that undermine the historic environment as part of any proposed development. The Local Planning Authority will request the provision of creative and accessible interpretations of heritage assets impacted by development.

Conservation of the historic environment will also be ensured by:

- (i) Identifying, characterising, protecting and enhancing Conservation Areas;
- (ii) Protection and enhancement of existing buildings and built areas which do not have Listed Building or Conservation Area status but have a particular local importance or character which it is desirable to keep;
- (iii) Preserving and enhancing Listed Buildings, Scheduled Monuments, Historic Parks and Gardens, including their respective settings, and other features, which contribute to the heritage of the Borough; and
- (iv) Sites of archaeological interest will be clearly identified and protected, and sites that become known, whether through formal evaluation as part of a Planning Application or otherwise, will similarly be protected according to their importance.

Heritage Impact Assessments and/or Archaeological Evaluations will be required for proposals related to or impacting on the setting of heritage assets and/or known or possible archaeological sites, and where there is potential for encountering archaeological sites so that sufficient information is provided to assess the significance of the heritage assets and to assess the impacts of development on historic assets together with any proposed mitigation measures.

Open Space

- 7.91 Existing open spaces, green link networks and allotments provide the people of Colchester with opportunities for passive and active recreation and encourage healthy and active lifestyles. Open space also includes areas of water, which offer important opportunities for sport and recreation, and can act as a visual amenity. It is important that all residents have access to open space within walking distance of their home. Strategic green links provide valuable corridors for the movement of people and biodiversity. The green spaces along the Colne River, for example, connect the town centre, suburbs, countryside, villages and the coast. These corridors provide alternative means for people making journeys into and across Colchester. The Local Planning Authority will therefore seek to protect and enhance these important links. The Colchester Orbital project (see Appendix 1) celebrates and protects Colchester's existing green spaces and creates a sense of environmental connectivity between them.
- 7.92 The Local Planning Authority commissioned an Open Space Study in accordance with the NPPF to identify areas with deficiencies of open space. Development will be required to make contributions towards meeting these deficiencies where they will exacerbate the situation in accordance with the Local Planning Authority's adopted SPD for Open Space, Sport and Recreation (updated as required). The Open Space Study sets specific targets to guide the provision of different types of open space across the Borough.
- 7.93 The existing public and private open spaces, including allotments, within the Borough, represent important assets serving the communities in which they are located (or in some instances wider areas). This importance can relate not only to their function, but also to the amenity value and contribution they make to the character of an area in general by providing a 'green lung', opportunities for a well-designed and inclusive public realm, and visual breaks in the built environment. They also provide alternative green spaces which help alleviate pressure on internationally designated nature conservation sites. If such provisions are lost to other uses it can be extremely difficult to find alternative locations particularly as open land is scarce and, therefore, at a premium.
- 7.94 Well designed open spaces can deliver multiple functions. As well as their value for wildlife, quality of life, health and recreation, they also provide opportunities for Sustainable Drainage Systems (SuDs) for surface water runoff management. Open space provides opportunities for climate change adaptation through the management and enhancement of existing habitats and the creation of new ones to assist with species migration, to provide shade during higher temperatures, and for flood mitigation.
- 7.95 Against this background, it is intended to secure the retention of existing facilities unless a case can be made that alternative provision will be provided in a wholly acceptable manner. Alternative provision could comprise existing provision in the locality of the type of open space as defined by the NPPF, providing there is not a deficiency in that type of open space. A number of documents including the PPG17 Audit and Assessment of the Borough's public open spaces, Colchester

Parks and Green Spaces Strategy (2008) and Colchester's Green Infrastructure Strategy (2011) and any updated evidence as appropriate, will be used by the Local Planning Authority when assessing planning applications relating to proposed development of open space and sports facilities.

- 7.96 New development can place increasing pressure on existing open spaces. Developments therefore will be expected to deliver areas of open space to meet the varying needs of residents for recreation and leisure and also deliver attractive high quality neighbourhoods for people to live in. At least 10% of the total gross site area should be provided as local open space as an integral part of new development proposals. Exceptionally, where this is not possible, particularly where a development site is small, the site developer will be expected to provide a commuted sum towards the provision of open space off site.
- 7.97 Developments should help contribute to the accessibility, quantity and quality standards set out in Appendices N, P and Q in the Local Planning Authority's PPG17 Open Space, Sport and Recreation study (or updates as required). All open space shall be provided in a timely manner (so as to enable reasonable and appropriate access by new residents to this facility); should be fully equipped in a satisfactory manner as agreed by the Local Planning Authority; and, laid out at the expense of the developer and where appropriate, dedicated to the Local Planning Authority with suitable provision for ongoing maintenance. Further guidance on the level of contributions for commuted sums and the methodology for their calculation is set out in the Supplementary Planning Document on Provision of Open Space, Sports and Recreation Facilities (which will be updated as required).
- 7.98 All housing developments, including higher density development, should provide new residents with access to private and/or communal open space, in addition to public open space requirements. At least 25m² per dwelling of private/communal open space will be sought for flats and maisonettes, whilst houses should provide larger private gardens. Higher density schemes will be encouraged to utilise innovative design solutions to provide open space on difficult sites.
- 7.99 The Essex Design Guide sets standards for amenity space provision for new residential developments. The Urban Place Supplement recognised these standards were not always helpful for producing good quality development in compact urban developments and this evaluation has informed the requirement of this policy that generally seeks the provision of a minimum of 25m² of high quality, private amenity space for each dwelling. It is important that new development avoids the piecemeal provision of small areas of open space and instead provides sufficiently large areas of open space to serve as accessible and attractive zones for residents' leisure activity and recreation. Green links alongside existing hedgerows and tree lines can also have high amenity value.

Policy DM17: Retention of Open Space and Recreation Facilities

The Council will protect and enhance the existing network of green links and open spaces and secure additional areas where deficiencies are identified. The provision of public open space in developments should be informed by an appraisal of local context and community need and up to date evidence, with a particular regard to the impact of site development on biodiversity.

Development, including change of use, of any existing or proposed public or private open space, including allotments, will not be supported unless it can be demonstrated that:

- (i) Alternative and improved provision will be created in a location well related to the functional requirements of the relocated use and its existing and future users; and,
- (ii) The proposal would not result in the loss of an area important for its amenity or contribution to the green infrastructure network or to the character of the area in general; and
- (iii) It achieves the aims of any relevant prevailing strategy relating to open space and recreation.

Development proposals resulting in a loss of open space must additionally demonstrate that:

- (iv) There is an identified excess provision within the catchment of the facility and no likely shortfall is expected within the plan period; or
- (v) Alternative and improved provision will be supplied in a location well-related to the functional requirements of the relocated use and its existing and future users.

In all cases, development will not be permitted that would result in any deficiencies in public open space requirements or increase existing deficiencies in the area either at the time of the proposal or be likely to result in a shortfall within the plan period.

Additionally, development that would result in the loss of any small incidental areas of open space, not specifically identified on the policies map but which contribute to amenity value and the character of existing residential neighbourhoods, and any registered common, heathland or village green or which contribute to green infrastructure will not be permitted.

Policy DM18: Provision of Public Open Space

New residential development must provide for the recreational needs of new communities. The provision of open space helps to alleviate recreational pressure on sites of high nature conservation value (e.g. habitats sites) and also increases opportunities for participation in healthy lifestyles.

All new residential development will be expected to provide new public areas of accessible open space. Precise levels of provision will depend on the location of the proposal and the nature of open space needs in the area but as a guideline, at least 10% of the gross site area should be provided as useable open space. The Local Planning Authority will expect large sites of 5 hectares or more to provide at least one strategic area of open space within the site. This will be secured through planning obligations or CIL/equivalent infrastructure levy.

Where the Local Planning Authority accepts commuted sums in lieu of open space, the commuted sums will be used to provide additional open space or to improve existing open space in the locality of the development. Contributions may be pooled towards larger infrastructure projects and/or to provide larger areas of strategic open space where a need has been identified. A commuted sum is only likely to be acceptable in the following circumstances:

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

Policy DM19: Private Amenity Space

The Local Planning Authority will expect all new residential development to provide easy access to private amenity space and in the case of flatted development, private communal amenity space. The area of amenity space should be informed by the needs of residents and the accessibility of the location. Private amenity space and communal amenity space must be designed to optimise its use and meet the recreational needs of residents.

All new residential development shall provide private amenity space to a high standard, where the siting, orientation, size and layout make for a secure and usable space, which has an inviting appearance for residents and is appropriate to the surrounding context. All private amenity spaces shall be designed so as to avoid significant overlooking.

The following standards shall apply:

For houses:

- One or two bedroom houses – a minimum of 50m²
- Three bedroom houses – a minimum of 60m²
- Four bedroom houses – a minimum of 100m²

For flats:

- A minimum of 25m² per flat provided communally (where balconies are provided the space provided may be taken off the communal requirement).

A larger amount of private amenity space may be required for small infill (including backland) schemes to reflect the character of the surrounding area. Proposals for infill development will not be permitted if they unacceptably reduce the level of existing private amenity space provision for existing dwellings.

For proposals in accessible locations (in accordance with Policy DM9) where higher densities may be appropriate, reduced garden sizes for houses may be acceptable but a minimum of 25m² of useable private amenity space shall be provided for every home (either as gardens, balconies or roof gardens/terraces).

Promoting Sustainable Transport and Changing Travel Behaviour

- 7.100 The Spatial Strategy ensures that development is located to reduce the need to travel or development is of a scale that promotes sustainable transport that is accessible for all.
- 7.101 The NPPF requires the transport system to be balanced in favour of sustainable transport modes while recognising that different policies and solutions will be necessary in different areas. 2011 Census data shows that car ownership is highest in the rural areas of the Borough and lower in urban areas. However, the car is still the highest mode of travel used for journeys to work, even in urban areas, and congestion and air quality affect many of the roads within the urban areas. Therefore sustainable transport will continue to be encouraged where possible, particularly where growth is planned.
- 7.102 Good accessibility and access to a high quality and efficient transport network is essential to support new development and ensure that it is sustainable, enabling the community to access their needs (e.g. employment, shopping, schools) easily and without always needing a car. The Local Planning Authority will continue to work closely with Essex County Council, as the highway authority, Highways England, Network Rail, public transport infrastructure providers and operators or third party organisations with the ability and resources to deliver projects in the Borough.
- 7.103 Active modes such as walking and cycling are a high priority, being an essential and highly sustainable means of transport which also support a healthy lifestyle and a strong economy. Census data shows that 69% of people who live within Colchester Borough work within the Borough. The majority of Colchester residents live within 5km of the town centre and therefore walking and cycling have great potential as modes of transport. Travel change behaviour programmes will be pursued to encourage greater use of alternative modes. The Essex Cycling Strategy sets out the key elements of a long term plan that will lead to a significant and sustained increase in cycling in Essex. It acts as the over-arching policy framework to enable, provide and promote cycling in Essex. To encourage walking and cycling within Colchester, and to the town centre, the Local Planning Authority will seek to make improvements to the network to remove barriers to pedestrians and cyclists and enhancing the environment to provide people-friendly streets which give priority to sustainable modes of transport. Priority, safety and convenience for walking and cycling should be ensured at the design stage of any road schemes and all users should be considered.
- 7.104 Public transport has a crucial role to play in Colchester. Providing a quality public transport network that offers a genuinely attractive alternative to the car is vital. Transit corridors that prioritise public transport over other traffic will attract people to use public transport. Park and Ride facilities that offer easy access to the town via transit corridors will also help reduce congestion. For this reason it is important to safeguard land for new public transport infrastructure, such as bus lanes, interchange facilities and junction improvements.

- 7.105 The Local Planning Authority will also seek to deliver improvements to transport interchanges and public transport gateways. At present there are over 5 million passenger movements at Colchester's railway stations each year. Enhancing transport interchanges such as the railway and bus stations will present a more attractive gateway to businesses, commuters, tourists and local residents. The Colchester Station Travel Plan aims to manage congestion in the area by investing in infrastructure; increasing accessibility; encouraging access by sustainable travel and encouraging a high level of connectivity linking the station to the town centre and other key destinations.
- 7.106 The private car will continue to be a major mode of transport. However, growth in car travel and traffic needs to be managed to reduce congestion, improve air quality and promote a high quality of life and economic growth in Colchester. Car travel demand can be more carefully managed in urban areas through the use of alternatives and new technologies. Combining demand management of car traffic with improvements to sustainable alternatives and improved street design can greatly benefit the local community, businesses and the environment. All development should consider the content of Essex County Council's Highway Authority Development Management Policies.
- 7.107 Road freight and servicing will be facilitated where appropriate to promote economic and employment growth. Support will be given for improvements to the strategic road and rail network to accommodate growth. Consideration will be given to measures that discourage the use of high emission vehicles.
- 7.108 It is recognised that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas. Those living in rural areas are often most affected by lack of transport choices. Where appropriate, the Local Planning Authority will encourage connectivity by sustainable modes of transport including enhancing and promoting rural bus services.
- 7.109 There are two rail branch lines off the Great Eastern mainline in the Borough serving rural communities: the Gainsborough Line that links Marks Tey to Sudbury, serving both Chappel and Wakes Colne and Bures Stations; and the Sunshine Coast line; the Colchester to Clacton/Walton line. The Local Planning Authority will work with partners, including the Community Rail Partnership, to make the best use of rural rail stations, increase accessibility to stations and promote and increase the use of the branch lines in the Borough. The Local Planning Authority supports the aim to provide at least two trains an hour to all stations, including the rural branches.
- 7.110 The green infrastructure network in Colchester provides alternative sustainable transport corridors for people making journeys into and out of Colchester by active modes of transport. Policy ENV3 seeks to develop green infrastructure in the Borough, and the Local Planning Authority will support the development of the Colchester Orbital route around urban Colchester. The Local Planning Authority will seek opportunities from future developments where appropriate to improve connectivity between the Colchester Orbital route, the new developments and the

wider countryside. The Local Planning Authority will also seek opportunities where appropriate to improve the creation of and connectivity to the England/Essex Coast Path.

Policy DM20: Promoting Sustainable Transport and Changing Travel Behaviour

The Local Planning Authority will work with developers and other partners to increase modal shift towards sustainable modes by improving accessibility of development through the promotion of walking and cycling as an integral part of development, and by further improving public transport. In line with policy SG1 (Spatial Strategy), development that reduces the need to travel will be encouraged and sustainable transport will be improved to provide better connections between communities and their needs. This will be achieved by:

- (i) Safeguarding existing and proposed routes for walking, cycling and public transport, including rapid transit, park and ride, and green infrastructure, from development. New development will be expected to contribute towards maintaining continuity and enhancing these connections where appropriate;
- (ii) Focusing new walking and cycling improvements on areas of employment, education and health facilities, and on the town centre and public transport interchanges;
- (iii) Ensuring new developments are supported by quality public transport linking them to the main urban areas and major centres of employment, health and education. Access to public transport should be within walking or cycling distance of any new development;
- (iv) Reducing the need to travel by car by promoting higher densities near retail centres and public transport hubs, and encouraging mixed use development in appropriate locations;
- (v) Enhancing public transport gateways to Colchester to provide attractive entry points to, and excellent onward connections from, the rail stations in urban Colchester and Marks Tey, Wivenhoe, and Colchester Bus Station.

The Local Planning Authority will also work with partners to accommodate necessary car travel making the best use of the existing network and managing the demand for road traffic. The Local Planning Authority will support improvements to the strategic road, rail and cycle network where appropriate evidence is provided and local consultation undertaken.

Improvements will be made to the road network to support sustainable development and to reduce the impact of congestion. The demand for car travel will be managed to prevent adverse impacts on sustainable transportation, air quality, safety, local amenity and built character by:

- (vi) Encouraging a reduction in through traffic in the town centre to encourage trips to be undertaken by more sustainable modes;
- (vii) Encouraging use of new technology to better manage traffic, provide alternatives, facilitate the use of ultra-low emission vehicles and reduce the need to travel, particularly at peak times.

Where appropriate the use of sustainable travel in rural areas will be encouraged to minimise the impact of transport on sensitive rural areas. The Local Planning Authority will seek to make best use of rural rail services through promotion and improving access at stations.

Sustainable Access to Development

- 7.111 Good easy access to a high quality and efficient transport network is essential to support new development and ensure that it is sustainable. The NPPF sets out the government's approach to the location and design of developments to ensure that plans protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. The Local Planning Authority will work closely with Essex County Council as the highways authority to help promote good access to high quality, sustainable modes of travel within and from new developments.
- 7.112 One of the best ways to encourage sustainable modes is to fully consider the needs of all users at the design stage. Public transport has a crucial role to play in encouraging sustainable travel patterns at an early stage from new developments. Walking and cycling are also a high priority being healthy, affordable sustainable modes of travel and priority, convenience and safety for both modes should be ensured through design layout and the provision of on-site facilities. The current Colchester Cycling Delivery Strategy was adopted as SPD in January 2012. The latest version of this document should be taken into account in the design stage of new development to ensure cyclists and cycling facilities are taken into consideration through the provision of quality infrastructure, and funding promotion and cycle training to increase levels of cycling and create more sustainable and healthy travel patterns. The infrastructure appendix to the current SPD illustrates the network of existing and planned routes in Colchester.
- 7.113 Electric vehicle charging points and facilities for other ultra-low emission vehicles, or the infrastructure to ensure their future provision, should be provided within a development where appropriate to help reduce carbon emissions from transport. Providing for the future could include the provision of sufficient capacity on the electrical consumer unit and conduit to install an external charging point at a later date. Electric charging points should be provided within new commercial developments and car parks.
- 7.114 Any proposals must include sufficient information to assess the likely impact of the development. Transport Assessments or Transport Statements will be required for all developments likely to generate significant amounts of movement. Development should consider the Essex County Council (ECC) Development Management Policies which also provide further detail on the thresholds for Transport Assessments and Statements. Developers will need to demonstrate that the opportunities for sustainable transport modes have been taken up, safe and suitable access for all can be achieved and the impacts can be effectively mitigated within the transport network. Where lower than standard trip rates are proposed development will be expected to demonstrate through a package of sustainable transport measures that the proposed trip rates can be achieved. Where significant impacts are identified, development will not be permitted when the residual cumulative impacts are severe.
- 7.115 Developers will also be required to provide a Travel Plan for developments that generate significant amounts of movement in accordance with Essex County

Council Travel Plan guidelines. Current Essex County Council guidance requires all non-residential development proposals with 50 employees or more, residential developments of 250 dwellings or more, and new schools to produce a Travel Plan. Residential Travel Information Packs will be provided to all dwellings on new residential developments. Developments that generate significant amounts of movement will also be required to become members of the Colchester Travel Plan Club which provides a range of resources to promote travel behaviour change for local business and organisations in Colchester.

Policy DM21: Sustainable Access to Development

All new developments should seek to enhance accessibility for sustainable modes of transport. Proposals for development should:

- (i) Give priority to the movement of people walking and cycling;
- (ii) Create safe, secure, convenient and attractive layouts which minimise conflicts between traffic, cyclists and pedestrians;
- (iii) Link the development to the surrounding walking, cycling and public transport networks taking into consideration the Cycle Strategy SPD;
- (iv) Provide and give access to quality public transport facilities;
- (v) Ensure streets and junctions are designed to provide people-friendly street environments and to give priority to sustainable transport;
- (vi) Incorporate charging facilities for electric and other ultra-low emission vehicles where appropriate, or as a minimum the ability to easily introduce such facilities in the future;
- (vii) Ensuring accessibility for those with impaired mobility; and
- (viii) Accommodate the efficient delivery of goods and services.

Access to all development should be created in a manner which maintains the right and safe passage of all highway users. Where development requires a new road or road access it should be designed to give high priority to the needs of pedestrians and cyclists.

Development will only be allowed where there is physical and environmental capacity to accommodate the type and amount of traffic generated in a safe manner. Developments that generate significant amounts of movement will require a Transport Statement or Transport Assessment in line with the thresholds set in the latest Essex County Council development management policies relating to highways. Where lower than standard trip rates are proposed development will be expected to demonstrate through a package of sustainable transport measures that the proposed trip rates can be achieved. A masterplan approach to assess cumulative impacts may be required in complex locations with closely related and located developments.

All non-residential developments that generate significant amounts of movement will be required to produce a Travel Plan in accordance with Essex County Council Travel Plan Framework guidance and where appropriate will be required to become members of the Colchester Travel Plan Club. All new residential developments and schools will be required to produce a Travel Plan or provide Residential Travel Packs in accordance with Essex County Council Travel Plan Framework guidance.

Parking

- 7.116 The Local Planning Authority will work with partners to ensure that car parking is managed to support the economy and sustainable communities. The lack of, or poor planning of parking provision, can have a negative impact on the public realm and the local highway network and can restrict the accessibility and mobility needs of people and businesses. Over provision and poor management can lead to the inefficient use of land and can also discourage greater use of more sustainable modes of transport.
- 7.117 The Essex Parking Standards 2009 provide the Local Planning Authority with advice and guidance on the provision and role of parking within residential, commercial and leisure areas. However, the Local Planning Authority recognises that there needs to be flexibility to provide appropriate car and cycle parking based on local circumstances. The adopted SPD will continue to inform this policy and will provide guidance on levels of parking considered necessary to serve development. Developers will be expected to provide car parking on new developments in accordance with the most up to date standards, having regard to the nature of the development and location. The parking standard will be used as a point of reference for non-residential development but a more flexible approach will be considered if the applicant can demonstrate through parking surveys and accumulation data, provision of alternative forms of transport and or use of an alternative car park that a lower level of parking is acceptable. However, a lower standard will not be permitted where local evidence demonstrates a high demand for parking spaces, i.e. convenience stores.
- 7.118 The Parking SPD will be reviewed to ensure it is applicable locally with regard to the most recent evidence and Census data regarding local car ownership and car usage.
- 7.119 Where new development requires the submission of a Travel Plan, it will be necessary to ensure that the Travel Plan integrates proposals for parking with proposals to encourage the use of sustainable modes of transport. Parking for staff, visitors and operational uses will be managed as part of the Travel Plan.
- 7.120 Car free and low car development will be allowed in the Town Centre where it can be demonstrated that this is appropriate as a result of effective alternative modes of transport, and or access to a car provided through a car club.
- 7.121 Where the Local Planning Authority receives an application for a stand-alone new car park, or for the expansion of an existing car park, this will be considered on its merits based on evidence of need. Proposals should include the provision of electric charging points. In the town centre, short stay car parking will be provided where necessary to facilitate the economic and social wellbeing of the town centre. Redevelopment of existing surface car parks will be considered in the context of needing to ensure a neutral effect on the overall supply of town centre parking. Greater use of park and ride will be encouraged and additional sites will be sought that support growth, help manage congestion and can deliver more people sustainably to the key destinations in and around the town centre.

7.122 Encouraging the use of electric and other ultra-low emission vehicles helps reduce carbon emissions and reduces harmful emissions, particularly as Colchester has a number of transportation related air quality areas. With the growth in electric vehicles owners will need to have suitable infrastructure to re-charge vehicles. Infrastructure needs to be installed at a variety of locations to enable effective recharging. Different chargers will be needed such as slow, fast or rapid chargers depending on location and the target market. The market and technology are still developing and the situation may change significantly during the plan period.

7.123 To encourage greater take up of electric vehicles more charging points are required particularly in public places or in car parks (public and private). In order to ensure that new developments are equipped with the necessary infrastructure, proposals should include appropriate provision for electric car charging points. For larger developments, details of how electric vehicle charging will be allocated, located and managed should, where applicable, be included within the relevant Transport Assessment and Transport Statement.

Policy DM22: Parking

The amount of car parking to be provided in association with new residential development will be assessed using the most recent local Parking Standards taking account of the following factors:

- (i) Levels of local accessibility;
- (ii) Historic and forecast car ownership levels;
- (iii) The size, type, tenure and location of the dwellings;
- (iv) The appropriate mix of parking types including opportunities for car-sharing (e.g. unallocated, on-street, visitor, car club etc);
- (v) The need to ensure facilities are incorporated for electric and other ultra-low emission vehicles.

Parking Standards for non-residential development should be agreed through joint discussions with the local Highway Authority and the Local Planning Authority in accordance with the most recent local Parking Standards, with a more flexible approach to the parking standards only considered if supported by a parking survey and accumulation data. Local evidence suggests some uses require the maximum parking standard to be applied. Non-residential development shall include provision of electric charging points. Parking for staff, visitors and operational uses should be managed as part of a Travel Plan. Where opportunities arise, for example on mixed use sites, shared parking and car sharing will be encouraged as part of an agreed Travel Plan to make efficient use of land to support quality development.

Secure cycle parking should be incorporated into all residential development proposals and should be accessible, convenient to use, well laid out and used exclusively for cycle parking. In the case of flats and shared accommodation, secure cycle parking will be incorporated into development proposals and located near the entrance to the building. Cycle parking must be useable and

function to serve its purpose and Sheffield type stands will be the preferred cycle stand.

In appropriate circumstances, namely urban locations served by sustainable travel options and alternative car parking spaces in public/communal facilities within approximately 400m, parking standards may be relaxed or car-free development may be acceptable in order to reflect accessibility by non-car modes, and/or to enhance the character of sensitive locations. The use/establishment of a car club may be required.

Applications for new or expanded car parking provision will be considered on an individual basis in relation to evidence and need. The existing car parking availability, current usage and, where appropriate, the existence of a Travel Plan and the current use of non-car modes, should all be demonstrated. New car parks should include electric charging points.

Where possible large car parks, for example serving town centres and out of town retail, leisure and business parks, should be stacked and/or underground to facilitate improved place-making, provide town centre equality, and result in more compact forms of development which use less land and prioritise sustainable transport. Redevelopment of existing surface car parking will also be considered to make efficient use of land, improve the townscape and support regeneration.

Greater use of Park & Ride will be encouraged especially for trips to the town centre and other major establishments along the route of the service. Further Park and Ride sites will be developed to help support growth and give access to the town centre.

Proposals for additional car parking in Dedham will be supported where they comply with all other policies in the Local Plan.

The Local Planning Authority will work with transport providers and highways authorities to provide facilities for freight and servicing.

Flood Risk and Water Management

- 7.124 National policy categorises zones of flood risk as Zone 1 (low probability), Zone 2 (medium probability), Zone 3a (high probability) and Zone 3b (functional floodplain). These flood zones are defined in Table 1 in the Flood Risk and Coastal Change National Planning Practice Guidance and are shown on the on the Government's Flood Map for Planning. The Environment Agency have also produced the updated Flood Map for Surface Water. Both are available on the GOV.UK website.
- 7.125 The overall aim of national policy and guidance on flood risk is to steer new development to land with the lowest risk from flooding) (Flood Zone 1) as a priority and to ensure that the development being proposed is compatible and safe over its lifetime relative to the Flood Zone it will be located in. Table 2 of the Planning Practice Guidance sets out a flood risk vulnerability classification for different land uses while Table 3 provides a 'compatibility' table for specific land uses in the different flood zones (including in Flood Zones 3a and 3b). The notes accompanying Table 3 set out the principles to be followed in relation to the application of the Sequential Test and Exception Test, including the need to consider risk from all sources of flooding and not just from rivers and sea.
- 7.126 It is important that flood risk is assessed early in the plan making process. National policy/guidance requires the production of Strategic Flood Risk Assessments to enable flood risk from all types of flooding (including an allowance for climate change) to be considered at a strategic level. The SFRA is the key piece of evidence used to allocate land in the Local Plan. The NPPF and PPG also requires Local Planning Authorities to adopt a sequential approach when allocating development sites in their Local Plans relative to their flood risk, flood vulnerability and proposed use.
- 7.127 The Sequential Test and (Exception Test where applicable) enables Local Planning Authorities to employ this sequential approach when allocating land.
- 7.128 Flood risk was considered early in the site selection process in the Colchester Local Plan. As part of the site assessment process (SLAA), greenfield sites where more than 50% fell within flood zone 3 were immediately ruled out. On completion of the SLAA, the Local Planning Authority commissioned a Strategic Flood Risk Assessment (SFRA) for Colchester. The SFRA was then used to apply the Sequential and Exceptions Test (where necessary) to assist the allocation of development sites in the emerging Local Plan.
- 7.129 The application of the Sequential Test involved initially directing new development to land in Flood Zone 1 (areas with a low probability of river or sea flooding). Where there were no reasonably available sites in Flood Zone 1, reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), were then considered. Where there were no reasonably available sites in Flood Zones 1 or 2 the suitability of developing sites in Flood Zone 3 (areas with a high probability of river or sea flooding) was then considered. When considering the allocation of sites in Flood Zones 2 & 3, the

Local Planning Authority also took flood risk vulnerability of the proposed land uses and the need for the application of the Exception Test into account.

- 7.130 When applying the Sequential Test the area of search for reasonably available sites was applied at the Borough level. The exception to this was in East Colchester Special Policy Area where the area of search for reasonably available alternative sites was restricted to East Colchester.
- 7.131 This alternative approach for East Colchester which was agreed by both DCLG and the Environment Agency in 2008 when the Core Strategy was being prepared was deemed necessary to enable the continued regeneration of this part of town. The regeneration of East Colchester is still ongoing therefore the Council will continue to apply the alternative approach.
- 7.132 The methodology for the application of the Sequential Test has been agreed with the Environment Agency. The Sequential Test Report will be published as part of the Local Plan evidence base. When preparing planning applications, developers should refer to the Flood Risk Sequential Test Report, for detailed site specific measures and mitigations that need to be delivered to ensure that flood risk is properly addressed as part of development proposals.
- 7.133 The NPPF and PPG also require individual Flood Risk Assessments to be prepared in certain circumstances to assess flood risk at the site specific level. Site specific Flood Risk Assessments must therefore be submitted with planning applications for all development proposals in Flood Zone 2 or 3 and in Flood Zone 1 for sites over 1 hectare (ha), land which has been identified by the Environment Agency as having critical drainage problems, land identified in a strategic flood risk assessment as being at increased flood risk in future, or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.
- 7.134 The NPPF and PPG also set out the requirements for the use for Sustainable Drainage Systems (SuDS) to minimise the risk of flooding from new development. While all development should include SuDS within their design, only major development proposals are subject to consultation with ECC as Local Lead Flood Authority. A surface water drainage strategy should therefore be submitted with all major planning applications to ensure that the need for SuDS has been properly considered as part of the planning application process. These and the Local Planning Authority's most up to date SFRA will be used to consider planning applications where relevant.
- 7.135 Development in higher risk flood zones will be restricted to certain categories where an identified need for that type of development in that location exists. The Exception Test allows for development in high risk areas but is only to be applied where there is no other option i.e. where there are large areas of land in Flood Zones 2 and 3 and the Sequential Test cannot deliver acceptable alternative sites, but where some continuing development is necessary. Advice on the Exception test is included in the PPG. Where development proceeds in areas with a known flood risk, mitigation measures will need to be delivered as part of

proposals not only to alleviate risk to people and property, but also to ensure that the development is safe over its planned lifetime.

- 7.136 Small sites (less than 1ha) in Flood Zone 1 that are surrounded by Flood Zone 2 or 3 land, i.e. dry islands, are likely to be treated in the same way as the surrounding land. Each area will have its unique characteristics and a site specific Flood Risk Assessment may be required even for those sites less than 1ha to ensure that safe access / egress exists for the development and that residents are safe during the duration of the flood period.
- 7.137 The use of SuDS to manage water run-off can be an important tool in minimising flooding by increasing the provision of permeable surfaces in an area that allow water to seep gradually into the ground rather than running directly into a drainage network, thereby reducing the risk of overloading the system. SuDS can also help reduce the impact of diffuse pollution from run-off and flooding. The effective use of permeable surfaces, soakaways and water storage areas should be incorporated in all new development where technically possible. Early consideration should be given to the potential to use SuDS to identify when/where the use of such technologies is feasible and to also identify which type of SuDS is most appropriate to local site conditions. Only where there is a significant risk of pollution to the water environment, inappropriate soil conditions and/or engineering difficulties, should alternative methods of drainage discharge of water from a site be considered.
- 7.138 Developers will be encouraged to enter into early discussions with the Local Planning Authority and the Lead Local Flood Authority and as part of discussions, maintenance and long term adoption responsibilities should be explored and agreed, where possible, as part of the SuDS approval process, prior to the start of development.
- 7.139 Colchester's Surface Water Management Plan (SWMP) 2013, which only covers urban Colchester, has identified 9 Critical Drainage Areas (CDAs) and Local Flood Risk Zones (LFRZs). Essex County Council have produced an update to the SWMP Action Plan in 2018. As of April 2018, there are now 12 CDAs and LFRZs within urban Colchester. These can be found on the Essex County Council Asset Register. These delineate the areas where the impact of surface water flooding is expected to be greatest within Colchester. It is acknowledged that the CDAs (and LFRZs) do not account for all the areas that could be affected by surface water flooding. It is therefore important that the policies seek to reduce the risk from surface water flooding throughout the whole Borough. The SWMP also encourages Essex County Council to implement similar policies, so that both authorities promote and apply best management practises regarding the implementation of SuDS and the reduction of runoff volumes.
- 7.140 All new developments in urban Colchester falling within Critical Drainage Areas will be required to contribute towards the delivery of flood defence solutions within the respective CDAs as specified in the SWMP for Colchester.

Policy DM23: Flood Risk and Water Management

The Local Planning Authority will seek to direct development away from land at risk of flooding in accordance with the National Planning Policy Framework and the Planning Practice Guidance. Sites proposed for allocation in the Local Plan have been considered sequentially with respect to flood risk. The Sequential Test will be applied to planning applications for new sites coming forward that have not been allocated through the Plan.

Development will only be supported where it can be demonstrated that the proposal meets flood management requirements in the NPPF, the PPG and policy DM23.

Development proposals will be required to deliver or contribute to the delivery of flood defence/protection measures and/or flood mitigation measures to minimise the risk of increased flooding both within the development boundary and off-site in all flood zones and to ensure that the development remains safe throughout the life of the development. Proposals that include measures to enhance the flood resilience of new or renovated buildings will be encouraged, particularly in areas with a history of local flooding.

Where proposals that require planning permission include driveways, hardstanding or paving, the use of permeable materials and landscaping will be sought to minimise the cumulative impacts of flooding from such developments.

Developments will also be required to comply with the following as indicated in the Colchester Surface Water Management Plan (or updates if appropriate):

- (i) All developments across the catchment (excluding minor house extensions less than 50m²) which result in a net increase in impermeable area are to include at least one 'at source' SuDS measure e.g. bio-retention planter box, green/brown roofs). This is to help reduce the peak volume of run off discharging from development sites. It is recommended that a SuDS treatment train is utilised to assist in this reduction;
- (ii) All major development proposals are required to reduce post-development runoff rate back to the greenfield 1 in 1 year rate, with an allowance for climate change. On brownfield sites where this is not achievable, then a minimum betterment of 50% should be demonstrated for all flood events. This approach accords with the NPPF/PPG and the most up to date UKCIP guidance). All minor sites should limit discharge rates as much as practical while considering the increased risk of blockage associated with smaller outfall orifice sizing;
- (iii) Developments located in any of the Critical Drainage Areas (CDAs) as defined in Colchester's Surface Water Management Plan or Local Flood Risk Zones (LFRZs) and redevelopments of more than one property or area greater than 0.1 hectare should seek betterment to a greenfield runoff rate;
- (iv) New developments in Critical Drainage Areas will be required to provide or contribute towards the provision of flood mitigation options via CIL/ S106 contributions, identified in the Colchester Surface Water

Management Plan, to reduce or mitigate the risk of flooding to existing properties located within the CDA and to accommodate the drainage needs of the new developments.

Policy DM24: Sustainable Urban Drainage Systems

All new residential and commercial development, car parks and hard standings should incorporate Sustainable Drainage Systems (SuDS) appropriate to the nature of the site. Such systems shall provide optimum water runoff rates and volumes taking into account relevant local or national standards; and shall ensure that the quality of runoff is consistent with the requirements of the Water Framework Directive. SuDS design quality will be expected to conform with standards encompassed in the relevant BRE, CIRIA standards and Essex County Local Planning Authority's SuDS Design Guide (and as updated) to the satisfaction of the Lead Local Flood Authority.

Surface water should be managed as close to its source as possible and on the surface where practicable to do so through the use of green roofs, rain gardens, soakaways and permeable paving. Maximum use should also be made of low land take drainage measures such as rain water recycling, green roofs, permeable surfaces and water butts. Appropriate pollution control measures should be incorporated as part of SuDS to reduce the risk of pollution. Including through reference to the CIRIA SuDS Manual, it must be ensured that sufficient treatment steps are provided prior to any surface water discharge. Regard should be given to both the nature of the proposed development and the sensitivity of the receiving water environment.

Opportunities should be taken to integrate sustainable drainage within the design of the development, to create amenity space, enhance biodiversity and manage pollution. Existing drainage features such as ditches and ponds should be retained on site where possible as part of SuDS schemes.

Only where there is a significant risk of pollution to the water environment, inappropriate soil conditions and/or engineering difficulties, should alternative methods of drainage be considered. It will be necessary to demonstrate why it is not achievable. If alternative methods are to be considered, adequate assessment and justification should be provided and consideration should still be given to pre- and post-runoff rates.

SuDS design should be an integral part of design proposals and clear details of proposed SuDS together with how they will be managed and maintained will be required as part of any planning application. Only proposals which clearly demonstrate that a satisfactory SuDS layout with appropriate maintenance is possible, or compelling justification as to why SuDS should not be incorporated into a scheme, or are unviable, are likely to be successful. Contributions in the form of commuted sums may be sought in legal agreements to ensure that the drainage systems can be adequately maintained into the future. The SuDS should be designed to ensure that the maintenance and operation requirements are economically proportionate.

Renewable Energy, Water, Waste and Recycling

- 7.141 Climate change is an important issue, which underpins the Local Plan. New developments will need to help address the challenges of climate change, and contribute positively towards the future sustainability of Colchester Borough. Policy CC1 sets out how the Local Planning Authority will achieve a low carbon future for Colchester.
- 7.142 To tackle climate change and improve sustainability, it is important for the Local Planning Authority to promote energy, water, waste and recycling efficiency and renewable energy in new developments. In its commitment to deliver sustainable communities the Local Planning Authority is seeking to create communities that use natural resources sustainably, and minimise waste.
- 7.143 The Local Planning Authority will support proposals for onshore and offshore wind farms (and associated infrastructure) and solar farms that satisfy the broad objectives set out in Policy DM25. Preferable locations include industrial areas and utilising roofs. The Local Planning Authority will also support the development of community led renewable energy schemes as part of Neighbourhood Plans and encourage the delivery of District Heating Schemes within the Garden Community and as part of future development in the Northern Gateway.
- 7.144 BRE has developed the Home Quality Mark (HQM) as part of the BREEAM family of quality and sustainability standards. The HQM will enable developers to showcase the quality of their new homes, and identify them as having the added benefits of being likely to need less maintenance, cheaper to run, better located, and more able to cope with the demands of a changing climate. The HQM demonstrates a home's environmental footprint and its resilience to flooding and overheating in a changing climate, highlights the impact of a home on the occupant's health and wellbeing, and evaluates the digital connectivity and performance of the home. The Local Planning Authority will support developers who choose to register their homes under the HQM. Non-residential development will be encouraged to achieve a BREEAM rating of 'very good'.
- 7.145 Ensuring a continual supply of water in the Borough is likely to become increasingly important in light of climate change. It will be important that water resources continue to be protected for present and future generations. They should be used efficiently to make the maximum use of the resource and to reduce the need for major new water storage facilities and related infrastructure
- 7.146 The Water Cycle Study report concluded that development at sites shown to have potentially limited sewer network capacity should be subject to pre-development enquiry with Anglian Water to determine if infrastructure upgrades are needed prior to planning permission being granted.
- 7.147 With regards to water supply, the overall recommendation in the Water Cycle Study was the need to move towards a more water neutral position to enhance the sustainability of new development coming forward. To achieve this, the report recommended reducing water demand and retrofitting easy fit water savings

devices into the existing domestic housing stock and business premises where practical to do so.

7.148 Colchester Borough falls within an area classified as having serious water stress. (See the Environment Agency 2013 'Water stressed areas final classification report' and the Joint advice to Local Planning Authorities: Optional Higher Water efficiency standard for new housing (February 2020)). The Anglian River Basin Management Plan (2015) highlights the role that increased efficiency can play in preventing deterioration in water bodies. In recognition of the increasing demand for water and serious water stress within the Borough, the Local Planning Authority will require developments to incorporate water saving measures, in line with the tighter optional requirement of Part G2 of national Building Regulations of 110/l/h/d.

7.149 The Council is seeking to minimise waste and improve reuse and recycling rates through better recycling services and public awareness programs. It has a current aspirational target of 60% recycling of household waste. At present approximately 48% of household waste is recycled. The Council will continue to improve services and information to further help increase recycling rates over the Local Plan period. New developments will be expected to support this target by employing best practice technology to optimise the opportunities for recycling and minimising waste and by providing better recycling facilities. This will include easy recycling systems for the householder as required in DM12 Housing Standards, but also recycling on the go facilities in public areas.

Policy DM25: Renewable Energy, Water, Waste and Recycling

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

The Local Planning Authority will support residential developments that help reduce carbon emissions in accordance with national Building Regulations. The use of the Home Quality Mark will be supported. Non-residential developments will be encouraged to achieve a minimum BREEAM rating of 'Very Good'.

The Local Planning Authority will encourage the use of sustainable construction techniques in tandem with high quality design and materials to reduce energy demand, waste and the use of natural resources, including the sustainable management of the Borough's water resources.

To achieve greater water efficiencies new residential developments will be required to meet the Building Regulation optional higher water efficiency standard of 110 litres per person per day, as set out in Building Regulations part G2.

To help meet waste reduction and recycling targets, the Local Planning Authority will support proposals for sustainable waste management facilities identified in the Waste Management Plan which minimise impacts on the communities living close to the sites (noise, pollution, traffic) and on the local environment and landscape. New developments will be expected to support this objective by

employing best practice technology to optimise the opportunities for recycling and minimising waste and by providing better recycling facilities.

The Local Planning Authority will support proposals for renewable energy projects including micro-generation, offshore wind farms (plus land based ancillary infrastructure) solar farms, solar panels on buildings, wind farms, District Heating Networks and community led renewable energy initiatives at appropriate locations in the Borough, which will need to be subject to a Habitats Regulations Assessment and if necessary an Appropriate Assessment, to help reduce Colchester's carbon footprint.

Renewable energy schemes with potential for adverse effects on internationally or nationally designated nature conservation sites, sites or nationally designated landscapes (Dedham Vale AONB) and heritage assets, will only be supported in exceptional circumstances, where it can be demonstrated that the designation objectives for the area will not be compromised, that adverse impacts can be adequately mitigated or where it can be demonstrated that any adverse impacts are clearly outweighed by the social and economic benefits provided by the energy proposal.

All applications for renewable energy proposals should be located and designed in such a way to minimise increases in ambient noise levels. Landscape and visual impacts should be mitigated through good design, careful siting and layout and landscaping measures. Transport Assessments covering the construction, operation and decommissioning of any wind farm or solar farm proposal will be required and should be produced at the pre-application stage so acceptability can be determined and mitigation measures identified. A condition will be attached to planning consents for wind turbines and solar farm proposals to ensure that the site is restored when the turbines or panels are taken out of service.

8. Delivery Strategy and Implementation

- 8.1 The Local Planning Authority will work in partnership with a range of public, private and voluntary sector organisations to co-ordinate investment and ensure the successful implementation and delivery of the Local Plan Vision, Objectives and policies. To achieve this aim, the Local Planning Authority will use a range of mechanisms including masterplanning, planning performance agreements, and formation of delivery bodies. This work will occur both at the strategic Garden Community level, as explained in Section 1 of the plan, and at the more local level, as provided in the policies and allocations for sites in Colchester set forth in Section 2 of the Plan. The Local Planning Authority's Infrastructure Delivery Plan sets out the strategic infrastructure requirements of new development across the Borough along with information on delivery partners, timing and funding.
- 8.2 A key mechanism for implementing the Local Plan is the consideration of planning applications through the development management process. The Local Plan should be read as a whole and applications for planning permission will be considered against all relevant policies in the Local Plan, the NPPF and other material considerations.
- 8.3 The Local Planning Authority has assessed the Local Plan to ensure its policies and allocations support economic prosperity and development viability. As explained in Policy SG7, developers will be required to contribute towards providing and enhancing infrastructure. Planning obligations through Section 106 will continue to provide funding to mitigate negative impacts relating to a specific development. CIL will complement and not duplicate planning obligations.

9. Monitoring

- 9.1 The Local Plan will need to be monitored regularly in order to assess the effectiveness of policies and identify the need for review of any or all policies. The following table of Targets and Monitoring Indicators lists the indicators that will be used to monitor delivery and progress on plan targets. The Local Planning Authority will gather monitoring information together in its annual Authority Monitoring Report (AMR). The AMR will measure progress on the implementation of policies and the delivery of new development and supporting infrastructure using appropriate targets and indicators. The AMR will include an annual updated housing trajectory which will set out the net additional dwellings completed to date and the estimated future completions for the remainder of the plan period.

Table 1: Monitoring Targets and Indicators

Policies	Local Plan Objectives	Targets	Key Indicators in Authority Monitoring Report
SG-Sustainable Growth Policies	Ensure new development is sustainable and minimises the use of scarce natural resources and addresses the causes and potential impacts of climate change, and encourages renewable energy.	Allocate sufficient employment land in line with spatial strategy and evidence base.	Permissions granted for employment and leisure by type
	Focus new development at sustainable locations to create new communities with distinctive identities whilst supporting existing communities, local businesses, and sustainable transport. Provide high quality housing of all tenures at accessible locations to accommodate our growing community.	Deliver new housing in line with spatial strategy and Objectively Assessed Need target of 920 units per annum.	Housing completions per annum (net)
	Ensure there are sufficient sites allocated in the right locations to support employment growth over the plan period.		
	Focus development at accessible locations which support public transport, walking and cycling, and reduce the need to travel.	Increase share of non-motorised transport.	Monitor modal splits and self-containment via Census; take-up of Travel Plans
	Secure infrastructure to support new development.	Delivery of infrastructure schemes identified in the Local Plan.	Key infrastructure projects delivered
	Promotion of healthy lifestyles through		

Colchester Borough Local Plan 2017 – 2033 Section 2

Policies	Local Plan Objectives	Targets	Key Indicators in Authority Monitoring Report
	the provision and enhancement of sport and recreation facilities, public open space and green infrastructure.		
CC Climate Change Policy	Shape places and secure new development so as to minimise vulnerability and provide resilience to impacts arising from climate change, and to do so in ways consistent with cutting wider greenhouse gas emissions that are outside of the Council's own building services and operations.	The target to reduce carbon emissions by 40% from 2008 baseline data by 2020 applies to the Council's own buildings, services and operations. New development to comply with building regulations requiring reductions in carbon emissions.	Greenhouse Gas Emissions reporting Local Authority Carbon Management Plan
ENV Environment Policies	Protection of the countryside and coast Developing a green infrastructure network across the borough. Ensure new development avoids areas of flood risk and reduce future flood risk where possible. Protection and enhancement of landscapes, biodiversity, green spaces, air and water quality, and river corridors.	Minimise impact of new development in areas designated due to their environmental importance Zero applications to be approved contrary to Environment Agency advice of flood risk/flood defence grounds. All developments to incorporate water management schemes including Sustainable Urban Drainage (SUDs). Zero percent loss of Local Wildlife Sites; ancient woodland; and priority habitats and species. Manage visitor numbers at habitats Sites at levels that do not cause damage or affect site integrity.	Amount of development in designated areas Number of planning applications approved contrary to advice given by the EA Number of major schemes incorporating water management schemes. Number and area of sites/habitats within the Borough Record number of visitors to habitats sites

Colchester Borough Local Plan 2017 – 2033 Section 2

Policies	Local Plan Objectives	Targets	Key Indicators in Authority Monitoring Report
		No increase in number of Air quality management Districts (AQMDs)	Number of AQMDs
Place Policies	<p>Ensure the unique qualities of different communities and environments paying particular attention to heritage assets, in the Borough are identified, protected and enhanced through policies and allocations which ensure high quality, consistency, equity and responsiveness to local character.</p> <p>Promote high quality design and sustain Colchester's historic character, found in its buildings, townscape and archaeology.</p> <p>Improve streetscapes, open spaces and green links to provide attractive and accessible spaces for residents to live, work and play.</p>	<p>Assist communities in the preparation of Neighbourhood Plans.</p> <p>Zero percent of new developments to result in loss of Grade I and II* and scheduled monuments at risk.</p> <p>New development to contribute to open space, green infrastructure and streetscape improvements.</p> <p>Provide 30% of all housing on qualifying sites as affordable housing.</p>	<p>Number of Neighbourhood Plans adopted</p> <p>Number of listed buildings lost</p> <p>Delivery of public open space, green infrastructure and streetscape improvements</p> <p>Percentage of affordable housing units provided on qualifying sites</p>

Glossary

Affordable Housing – The Council's definition will accord with the current definition in the National Planning Policy Framework (or any successor document) but will also include those uses eligible under Essex County Council's Independent Living Programme. It includes social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Affordable housing should meet the needs of eligible households including availability at a cost low enough for them to afford, determined with regard to local incomes and local house prices.

Air Quality Management Areas (AQMA) – Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.

Area of Outstanding Natural Beauty (AONB) – Areas of high scenic quality that have statutory protection in order to conserve and enhance the natural beauty of their landscapes.

Authority Monitoring Report (AMR) – A report published annually by the Local Planning Authority monitoring progress in delivering progress in Local Plan policies and allocations.

Brownfield Land (also known as Previously Developed Land) - Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

Community Facilities - Are buildings, which enable a variety of local activity to take place including, but not limited to, the following:

- Schools, Universities and other educational facilities
- Libraries and community centres
- Doctors surgeries, medical centres and hospitals
- Public houses and local shops
- Museums and art galleries
- Child care centres
- Sport and recreational facilities
- Youth clubs
- Playgrounds
- Cemeteries
- Places of worship

Community Infrastructure Levy (CIL) – A mechanism by which local authorities can set a standard charge on specified development in their area to pay for new infrastructure required to support growth.

Competent person (to prepare site investigation information) - A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.

Development – The definition in Section 55 of the Town and Country Planning Act 1990 is ‘means the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change in the use of any building or other land’.

Development Plan – This includes adopted Local Plans, neighbourhood plans and is defined in section 38 of the Planning and Compulsory Purchase Act 2004. The development Plan is the starting point for decision making.

District Centre – important role serving the day-to-day needs of their local populations as well as providing access to shops and services for neighbouring areas across and beyond the Borough, but not to a level comparable with Colchester Town Centre.

Edge of centre - For retail purposes, a location that is well connected and up to 300 metres of the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

Habitats Sites - The network of protected sites established under the Birds Directive and Habitats Directive (includes SPA, SAC, and Ramsar sites).

Garden Community – Communities which are holistically planned new settlements that respond directly to their regional, local and individual site context and opportunities to create developments underpinned by a series of interrelated principles which are based on the following TCPA Garden City Principles:

- Land value capture for the benefit of the community.
- Strong vision, leadership and community engagement.
- Community ownership of land and long-term stewardship of assets.
- Mixed-tenure homes and housing types that are genuinely affordable.
- A wide range of local jobs in the Garden City within easy commuting distance of homes.
- Beautifully and imaginatively designed homes with gardens, combining the best of town and country to create healthy communities, and including opportunities to grow food.
- Development that enhances the natural environment, providing a comprehensive green infrastructure network and net biodiversity gains, and that uses zero-carbon and energy-positive technology to ensure climate resilience.

- Strong cultural, recreational and shopping facilities in walkable, vibrant, sociable neighbourhoods.
- Integrated and accessible transport systems, with walking, cycling and public transport designed to be the most attractive forms of local transport.

Green Infrastructure – A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

Greenfield Site - Land which has never been built on before or where the remains of any structure or activity have blended into the landscape over time.

Gypsies and Travellers - Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such. In determining whether persons are "gypsies and travellers" consideration will be given to the following issues amongst other relevant matters:

- a) whether they previously led a nomadic habit of life
- b) the reasons for ceasing their nomadic habit of life
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

Habitat Regulations Assessment (HRA) - The Habitat Regulation Assessment is a statutory requirement under the Conservation (Natural Habitats) (Amendment) (England and Wales) Regulations 2010 (as amended). An HRA is required for a plan or project which, either alone or in combination with other plans or projects is likely to have a significant effect on the integrity of a European/Habitats site.

Infrastructure - Infrastructure means any structure, building, system, facility and/or provision required by an area for its social and/or economic function and/or well-being including (but not exclusively):

- footways, cycleways and highways
- public transport
- drainage and flood protection
- waste recycling facilities
- education and childcare
- healthcare
- sports, leisure and recreation facilities
- community and social facilities
- cultural facilities
- emergency services
- green infrastructure
- open space
- affordable housing
- broadband
- facilities for specific sections of the community such as youth or the elderly.

Local Centre – An essential role providing a range of small shops and services to meet the basic needs of local communities, serving a small catchment.

Local Development Scheme (LDS) - This is the project plan for a three year period for the production of all documents that will comprise the Local Plan. It identifies each Local Development Document and establishes a timetable for preparing each.

Local Plan - The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. Current core strategies or other planning policies, which under the regulations would be considered to be development plan documents, form part of the Local Plan.

Local Wildlife Sites – Habitats identified by Essex Wildlife Trust as important for the conservation of wildlife.

Main Town Centre Uses – As defined in the National Planning Policy Framework, main Town Centre uses include retail development (Including warehouse clubs and factory outlet centres); leisure, entertainment facilities the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

Mineral Safeguarding Area - An area designated by Minerals Planning Authorities (Essex County Council) which covers known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development.

National Planning Policy Framework (NPPF) - Government planning policy which replaces a large number of Planning Policy Guidance notes and Planning Policy Statements with one single document. It sets out new planning requirements and objectives in relation to issues such as housing, employment, transport and the historic and natural environment amongst others.

Neighbourhood Plan - A plan prepared by a Parish Council, Neighbourhood Forum, or other locally constituted community group, for a particular neighbourhood.

Objectively Assessed Housing Need (OAHN) – The National Planning Policy Framework requires that local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, including identifying key sites which are critical to the delivery of the housing strategy over the plan period. Further guidance provided in Planning Practice Guidance provides that ‘The assessment of development needs is an objective assessment of need based on facts and unbiased evidence. Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic under performance, viability, infrastructure or environmental constraints. However, these considerations will need to be addressed when bringing evidence bases together to identify specific policies within development plans.’

Open space - All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

Original building - A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

Out of centre - A location which is not in or on the edge of a centre but not necessarily outside the urban area.

Out of town - A location out of centre that is outside the existing urban area.

Permitted Development Rights – The level of development that can take place before planning permission is required, as stated in The Town and Country Planning (General Permitted Development) Order 1995, as amended.

Planning Practice Guidance – Guidance and detail supporting the National Planning Policy Framework which is published online and regularly updated.

Planning Obligation/Section 106 Agreement – A legally binding agreement between a local planning authority and any person interested in land within the area of the local authority, or an undertaking by such person, under which development is restricted, activities or uses required; or a financial contribution to be made. Used to mitigate the impacts of development.

Previously Developed Land - see brownfield land above.

Primary shopping area - Defined area where retail development is concentrated (generally comprising the primary and those secondary frontages which are adjoining and closely related to the primary shopping frontage).

Primary and secondary frontages - Primary frontages are likely to include a high proportion of retail uses which may include food, drinks, clothing and household goods. Secondary frontages provide greater opportunities for a diversity of uses such as restaurants, cinemas and businesses.

Ramsar Site – An area identified by international agreement on endangered habitats.

Recreation Avoidance and Mitigation Strategy (RAMS) – A tool used to manage and mitigate the adverse effects from new developments on habitats Sites.

Rural Diversification (also known as Farm Diversification) – The alternative use of land or buildings which were once used for farming purposes or rural activity such as grain store, stables or poultry shed. The Local Plan definition is “alternative use of land or buildings that remains within the farming unit in the ownership of the farmer and run from the existing house.

Rural exception sites - Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents

or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

Sequential Test (Retail) – A test required to demonstrate that no other sites are available in a location which is ranked as preferable. Centre sites are sequentially preferable, followed by edge of centre sites. Sequential testing starts from the Primary Shopping Area for Retail Uses and the Town Centre Boundary for all other main town centre uses

Setting of a heritage asset - The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Shoreline Management Plans - A plan providing a large-scale assessment of the risk to people and to the developed, historic and natural environment associated with coastal processes.

Significance (for heritage policy) - The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

Sites of Special Scientific Interest (SSSI) - Land notified under the Wildlife and Countryside Act 1981 as an ecosystem of flora and/or fauna considered by English Heritage to be of significant national value and interest to merit its conservation and management.

Special Area of Conservation (SAC) - A site of European Community importance designated by the member states, where necessary conservation measures are applied for the maintenance or restoration, at favourable conservation status, of the habitats and/or species for which the site is designated.

Special Protection Area (SPA) - A site designated under the Birds Directive by the member states where appropriate steps are taken to protect the bird species for which the site is designated.

Starter Homes – Newly built properties that must be sold to someone who is a first-time buyer below the age of 40, with a discount of at least 20 per cent off the market value.

Statement of Community Involvement (SCI) - This will set out the standards that the Local Planning Authority intend to achieve in relation to involving the community and all stakeholders in the preparation, alteration and continuing review of all Local Development Plan Documents and in significant planning applications, and also how the local planning authority intends to achieve those standards. The Statement of Community Involvement will not be a Development Plan Document (see above) but will be subject to independent examination. A consultation statement showing how the Local

Planning Authority has complied with its Statement of Community Involvement should accompany all Local Development Documents.

Strategic Housing Market Assessment (SHMA) - A study prepared for the Local Planning Authority's Evidence Base further to national guidance which assesses the overall state of the housing market and advises on future housing policies used to inform the Local Planning Authority's Housing Strategy.

Strategic Land Availability Assessment (SLAA) - A study prepared for the Local Planning Authority's Evidence Base further to national guidance which identifies sites with development potential for development and assesses their developability, deliverability and capacity.

Supplementary Planning Document (SPD) – A document produced by the Local Planning Authority to add further detailed guidance and information on a particular subject such as Sustainable Construction or Open Space, Sport and Recreational Facilities. An SPD is subject to a formal consultation period and then is used as a material consideration when determining planning applications.

Sustainability Appraisal (SA) - An appraisal of the economic, social and environmental effects of a plan from the outset of the preparation process, so that decisions can be made that accord with sustainable development.

Strategic Environmental Assessment (SEA) - A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

Sustainable Communities - places where people want to live and work, now and in the future. They meet the diverse needs of existing and future residents, are sensitive to their environment, and contribute to a high quality of life. They are safe and inclusive, well planned, built and run, and offer equality of opportunity and good services for all.

Sustainable Construction – is the name given to building in an energy efficient way. The incorporation of many new technologies and energy saving techniques into a building can dramatically reduce the CO2 emissions and carbon foot print of a building. Initiatives include grey water recycling systems, solar panels, home recycling, wind turbines and ground water heating systems.

Sustainable Development - Development which meets the needs of the present without compromising the ability of future generations to meet their own needs.

Sustainable Urban Drainage (SUDs) – A sustainable drainage system is designed to reduce the potential impact of new and existing developments with respect to surface water drainage discharges.

Sustainable Transport - Sustainable Transport refers to walking, cycling and public transport, including train and bus. Sustainable Transport is transport that makes efficient use of natural resources and minimises pollution. In particular, Sustainable Transport seeks to minimise the emissions of carbon dioxide – a greenhouse gas associated with

climate change – as well as nitrogen oxides, sulphur oxides, carbon monoxide and particulates, all of which affect local air quality.

Town Centre - Area defined on the proposal map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to town centres, district centres and local centres but exclude small parades of shops. At a local level, Colchester Town Centre is the cultural and commercial heart of the Borough. Colchester's Town Centre includes the historic core of Colchester and is characterised by a mix of retail, residential, office, community facilities and other uses. See **Main Town Centre Uses** for a list of town centre uses.

Travel Plan - A plan demonstrating how a development would encourage its users to use more sustainable methods of transport to access a development.

Use Class - Different uses are given a classification as defined by The Town and Country Planning (Use Classes) Order 1987 (As amended). For example an A1 use refers to retail and a C3 use would refer to a residential use.

Appendix 1 – Policies Maps Index

<p>Colchester Borough Local Plan Policy Map</p> <p>Colchester Borough Inserts</p> <p>Colchester Urban Area</p> <p>Colchester Town Centre – Policy TC1-4 Colchester Town Centre Retail Frontages North Colchester – Policy NC1 North Colchester – Policies NC2-4 East Colchester – Policies EC1-4 South Colchester – Policies SC1-3 West Colchester – Policies WC1-5 West Colchester – Policy WC3</p> <p>Sustainable Settlements</p> <p>Abberton and Langenhoe – Policy SS1 Boxted – Policy SS2 Chappel and Wakes Colne – Policy SS3 Copford and Copford Green – Policy SS4 Dedham and Dedham Heath – Policy SG2 and OV1 Eight Ash Green – Policy SS5 Fordham – Policy SS6 Great Horkesley – Policy SS7 Great Tey – Policy SS8 Langham – Policy SS9 Layer de la Haye – Policy SS10 Marks Tey – Policy SS11 Mersea Island – Policy SS12b Mersea Island – Policy SS12a, SS12b and SS12c Rowhedge – Policy SS13 Tiptree – Policy SS14 West Bergholt – Policy SS15 Wivenhoe – Policy SS16</p>	<p>Other Villages</p> <p>Aldham – Policy OV1 Birch and Layer Breton – Policy OV1 Easthorpe – Policy OV1 Fingringhoe – Policy OV1 Great Wigborough – Policy OV1 Little Horkesley – Policy OV1 Messing – Policy OV1 Mount Bures – Policy OV1 Peldon – Policy OV1 Salcott – Policy OV1 Wormingford – Policy OV1</p>
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Appendix 2 – Superseded Policies

Core Strategy Focused Review Version (July 2014)/Site Allocations Adopted October 2010/Development Policies Focused Review Version (July 2014) - Superseded by the Colchester Local Plan 2013-2033

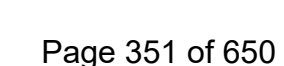
New Policy Number	Policy ref on 2017-2033 Local Plan	Replaces Policy
Section 1		
SP1	Presumption in Favour of Sustainable Development	SD1
SP2	Recreational disturbance Avoidance and Mitigation Strategy (RAMS)	-
SP3	Spatial Strategy for North Essex	H1
SP4	Meeting Housing Needs	H1
SP5	Providing for Employment	CE1
SP6	Infrastructure and Connectivity	SD2
SP7	Place Shaping Principles	-
SP8	Development and Delivery of New Garden Community in North Essex	-
SP9	Tendring/Colchester Borders Garden Community	-
Section 2		
SG1	Colchester's Spatial Strategy	H1
SG2	Housing Delivery	H1
SG3	Economic Growth Provision	CE3/DP5
SG4	Local Economic Areas	CE3/DP5
SG5	Centre Hierarchy	CE1
SG6	Town Centre Uses	DP6
SG6a	Local Centres	CE2c/DP7
SG7	Infrastructure Delivery and Impact Mitigation	SD2/SD3
SG8	Neighbourhood Plan	ENV2
ENV1	Environment	ENV1/DP 21
ENV2	Coastal Areas	ENV1/DP23
ENV3	Green Infrastructure	ENV1/PR1
ENV4	Dedham Vale Area of Outstanding Natural Beauty	ENV1/DP22
ENV5	Pollution and Contaminated Land	DP1
CC1	Climate Change	ER1
PP1	Generic Infrastructure and Mitigation Requirements	DP3
TC1	Town Centre Policy and Hierarchy	CE1
TC2	Retail Frontages	DP6
TC3	Town Centre allocations	SA TC1
TC4	Transport in Colchester Town centre	TA4/DP18
NC1	North Colchester and Severalls Strategic Economic Areas	CE1/SA NGA1/SA NGA3
NC2	North Station Special Policy Area	SA TC1
NC3	North Colchester	-
NC4	Transport in North Colchester	TA4/DP18
SC1	South Colchester Allocations	CE3*
SC2	Middlewick Ranges	-
SC3	Transport in South Colchester	TA4/DP18
EC1	Knowledge gateway and University of Essex Strategic Economic Area	CE1/SA EC7
EC2	East Colchester / Hythe Special Policy Area	SA EC2/SA EC3 Area 1/ SA EC4 Area 2/SA

Colchester Borough Local Plan 2017 – 2033 Section 2

New Policy Number	Policy ref on 2017-2033 Local Plan	Replaces Policy
		EC6 Area 4
EC3	East Colchester	SA H1/ SA EC1/SA EC5 Area 3 CE3
EC4	Transport in East Colchester	TA4 / DP18/SA EC8
WC1	Stanway Strategic Economic Area	CE1/ SA STA1/ SA STA3
WC2	Stanway	SA STA1/SA STA5
WC3	Colchester Zoo	-
WC4	West Colchester	-
WC5	Transport in Colchester	TA4 /DP18/SA STA4
SS1	Abberton and Langenhoe	CE3*
SS2	Boxted	-
SS3	Chappel and Wakes Colne	-
SS4	Copford	-
SS5	Eight Ash Green	-
SS6	Fordham	-
SS7	Great Horkesley	CE3*
SS8	Great Tey	CE3*
SS9	Langham	CE3*
SS10	Laver de La Haye	-
SS11	Marks Tey	CE3*
SS12a	West Mersea	-
SS12b	Coast Road West Mersea	DP23
SS12c	Mersea Island Caravan Parks	DP10/ DP21/DP23
SS13	Rowhedge	-
SS14	Tiptree	SA TIP2
SS15	West Bergholt	-
SS16	Wivenhoe	-
OV1	Development in Other Villages	ENV2
OV2	Countryside	ENV2/DP9
DM1	Health and Wellbeing	DP2
DM2	Community Facilities	DP4
DM3	Education Provision	SD3
DM4	Sports Provision	DP15
DM5	Tourism, leisure, Culture and Heritage	DP10
DM6	Economic Development in Rural Areas and the Countryside	DP5/DP9
DM7	Agricultural Development and Diversification	DP8
DM8	Affordable Housing	H4
DM9	Development Density	H2
DM10	Housing Diversity	H3
DM11	Gypsies, Travellers and Travelling Showpeople	H5/SA H2
DM12	Housing Standards	DP12
DM13	Domestic Development	DP11/DP13
DM14	Rural Workers Dwellings	H6
DM15	Design and Amenity	UR2/DP1
DM16	Historic Environment	UR2/DP14
DM17	Retention of Open Space	DP15
DM18	Provision of Open Space and Recreation Facilities	PR1/ PR2/DP16

New Policy Number	Policy ref on 2017-2033 Local Plan	Replaces Policy
DM19	Private Amenity Space	DP16
DM20	Promoting Sustainable Transport and Changing Travel Behaviour	TA1/TA2/TA3/DP17
DM21	Sustainable Access to development	PR2/TA2/DP17
DM22	Parking	TA5/DP19
DM23	Flood Risk and Water Management	ENV1/ DP20
DM24	Sustainable Urban Drainage Systems	DP20
DM25	Renewable Energy, Water Waste and Recycling	ER1/DP25

* Please note that the housing allocation elements of the policy are new and do not supersede adopted policies. However, these policies include reference to Local Employment Areas and this part of the policy supersedes adopted policy CE3.



LOGO

COLCHESTER PROPOSALS MAP

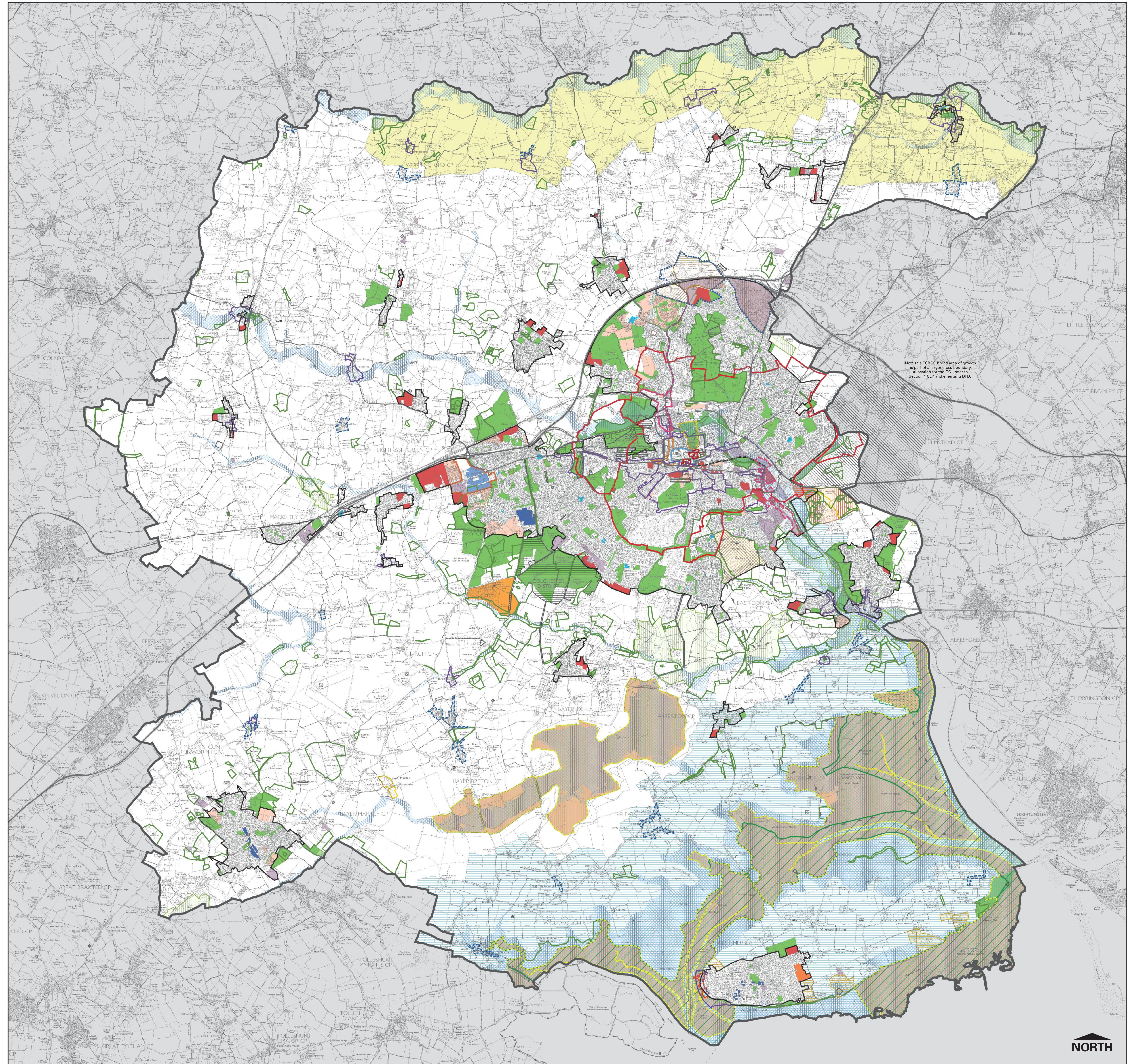
JUNE 2022
Scale 1:32,000

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Key to Policies

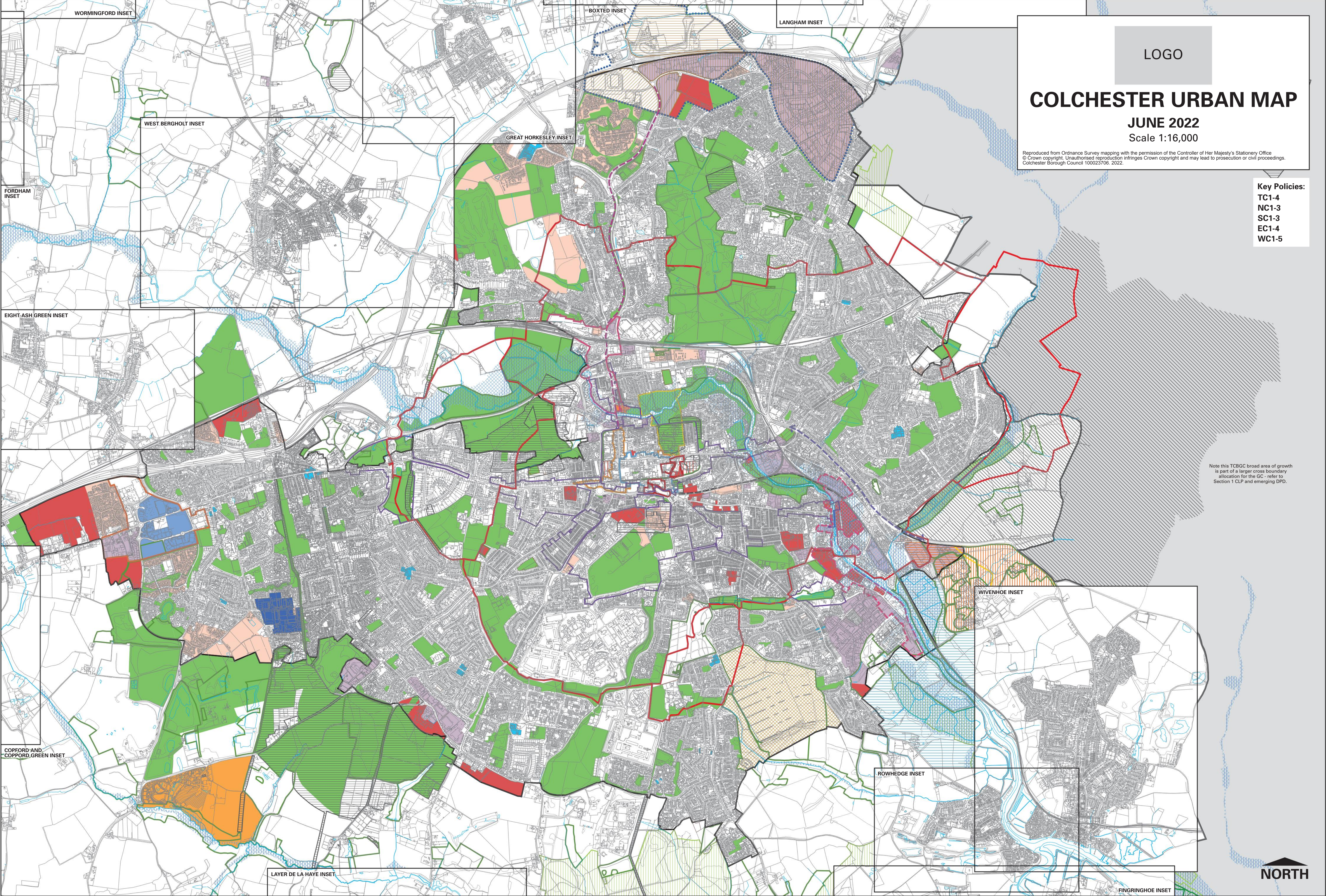
- Settlement Boundary
- Existing Commitments (selected for illustrative purposes only)
- Other Village Boundary
- New Residential Allocation
- Employment
- New Residential-led Mixed Use Allocation
- Public Open Space
- Local Centre
- District Centre
- Garden Community Broad Area of Search
- Neighbourhood Plan Preferred Direction of Growth
- Coastal Protection Belt
- Dedham Vale Area of Outstanding Natural Beauty
- Environmental Agency Flood Zone 3
- Environmental Agency Flood Zone 2
- Conservation Area
- Site of Special Scientific Interest
- Special Protection Area
- Special Area of Conservation
- Local Nature Reserve
- Local Wildlife Site
- Scheduled Monument
- Registered Parks & Gardens
- Gypsy and Traveller Allocations
- Colchester Orbital
- RAMSAR
- Regional Important Geological Sites
- Allotments
- Borough Boundary
- Area Outside the Borough
- North Colchester and Severalls Strategic Economic Area
- Northern Gateway Zone 1
- Northern Gateway Zone 2
- Northern Gateway Zone 3
- North Colchester Traveller Unit
- North Station Special Policy Area
- North Colchester Transit Route
- Hythe Special Policy Area
- Knowledge Gateway
- University Uses
- East Colchester Rail Transit Route
- East Colchester Transit Route
- Middlewick Growth Area
- Stanway Strategic Economic Area
- Tollgate District Centre
- Zoological Park
- Caravan Park
- Coast Road Special Policy Area
- Primary Shopping Area
- Secondary Shopping Area
- Town Centre Allocations
- Cultural Facility

Note, there is a Minerals Safeguarding Area as detailed in the Essex Minerals Local Plan within this location. Policies in the Essex Minerals Local Plan may also be relevant.

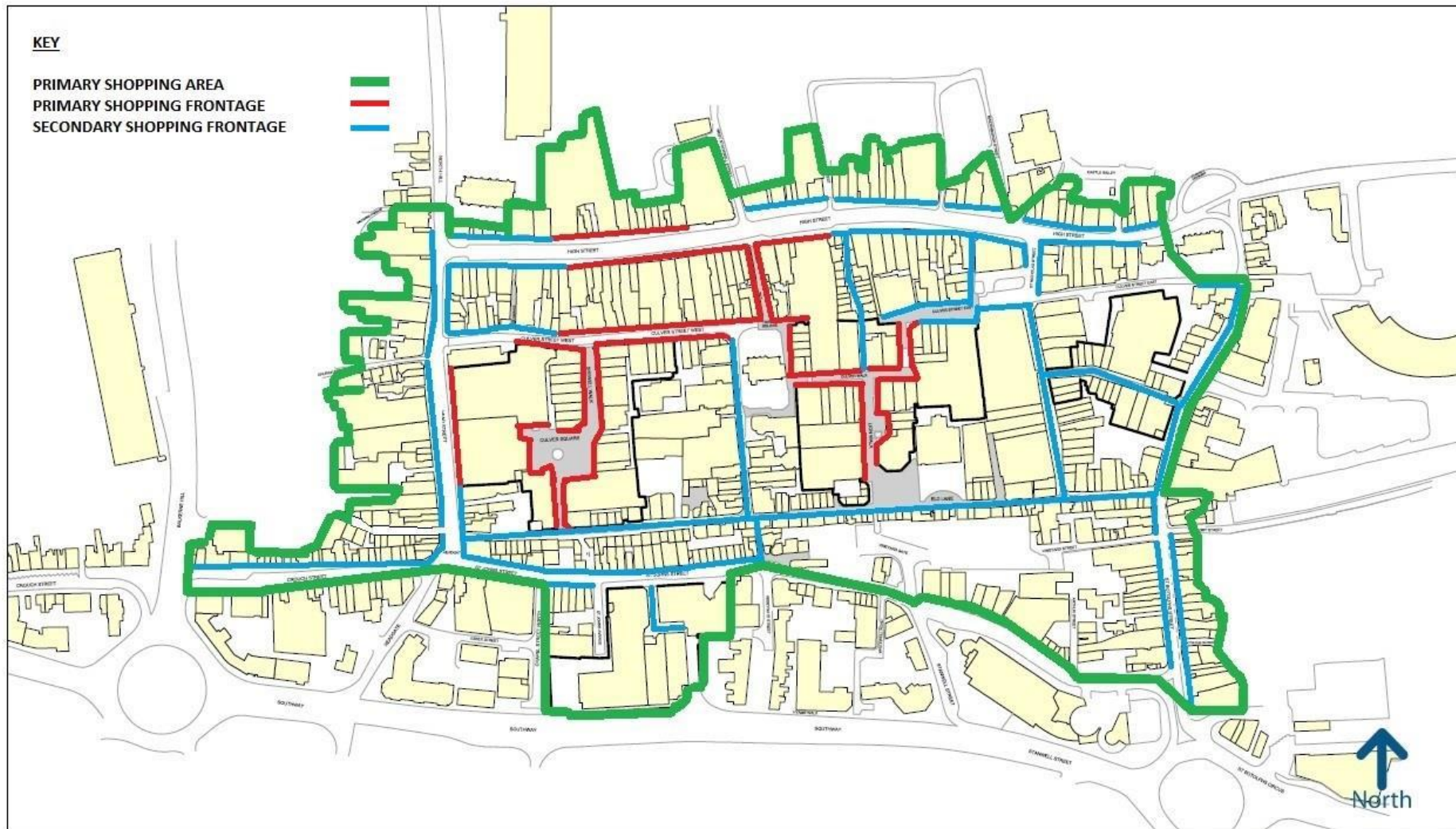


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NORTH



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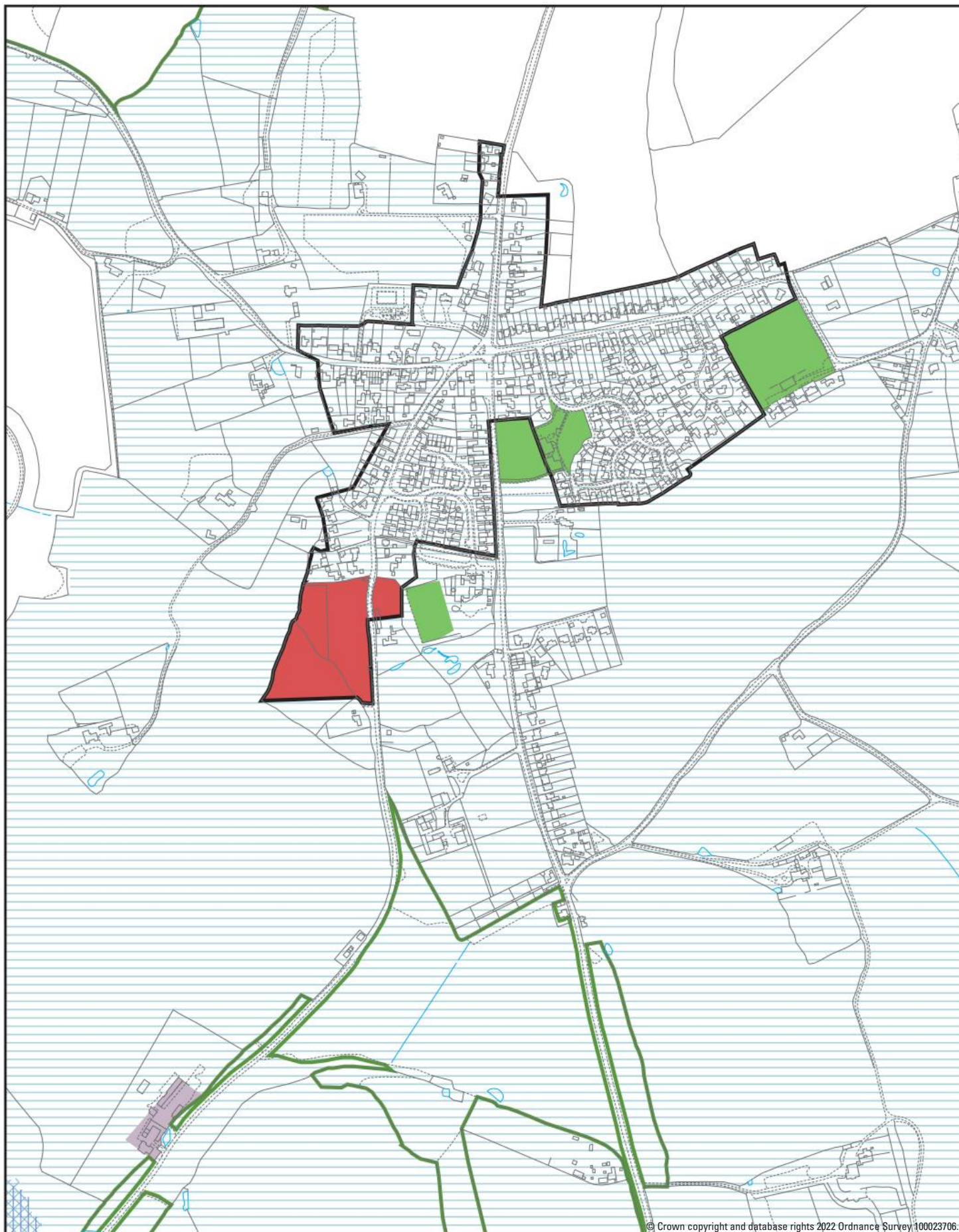


ABBERTON AND LANGENHOE

Policy SS1

Scale 1:7,500

LOGO



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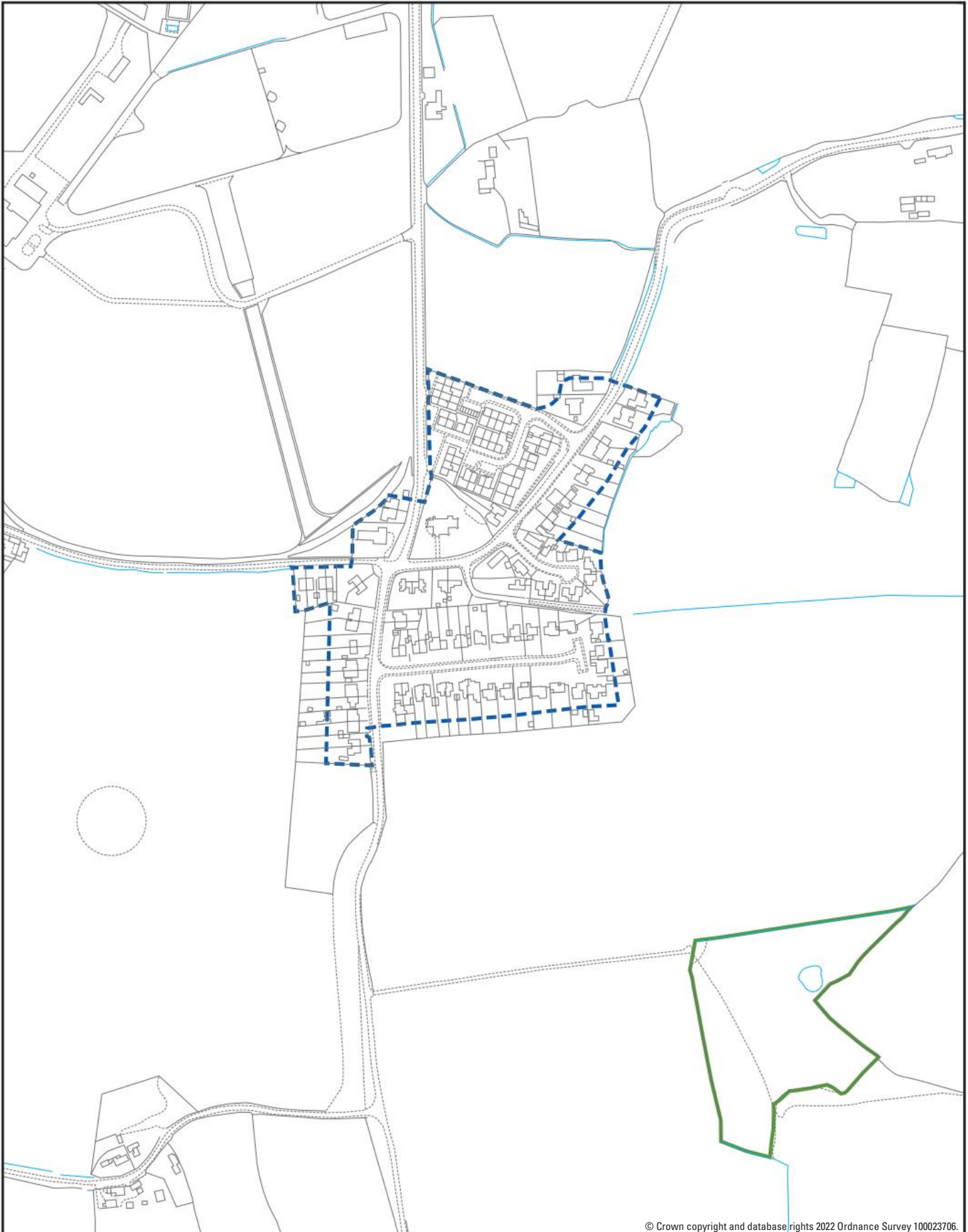




ALDHAM

LOGO

Scale 1:4,500



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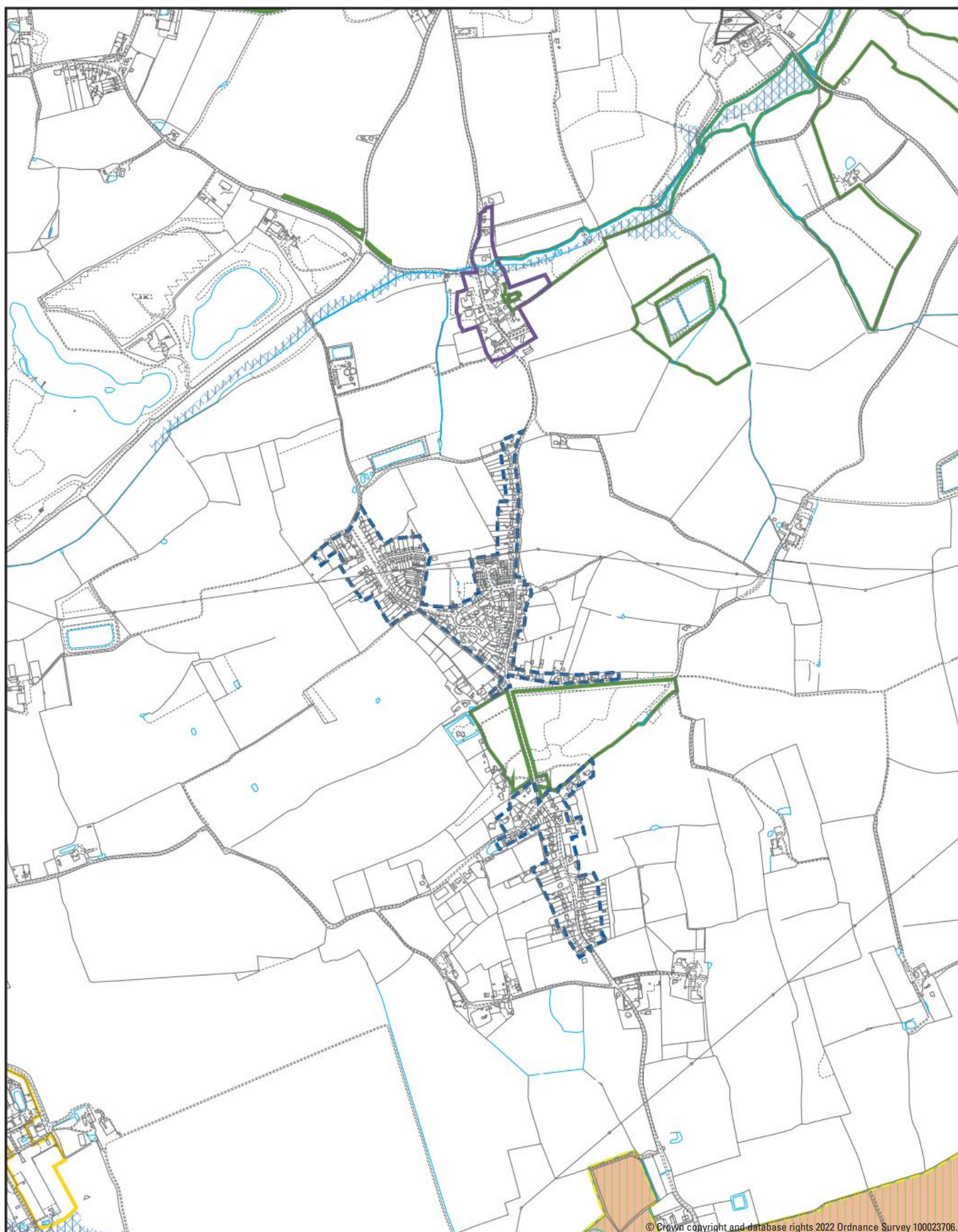




BIRCH AND LAYER BRETON

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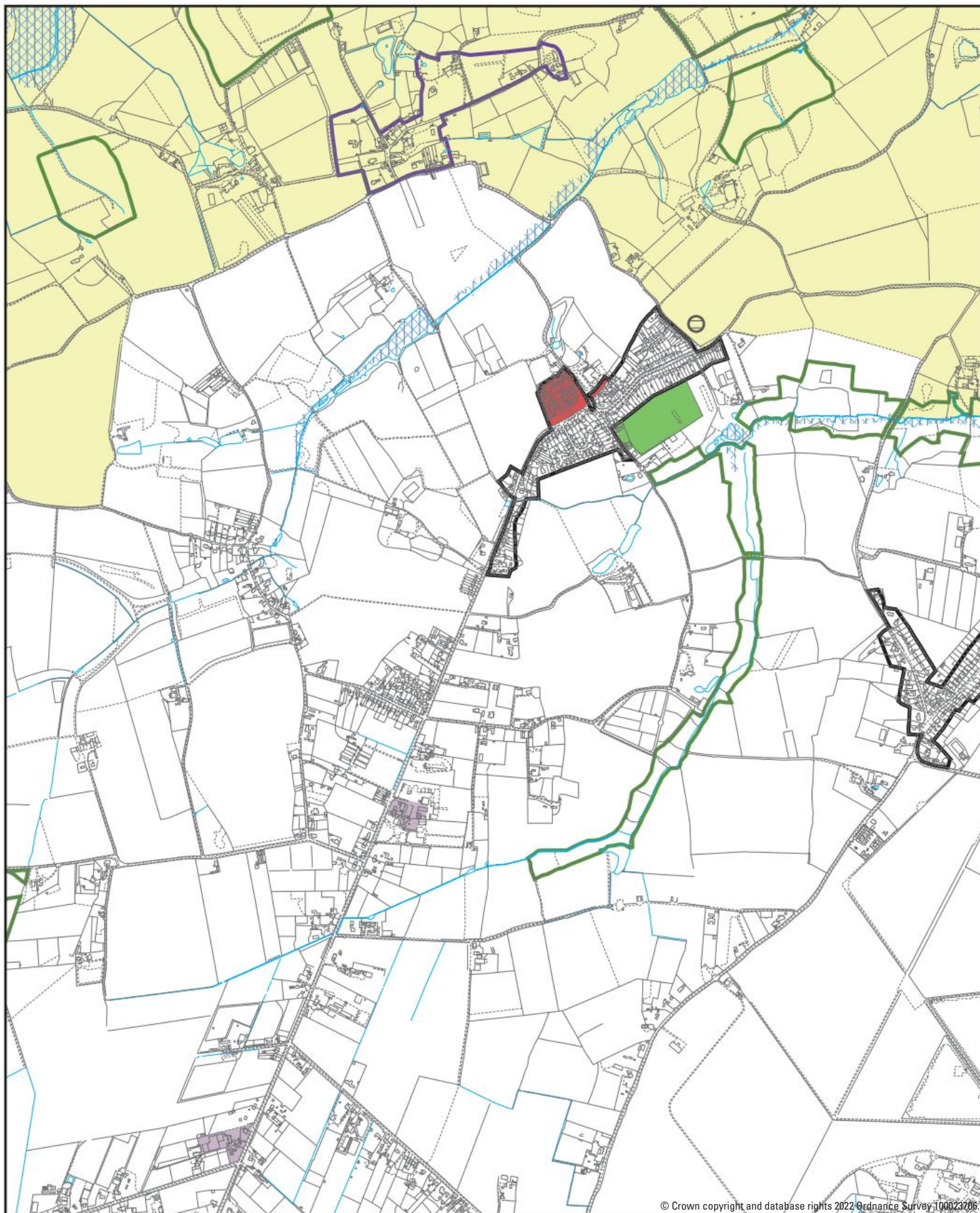


BOXTED

Policy SS2

Scale 1:16,500

LOGO



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Note the Boxted Neighbourhood Plan was made in 2016. Policies in the Neighbourhood Plan may also be relevant.



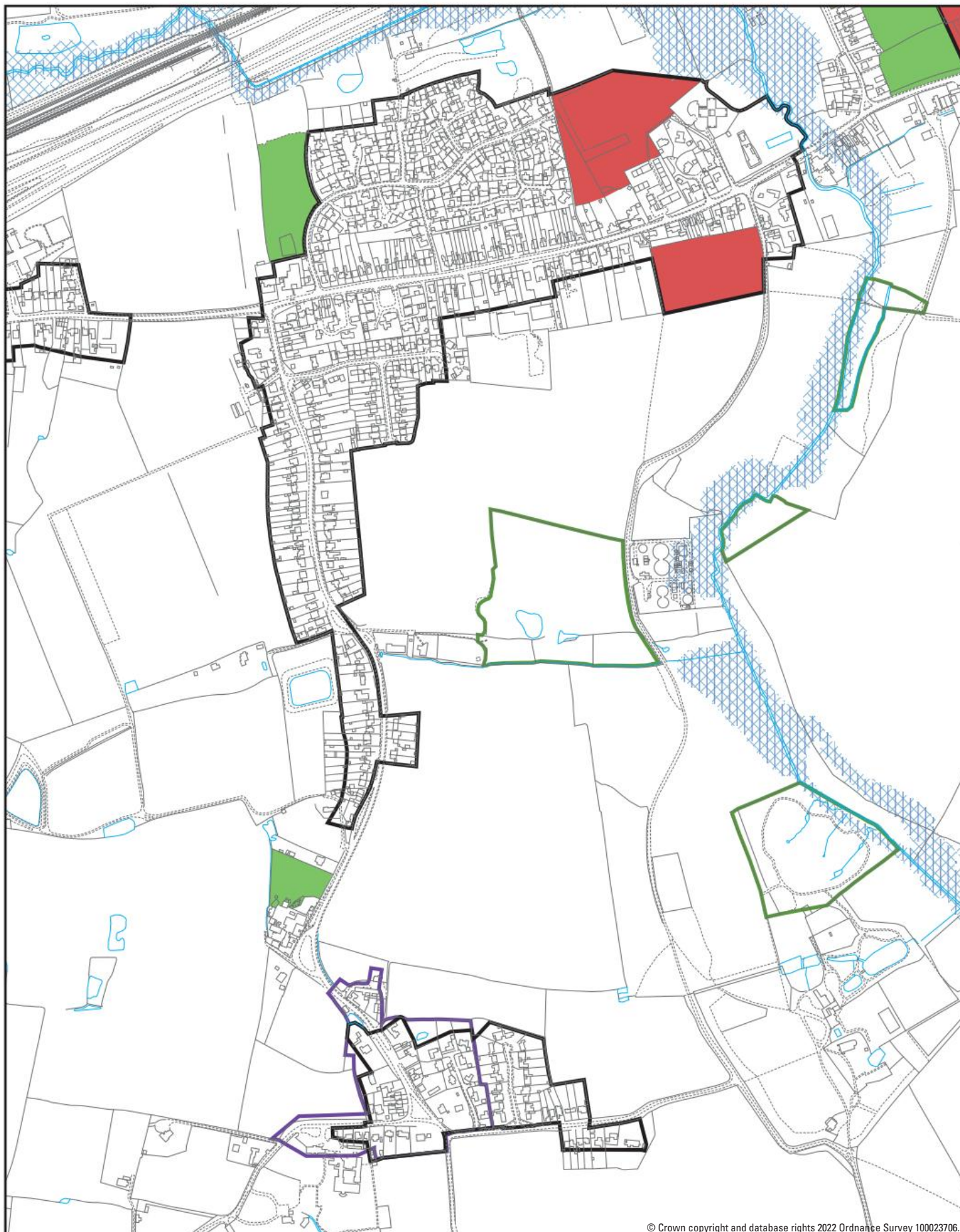


COPFORD AND COPFORD GREEN

Policy SS4

Scale 1:8,000

LOGO



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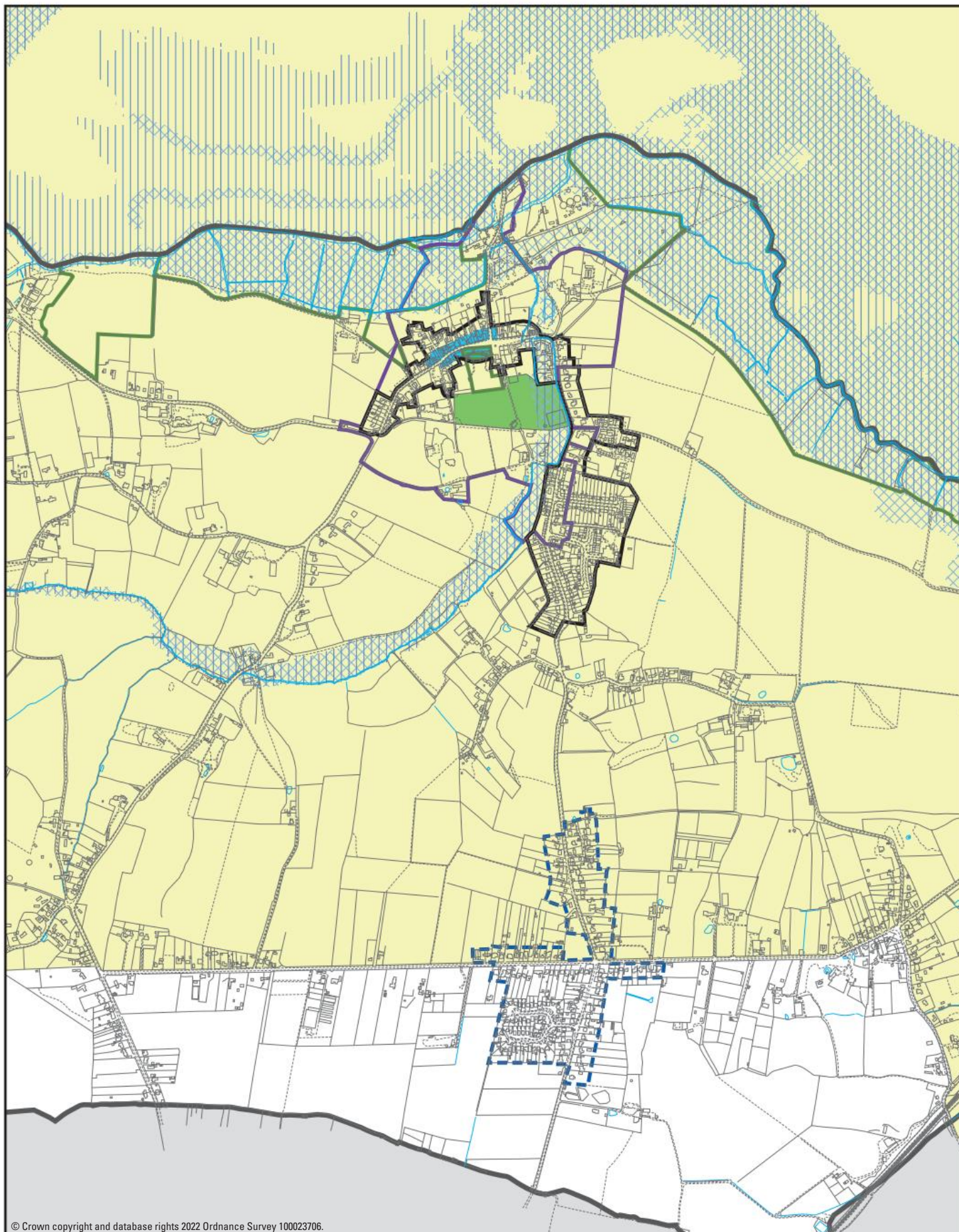


DEDHAM AND DEDHAM HEATH

Policy SG1 and OV1

Scale 1:14,000

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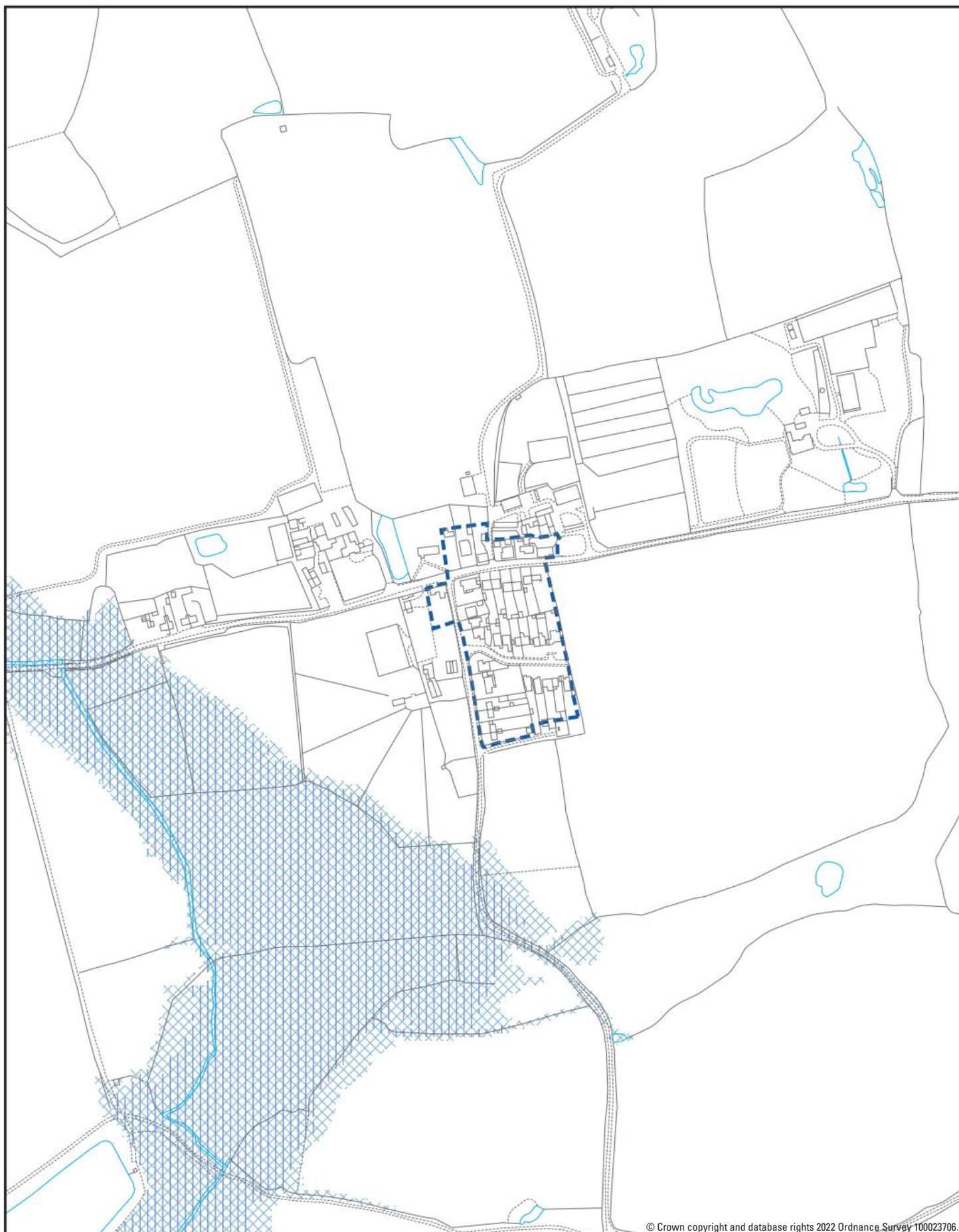




EASTHORPE

LOGO

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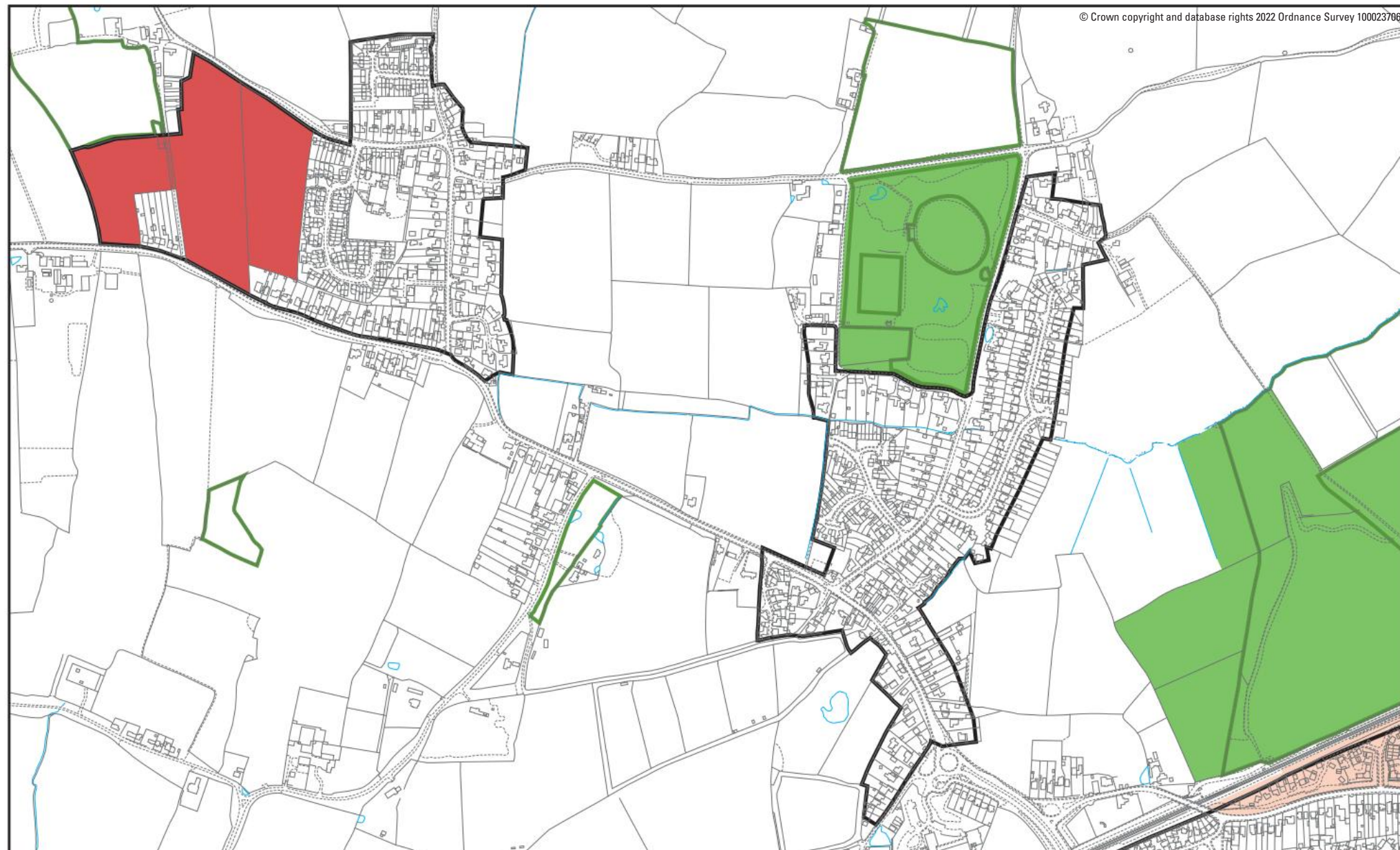


EIGHT ASH GREEN

Policy SS5

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LOGO



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Note the Eight Ash Green Neighbourhood Plan was made in 2019. Policies in the Neighbourhood Plan may also be relevant.

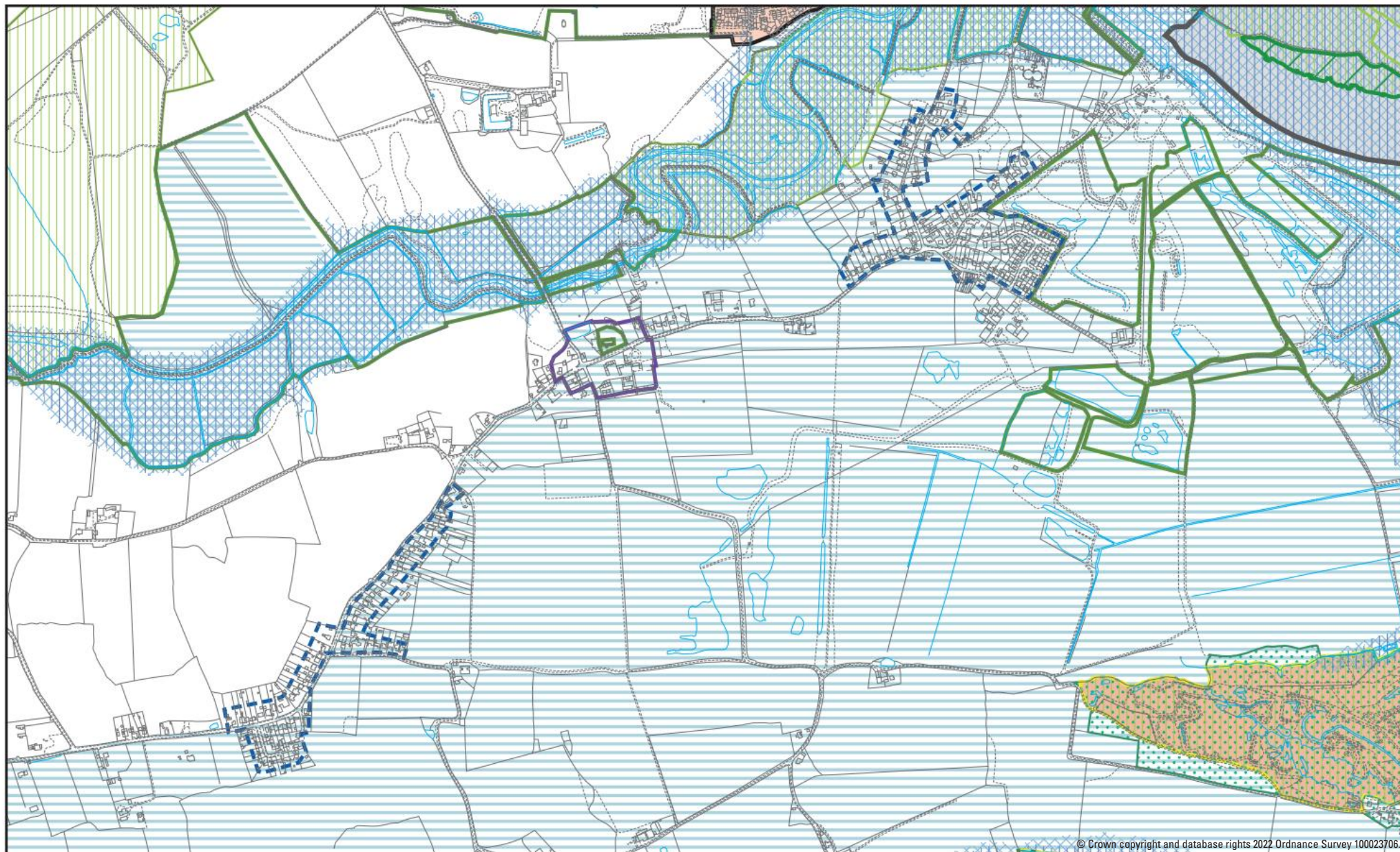




FINGRINGHOE

LOGO

Scale 1:12,500



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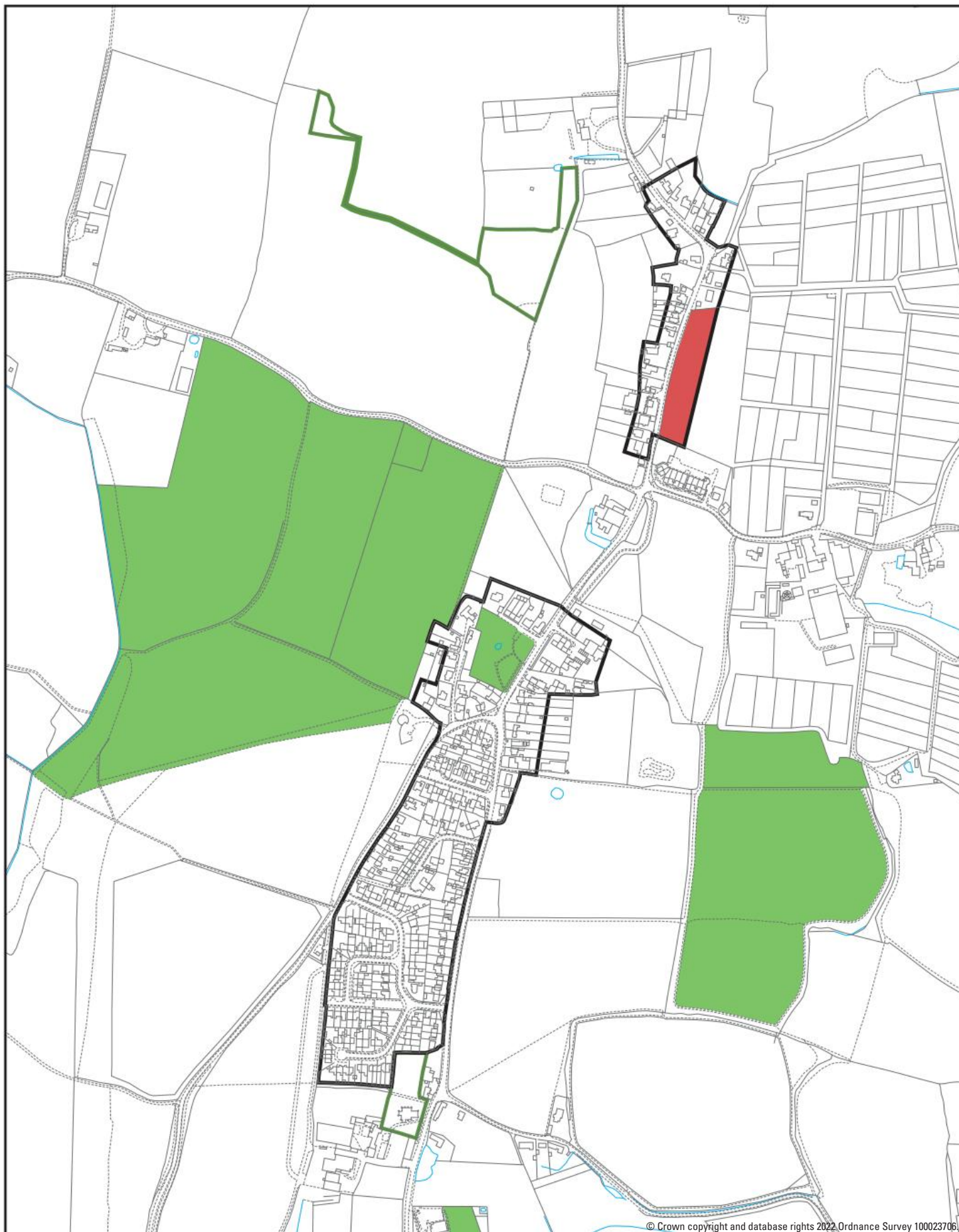


FORDHAM

Policy SS6

Scale 1:7,000

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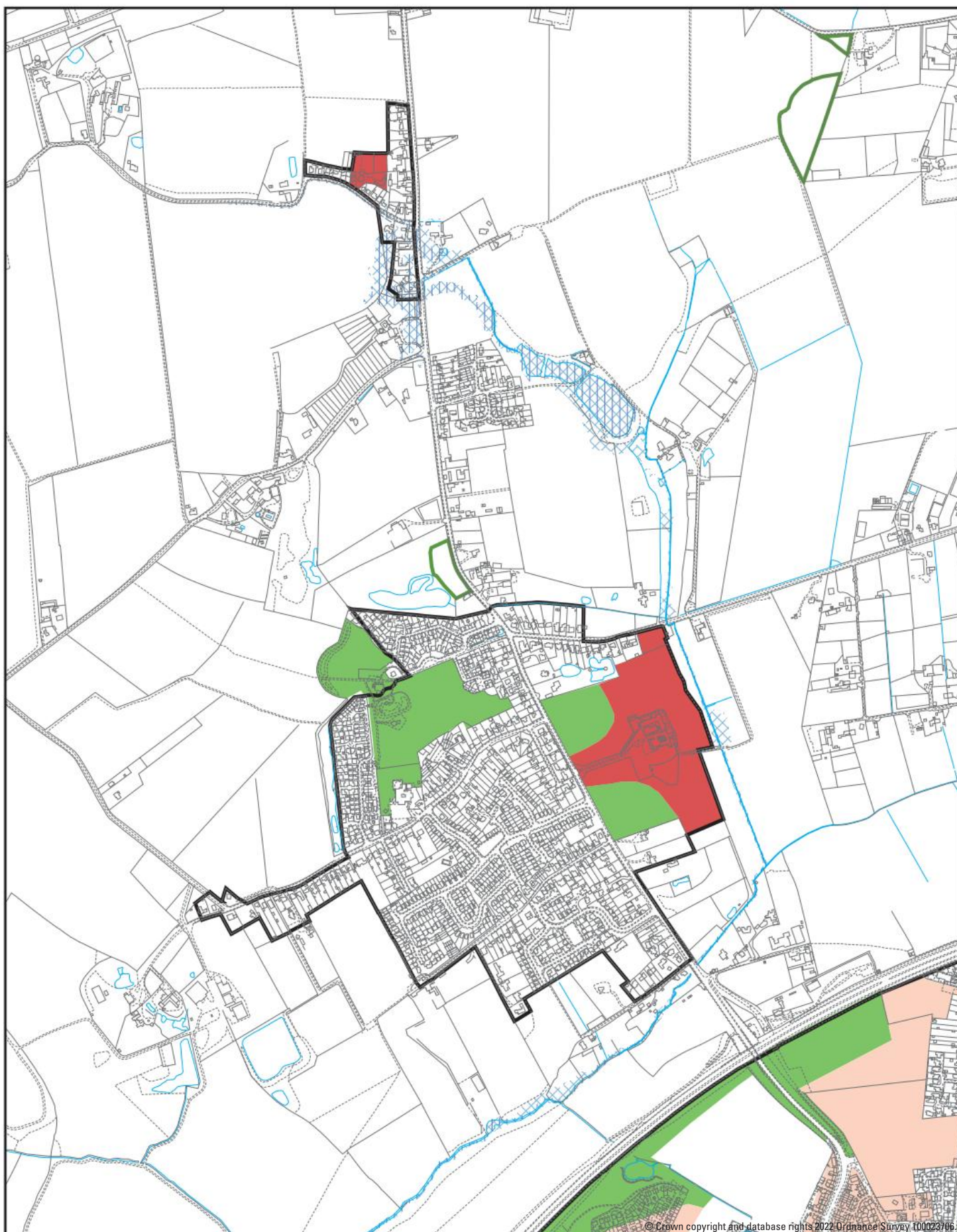


GREAT HORQUESLEY

Policy SS7

Scale 1:11,000

LOGO



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Note, there is a Minerals Safeguarding Area as detailed in the Essex Minerals Local Plan within this location.
Policies in the Essex Minerals Local Plan may also be relevant



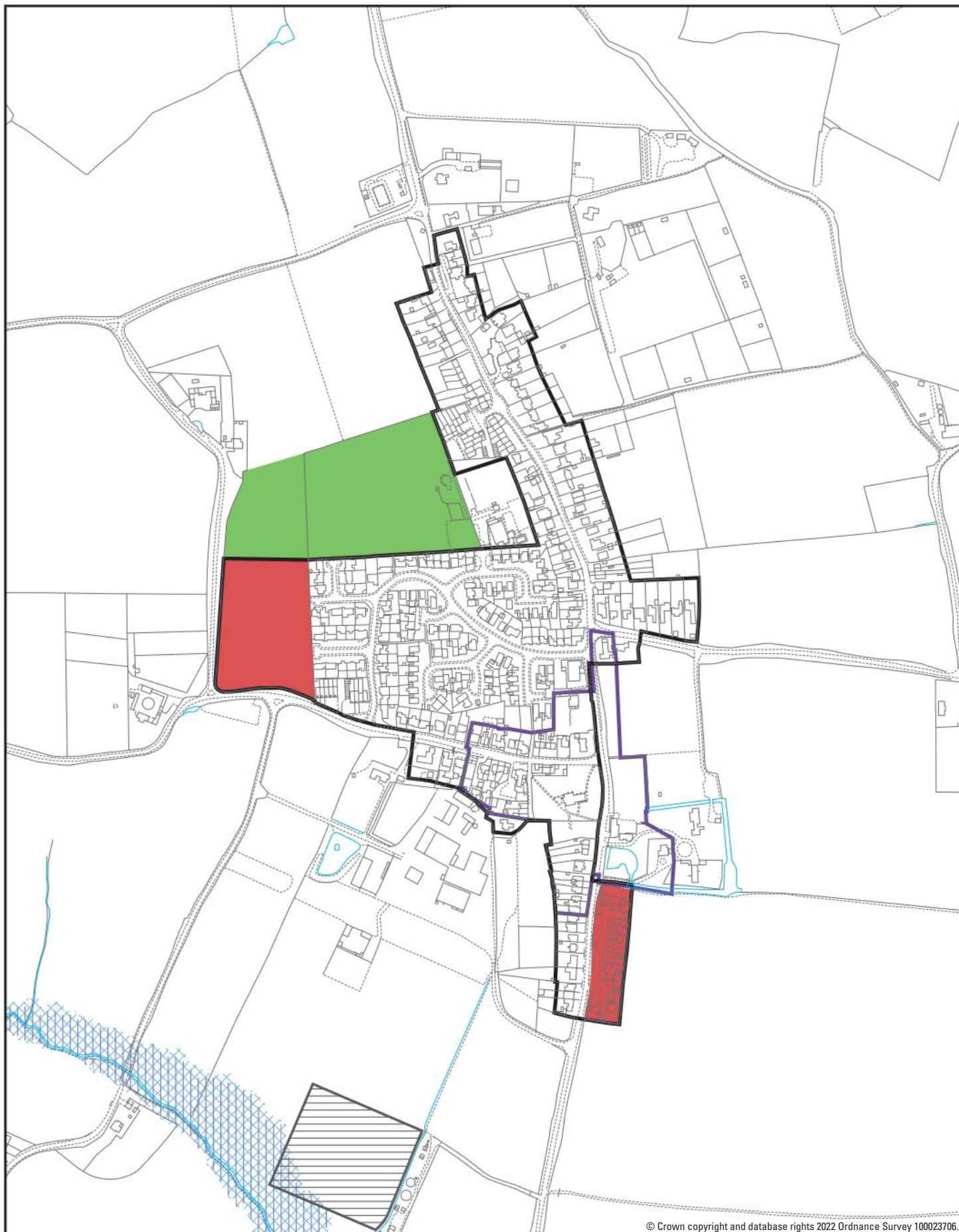


GREAT TEY

Policy SS8

Scale 1:6,000

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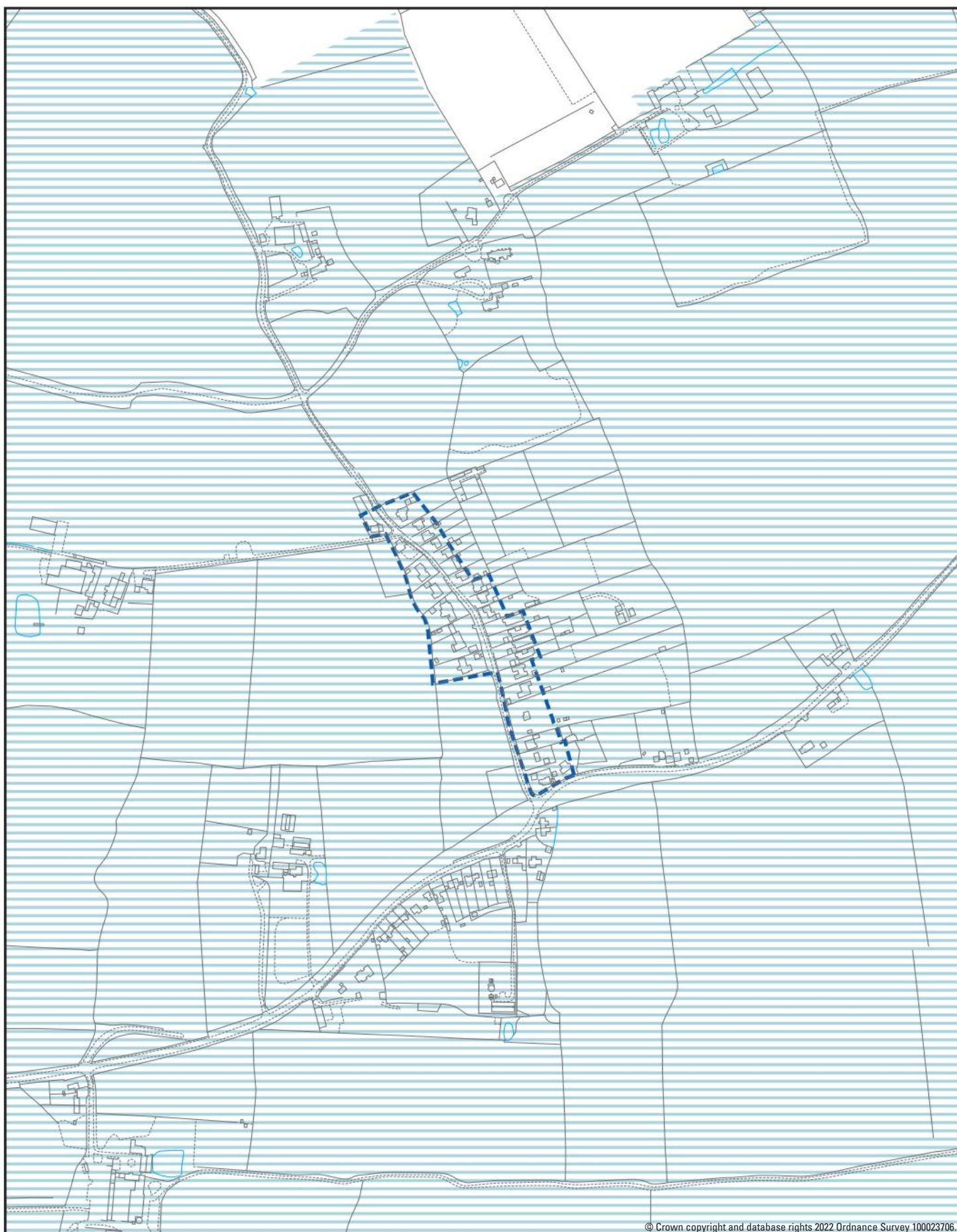




GREAT WIGBOROUGH

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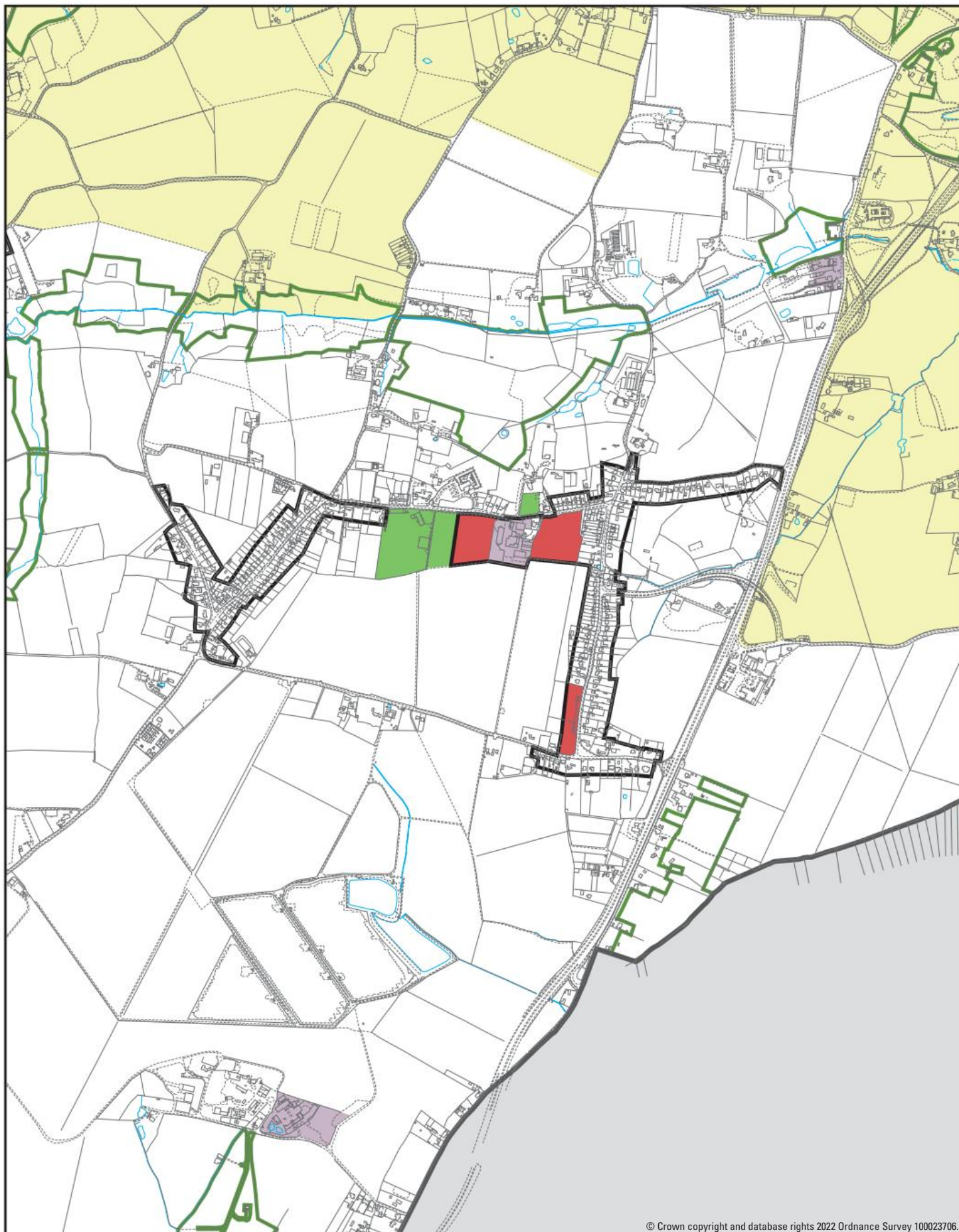


LANGHAM

Policy SS9

Scale 1:16,000

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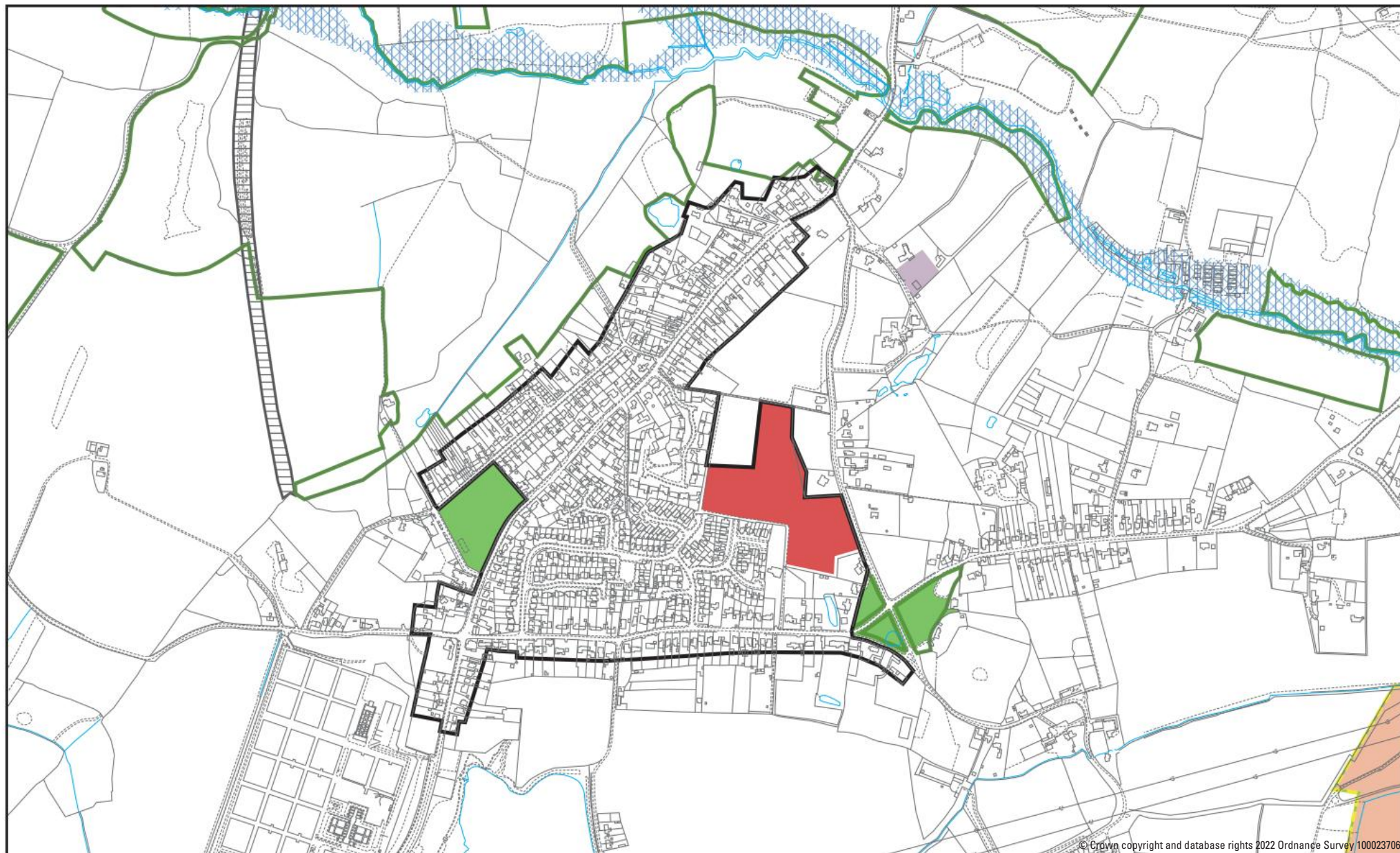


LAYER DE LA HAYE

Policy SS10

Scale 1:9,500

LOGO



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Note, there is a Minerals Safeguarding Area as detailed in the Essex Minerals Local Plan within this location. Policies in the Essex Minerals Local Plan may also be relevant

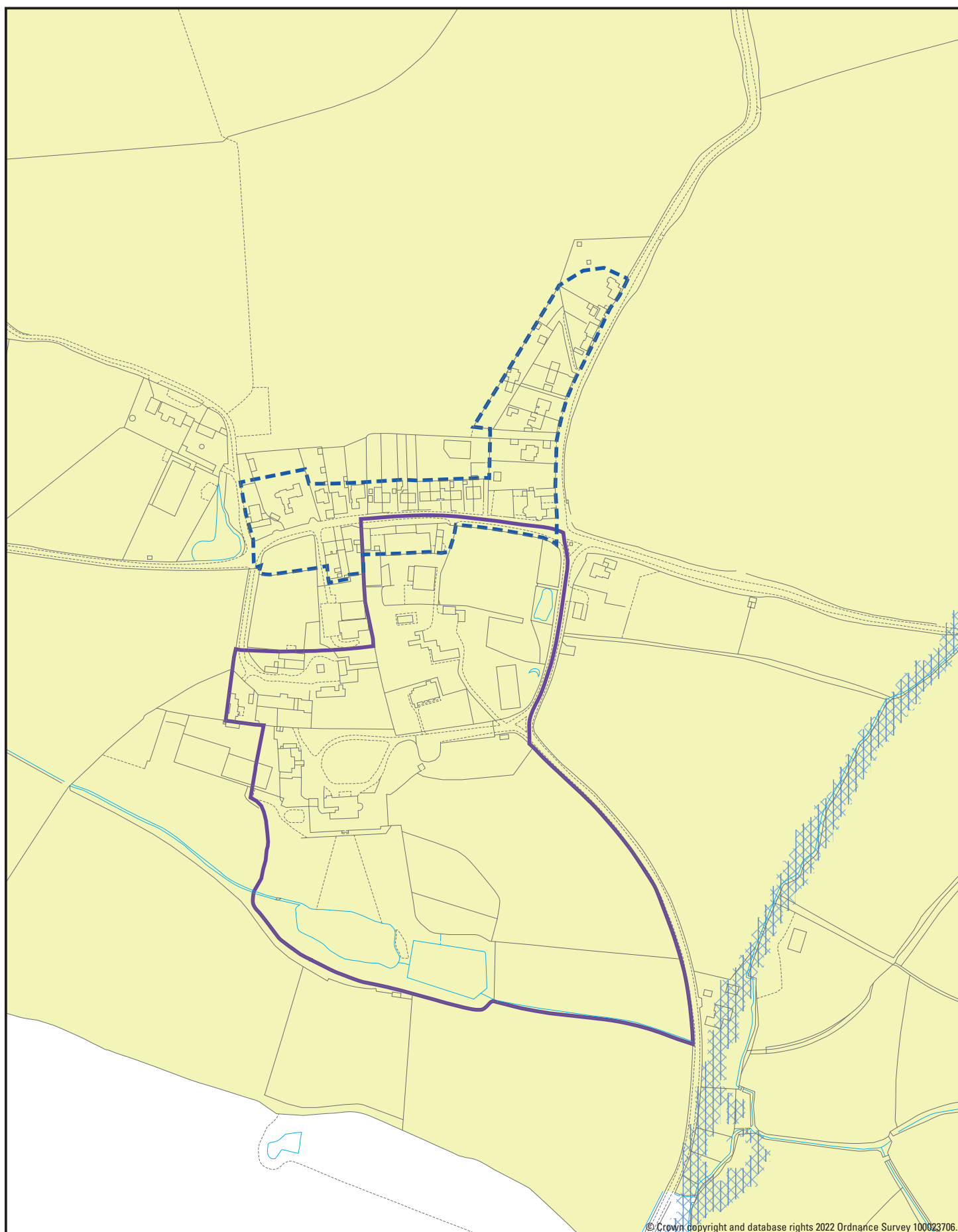




LITTLE HORKESLEY

LOGO

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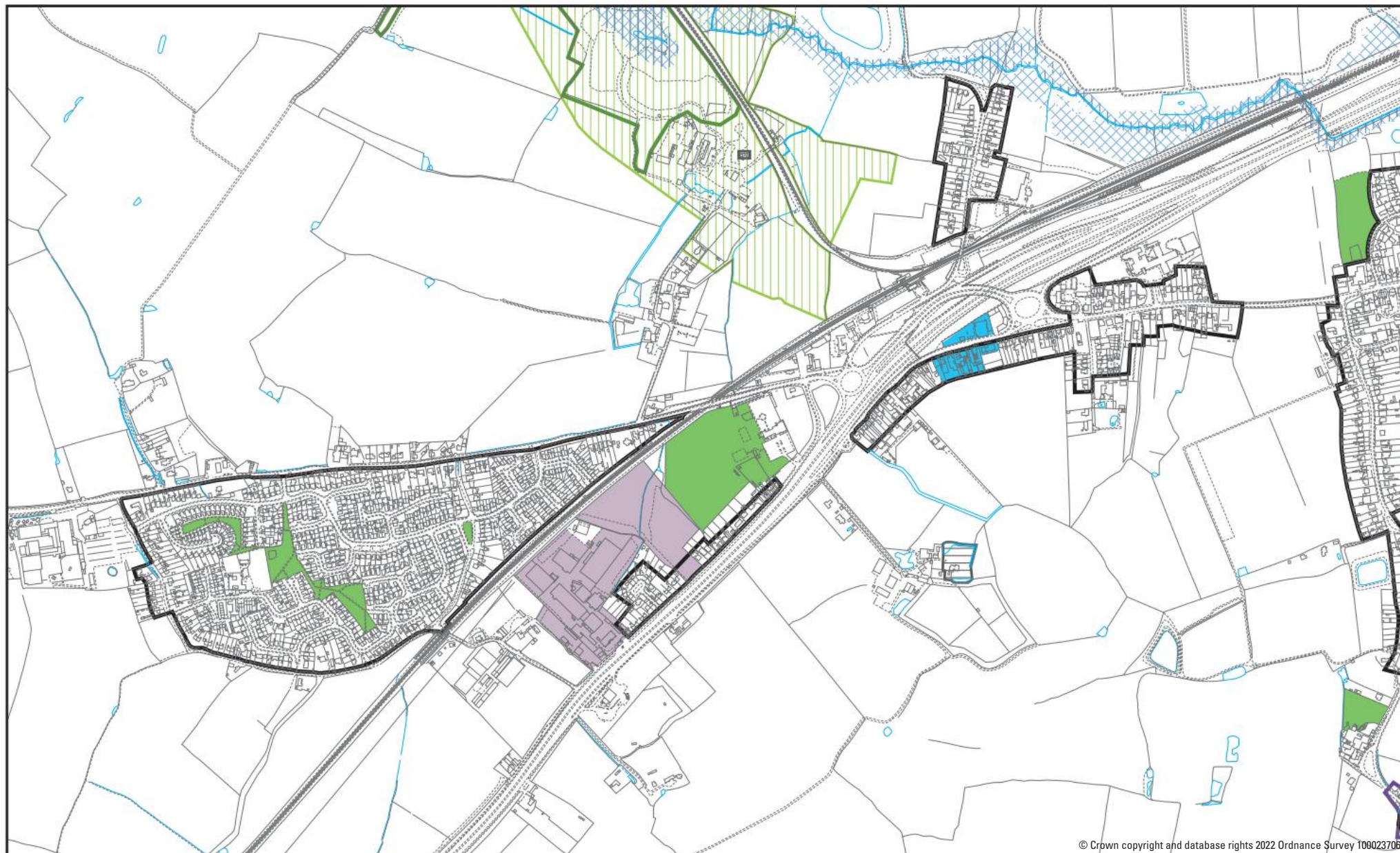


MARKS TEY

Policy SS11

Scale 1:11,500

LOGO



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Note the Marks Tey Neighbourhood Plan was made in 2022. Policies in the Neighbourhood Plan may also be relevant.



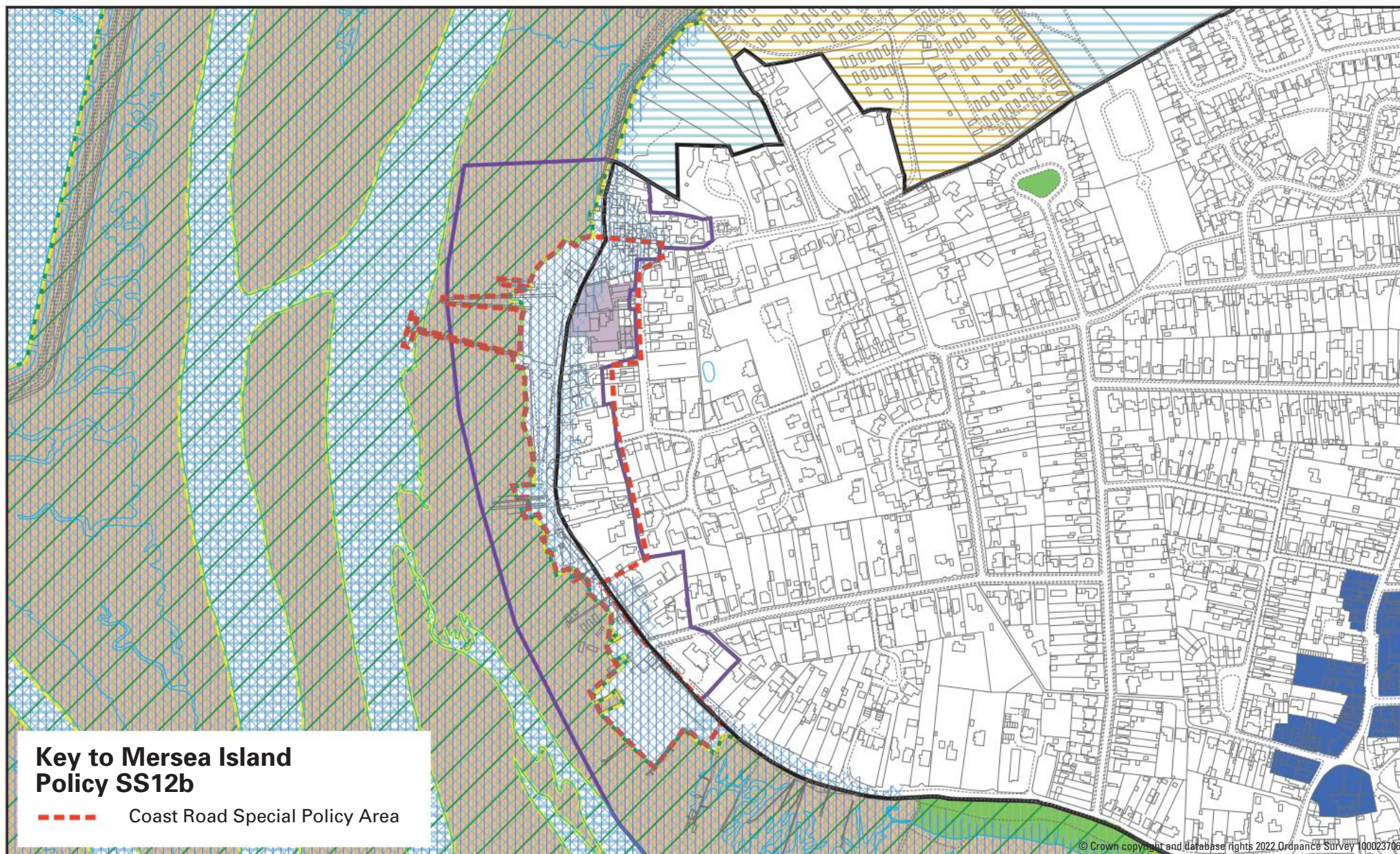


MERSEA ISLAND

Policy SS12b

Scale 1:5,500

LOGO



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Note the West Mersea Neighbourhood Plan was made in 2022. Policies in the Neighbourhood Plan may also be relevant.

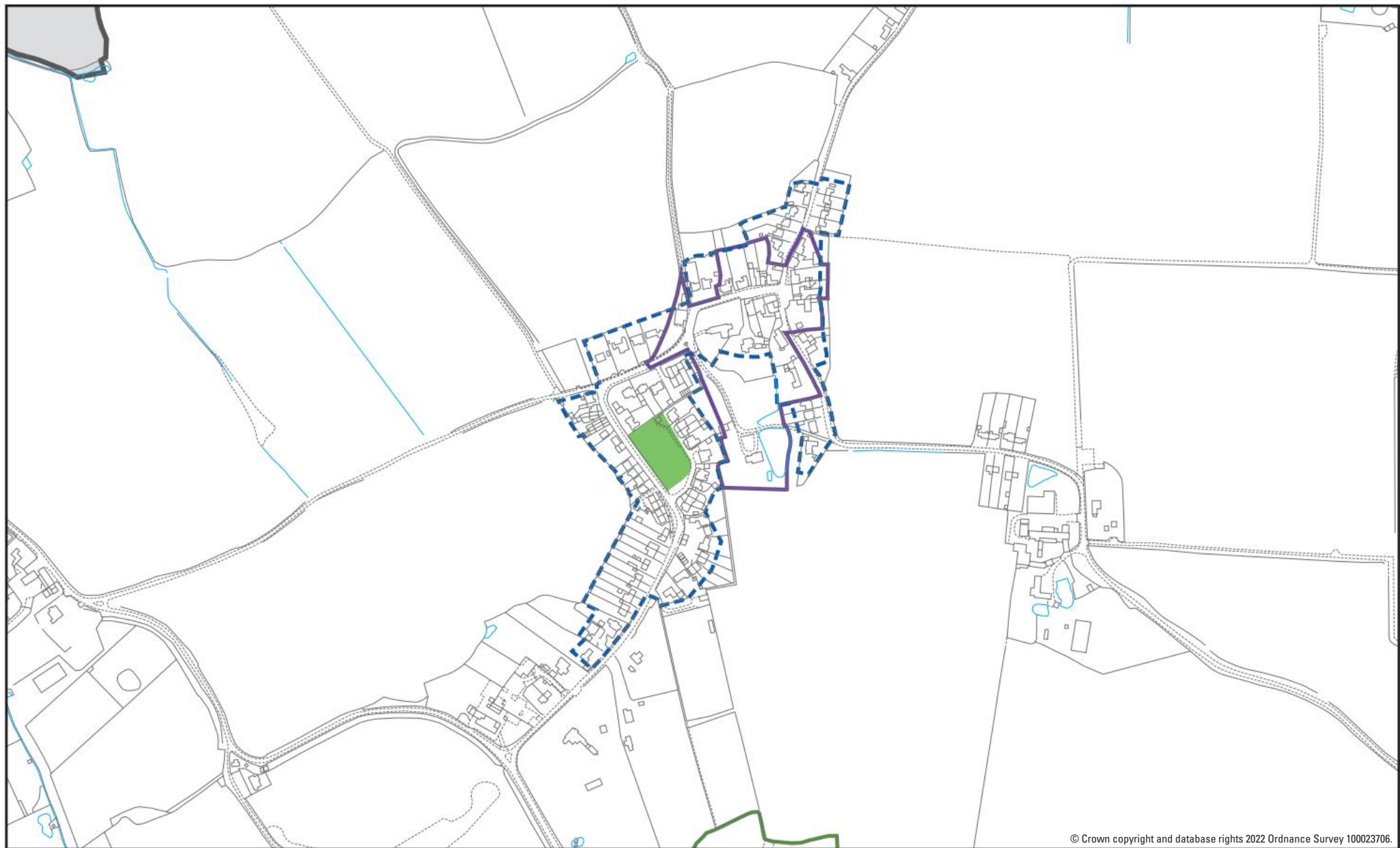




MESSING



Scale 1:6,000



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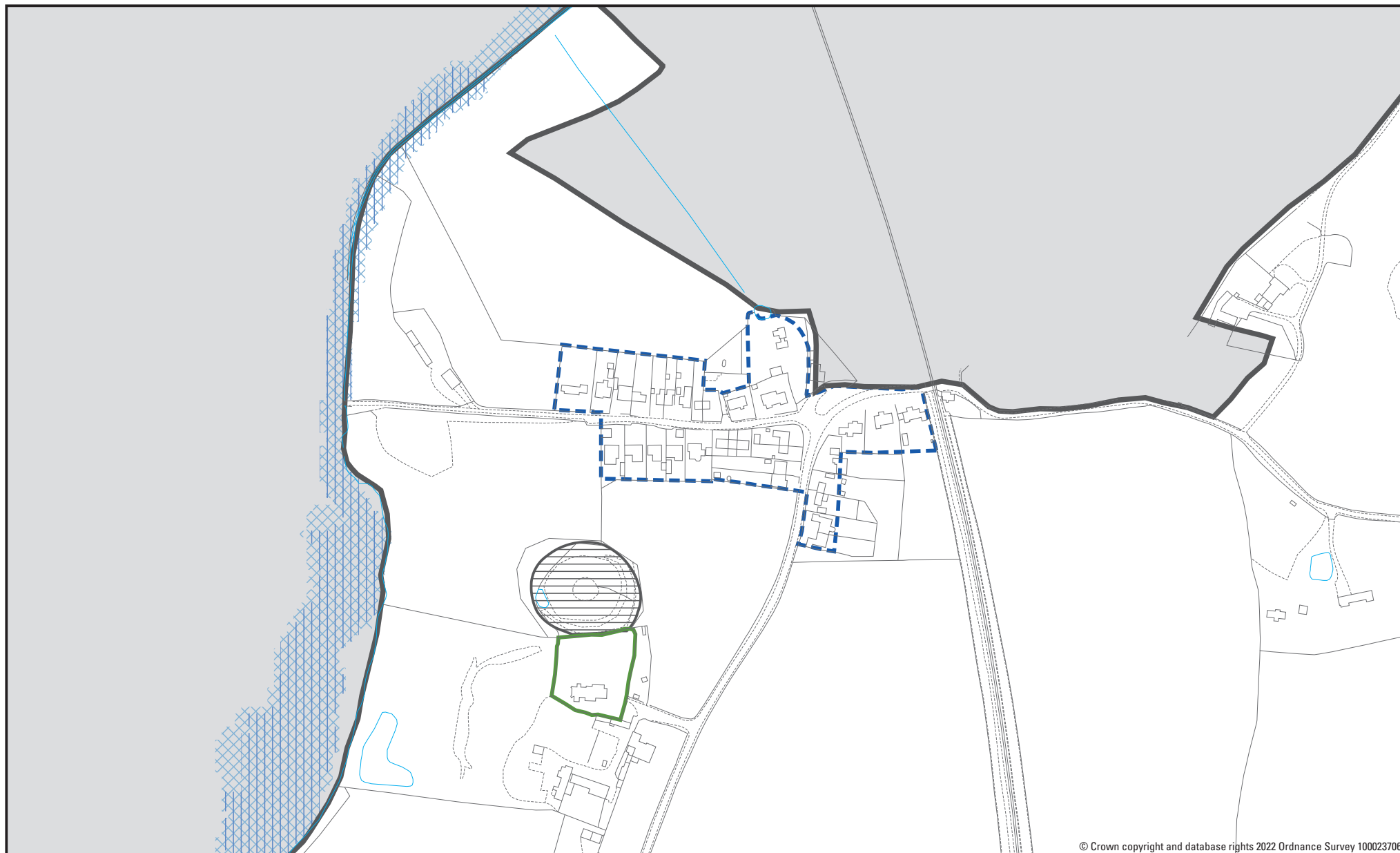




MOUNT BURES

LOGO

Scale 1:4,000



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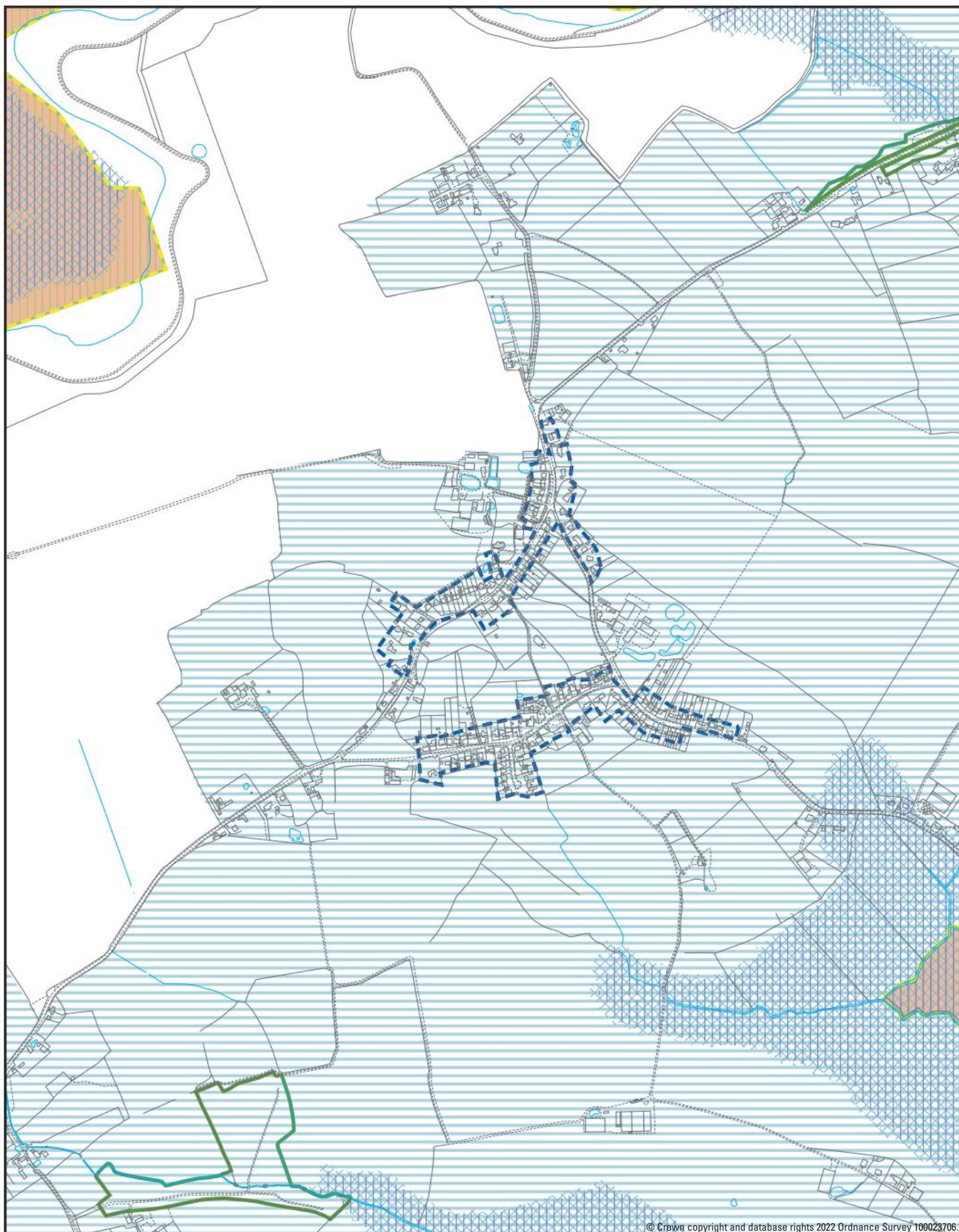




PELDON

LOGO

Scale 1:11,000



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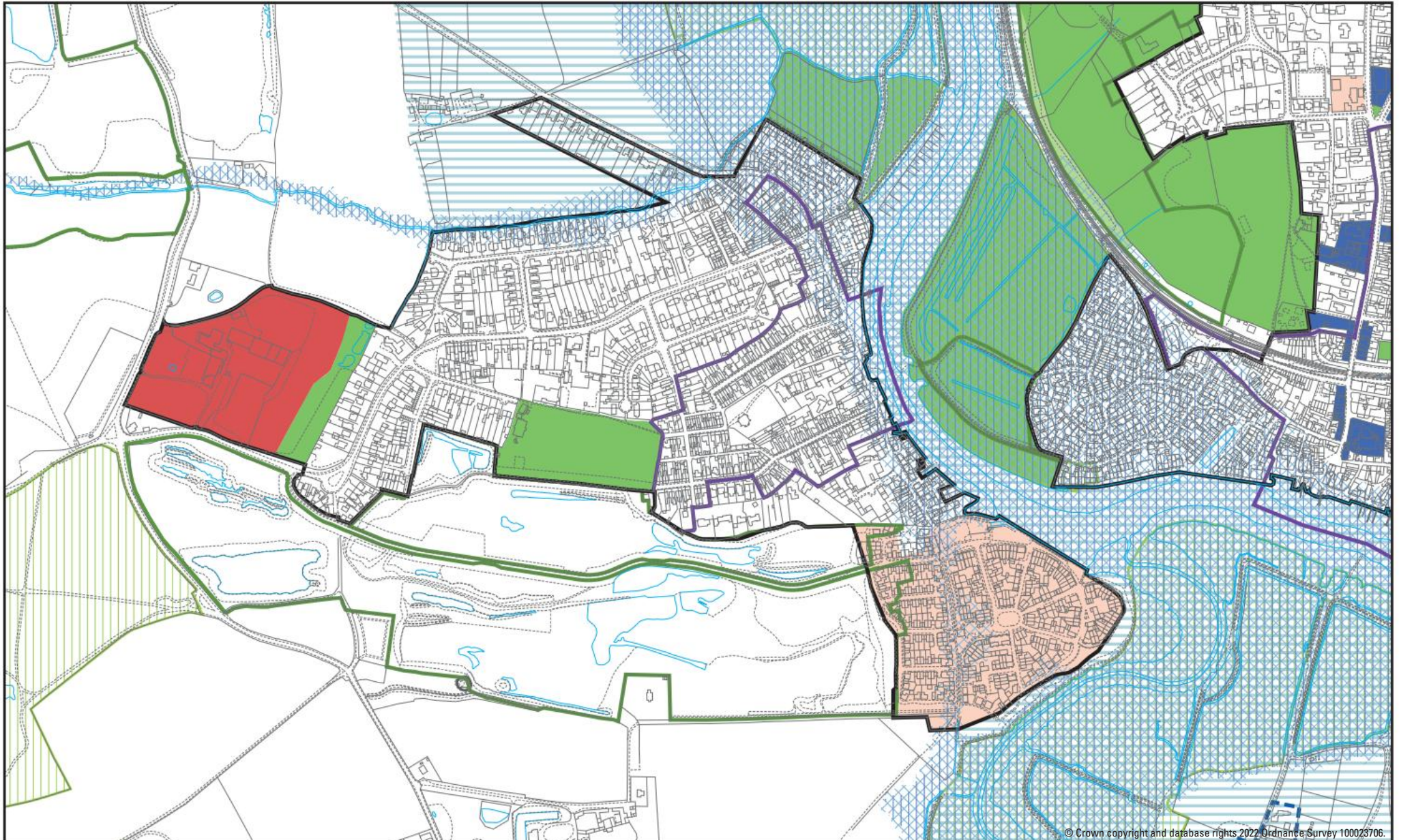


ROWHEDGE

Policy SS13

Scale 1:7,500

LOGO



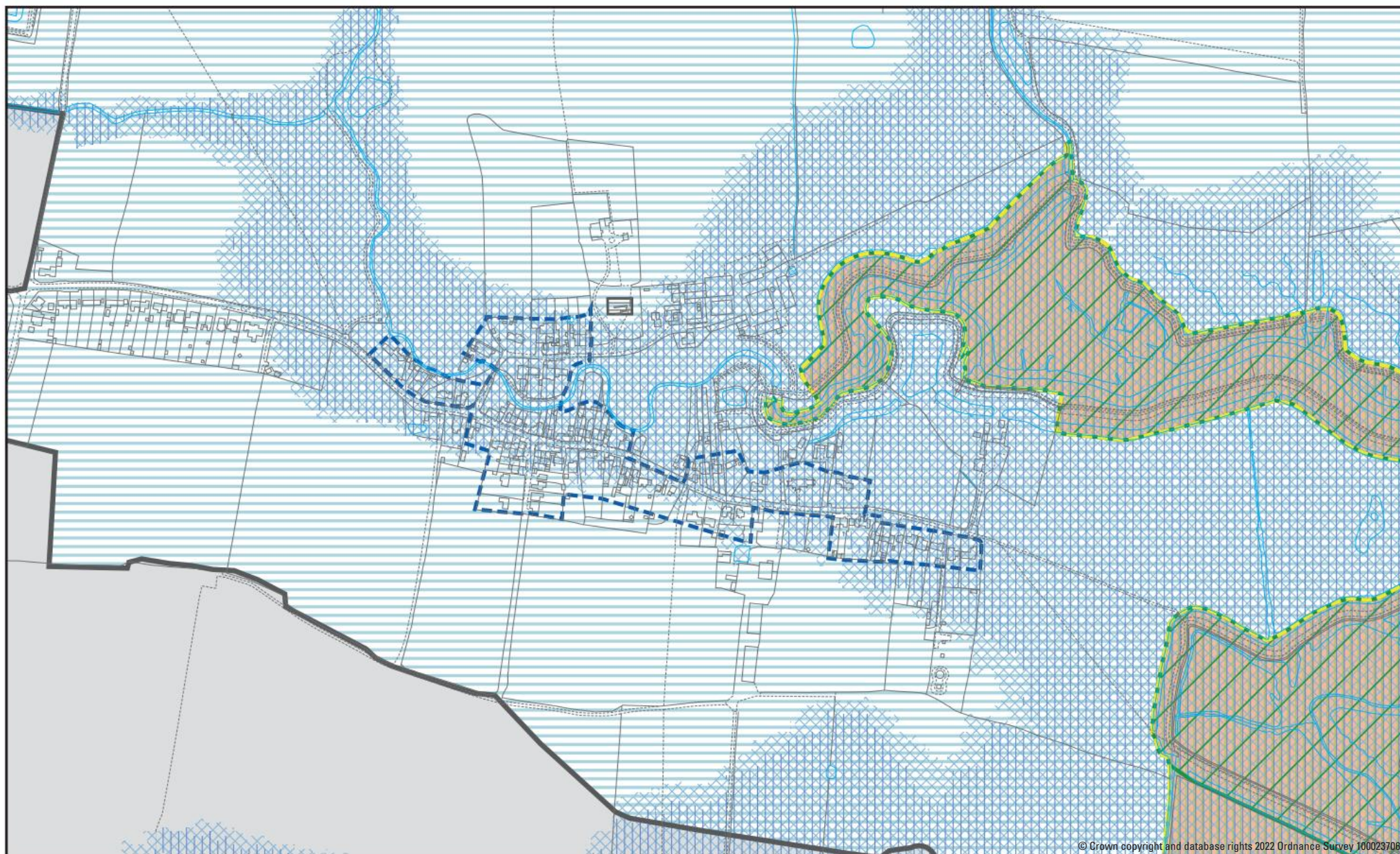
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SALCOTT

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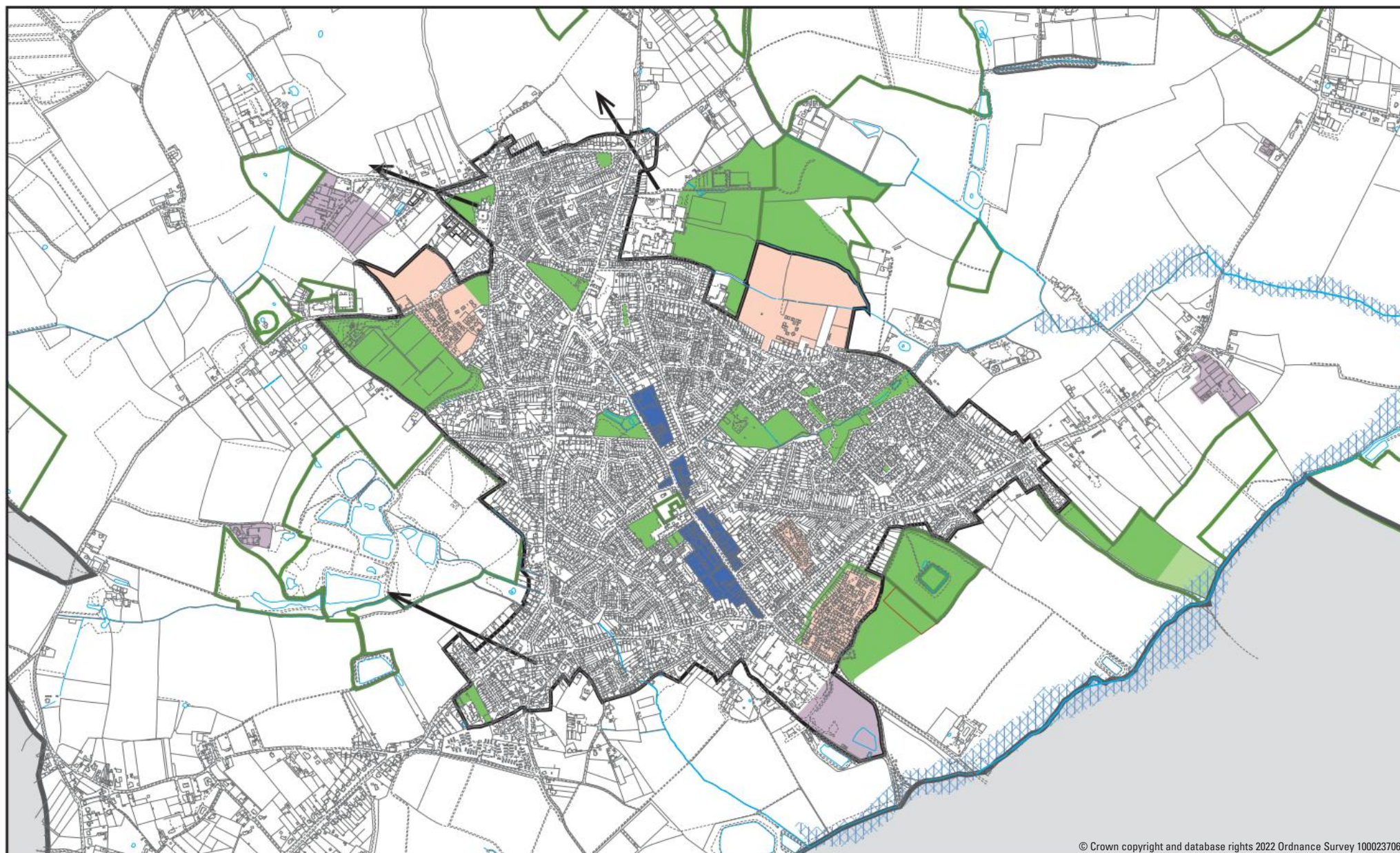


TIPTREE

Policy SS14

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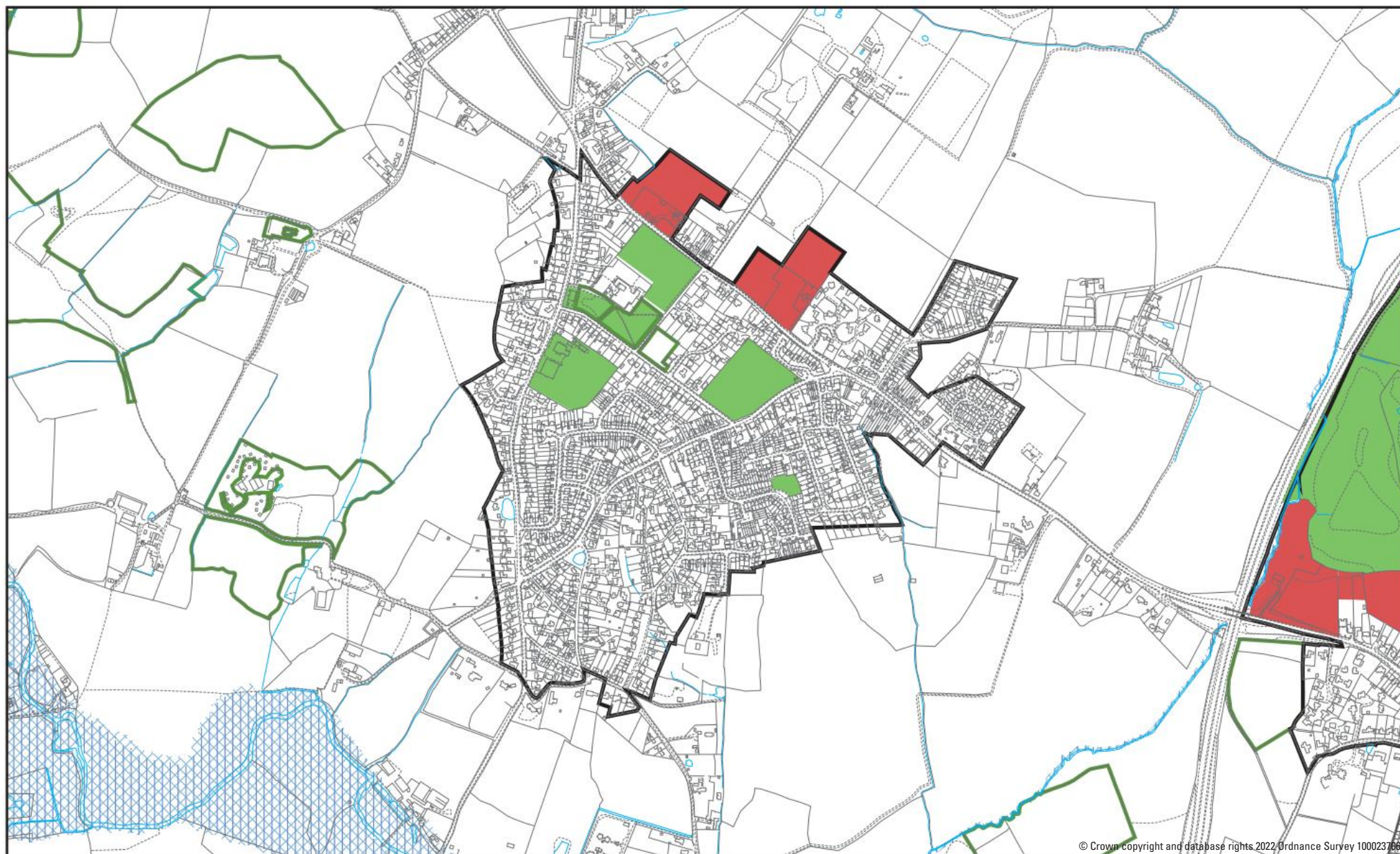


WEST BERGHOLT

Policy SS15

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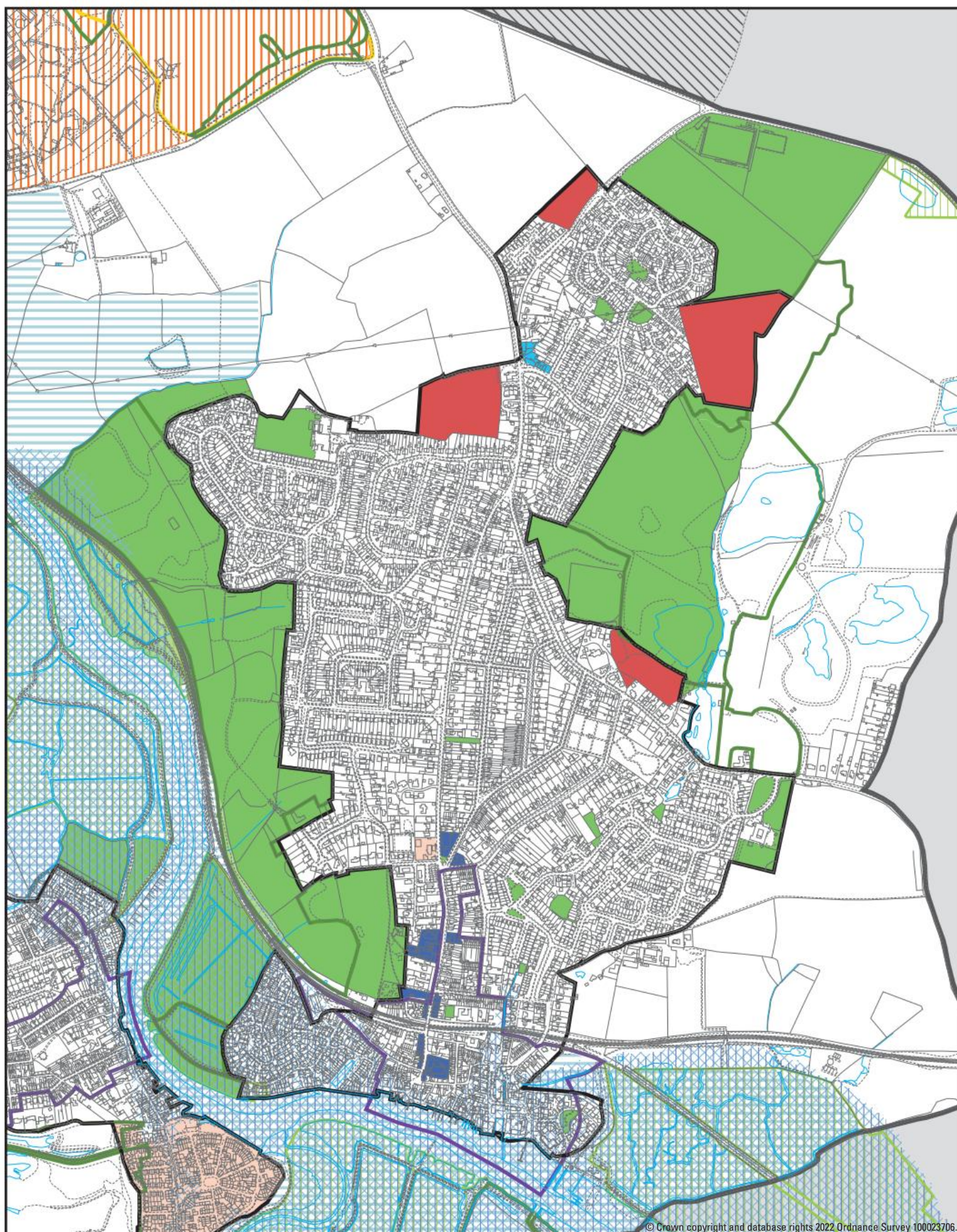


WIVENHOE

Policy SS16

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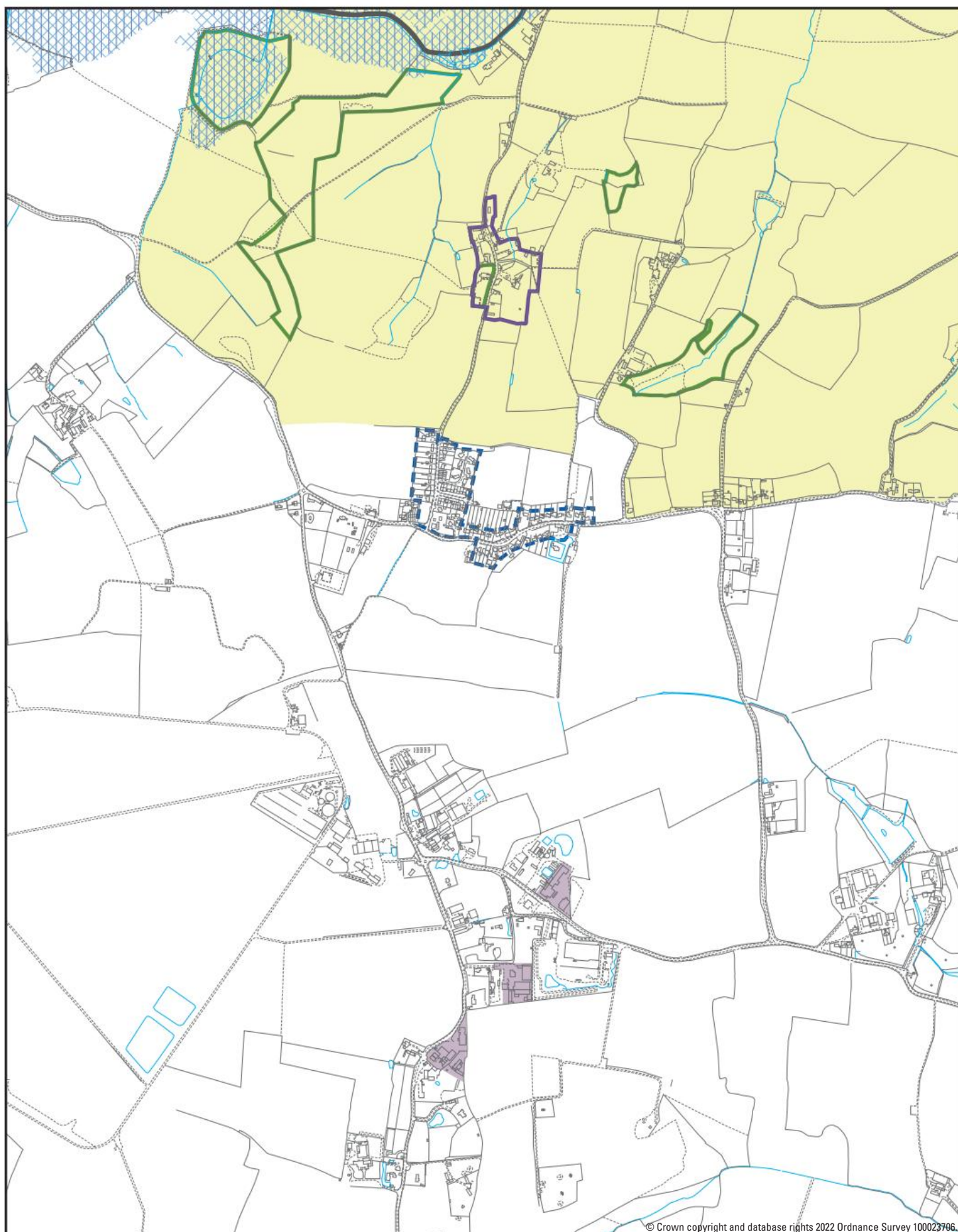




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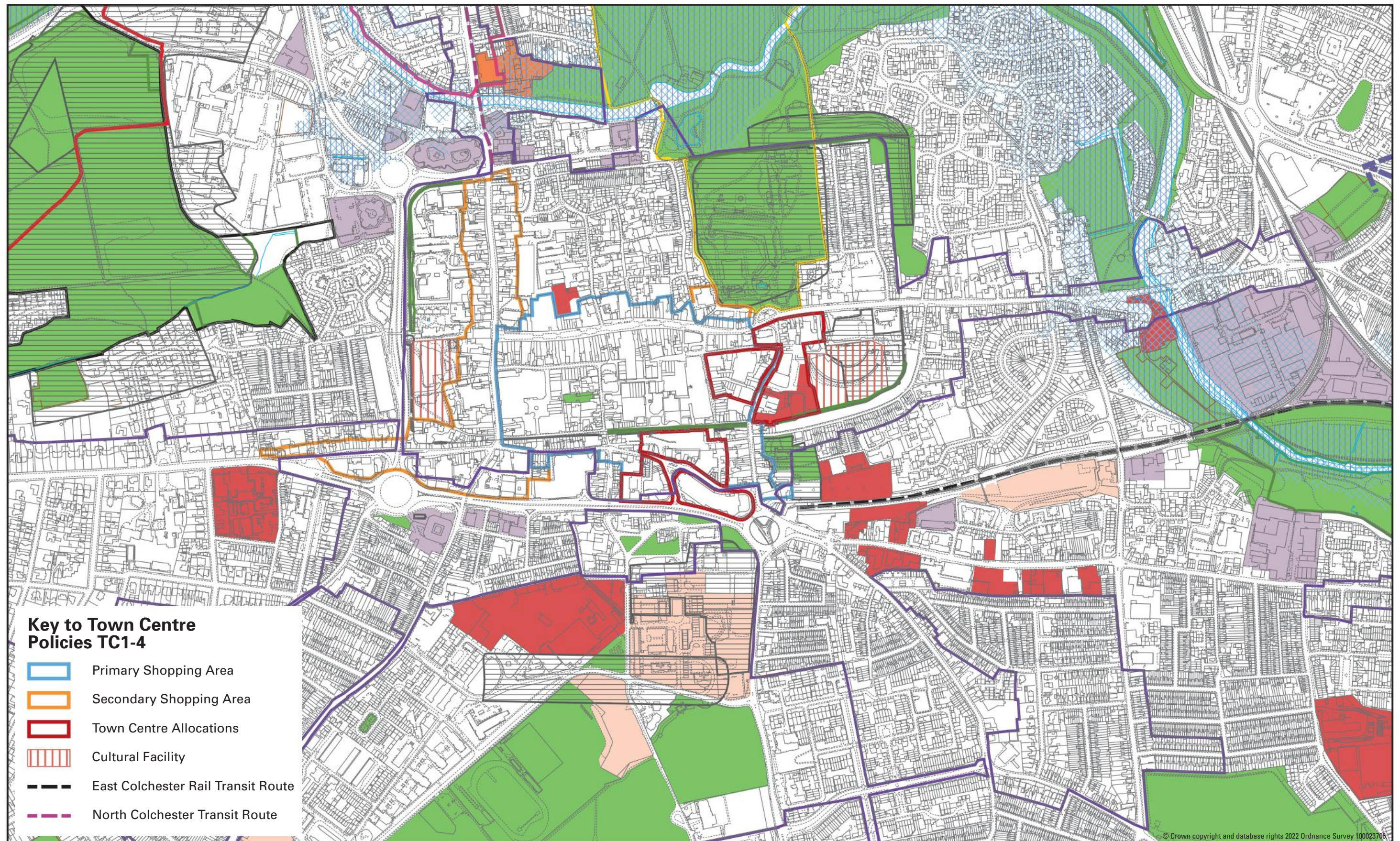


COLCHESTER TOWN CENTRE

Policies TC1-4

Scale 1:7,000

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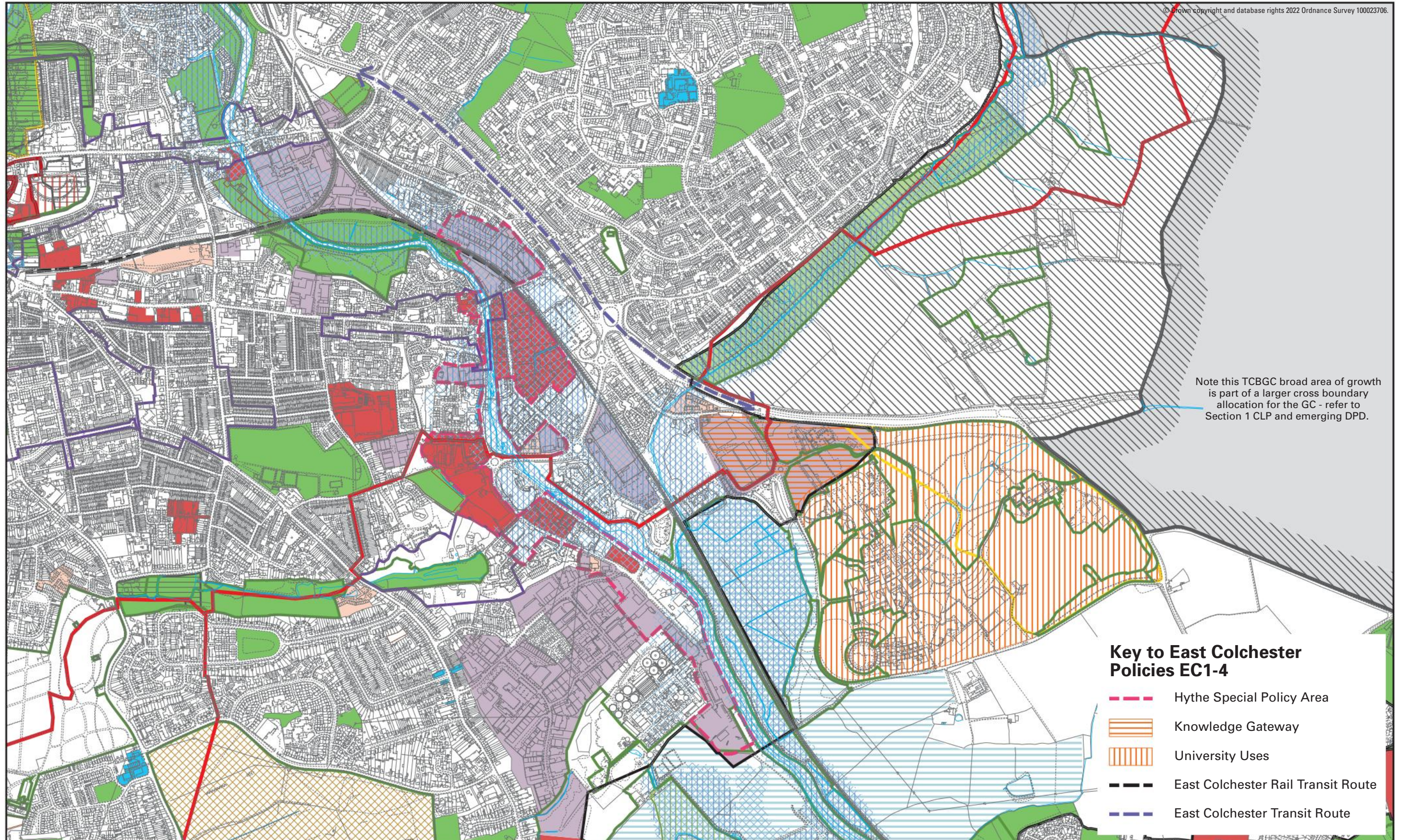


EAST COLCHESTER

Policies EC1-4

Scale 1:12,000

LOGO



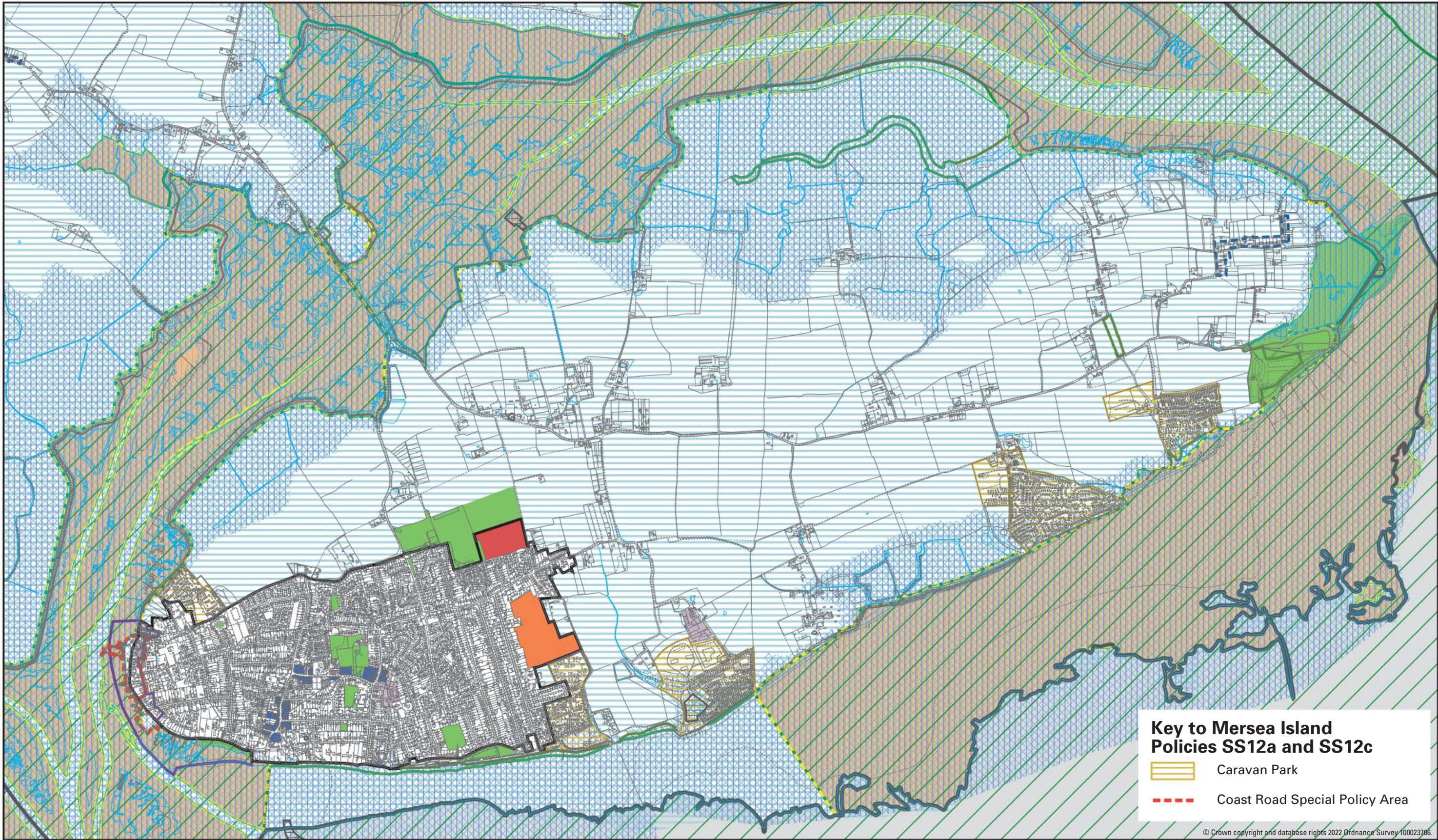
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MERSEA ISLAND

Policies SS12a, SS12c and OV1

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Note the West Mersea Neighbourhood Plan was made in 2022. Policies in the Neighbourhood Plan may also be relevant.

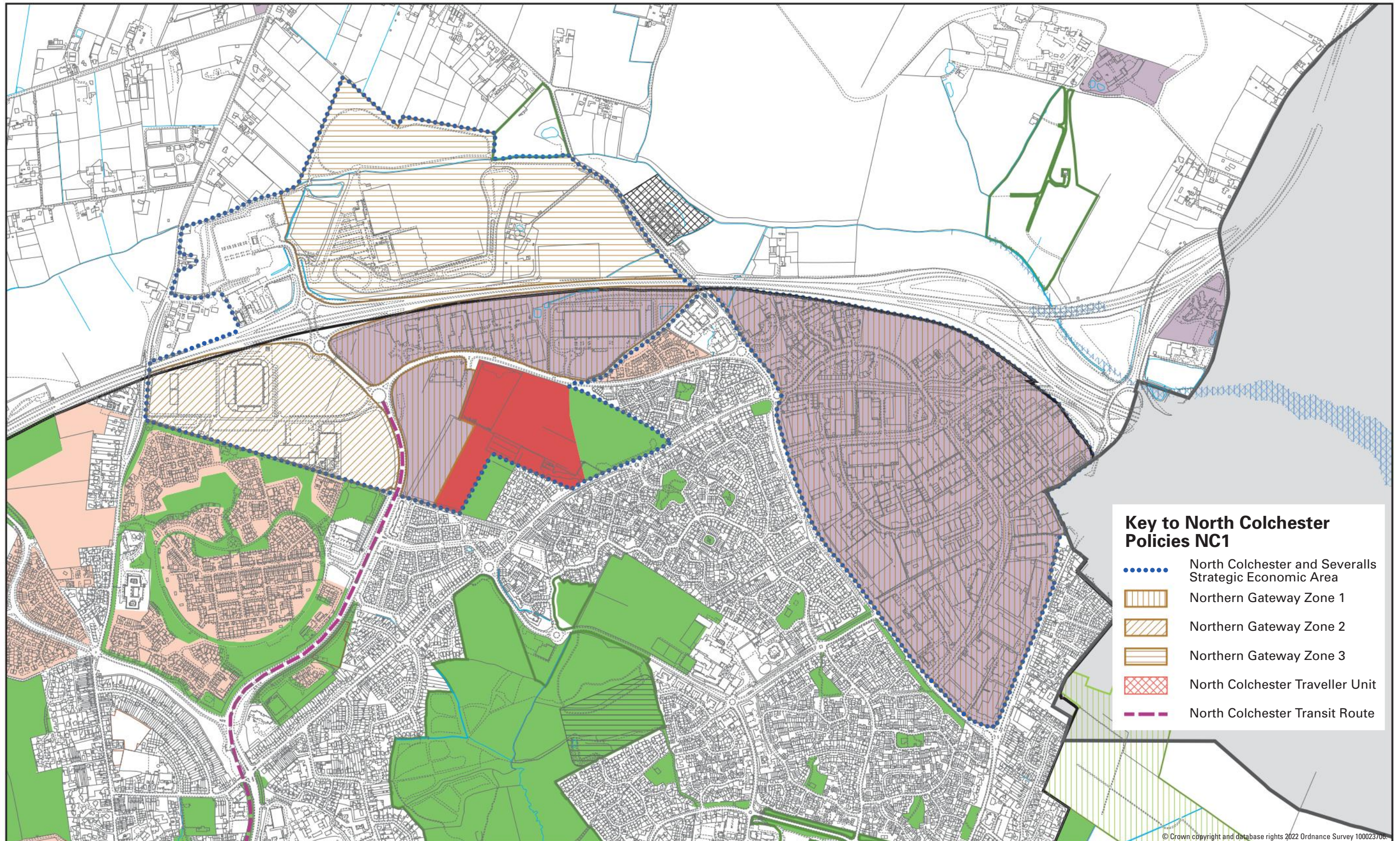


NORTH COLCHESTER

Policy NC1

Scale 1:10,500

LOGO



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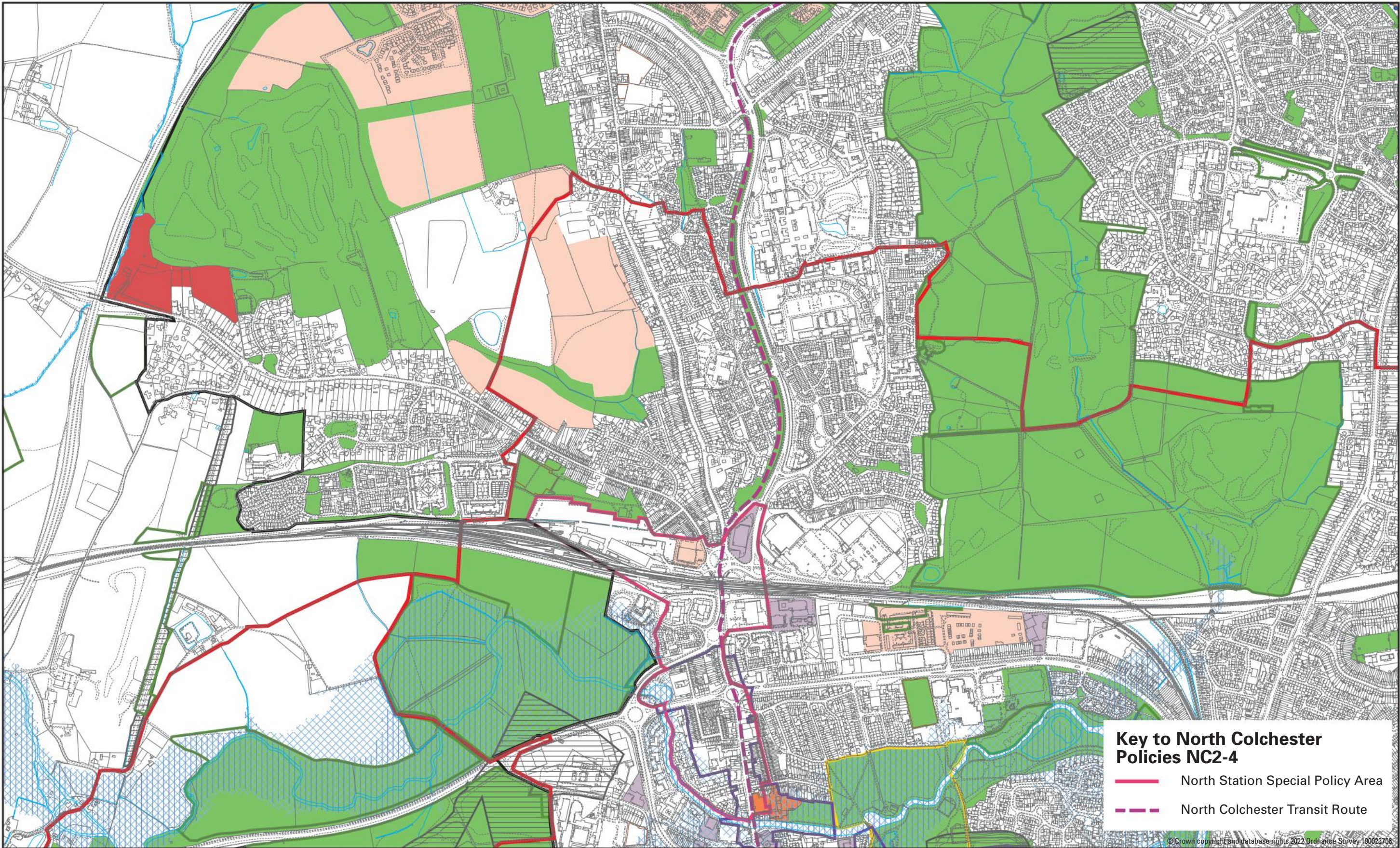


NORTH COLCHESTER

Policies NC2-4

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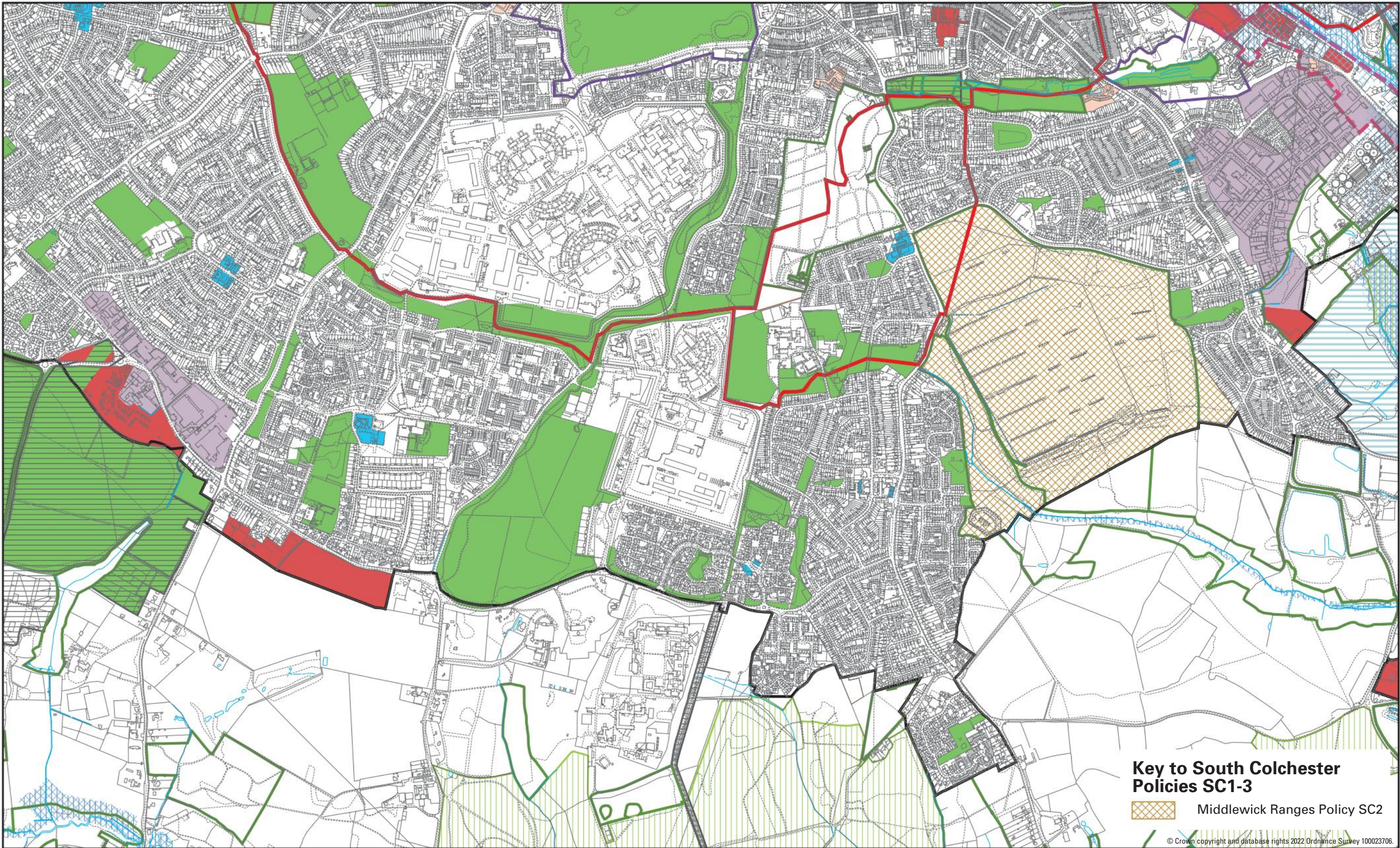


SOUTH COLCHESTER

Policies SC1-3

Scale 1:13,500

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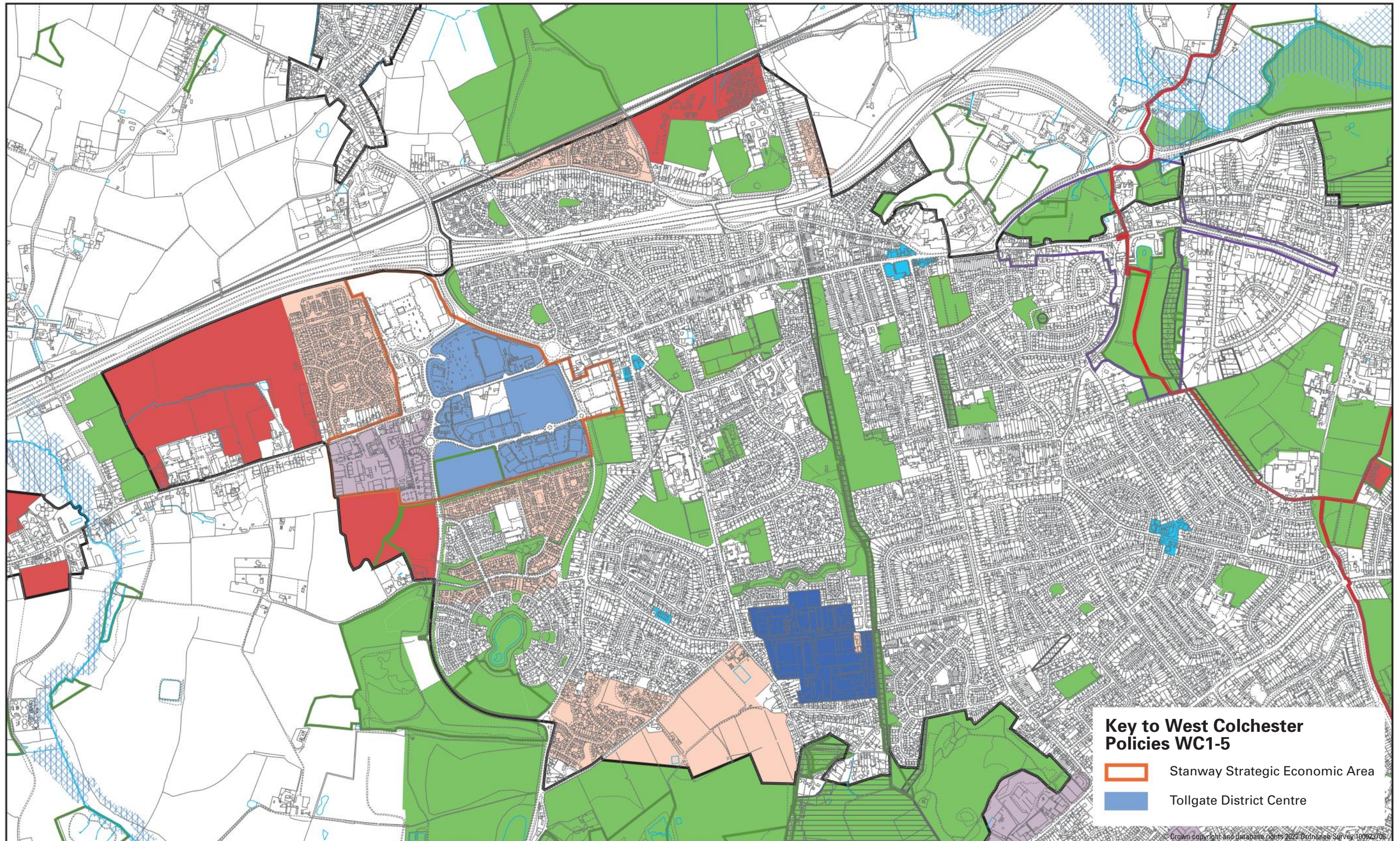


WEST COLCHESTER

Policies WC1-5

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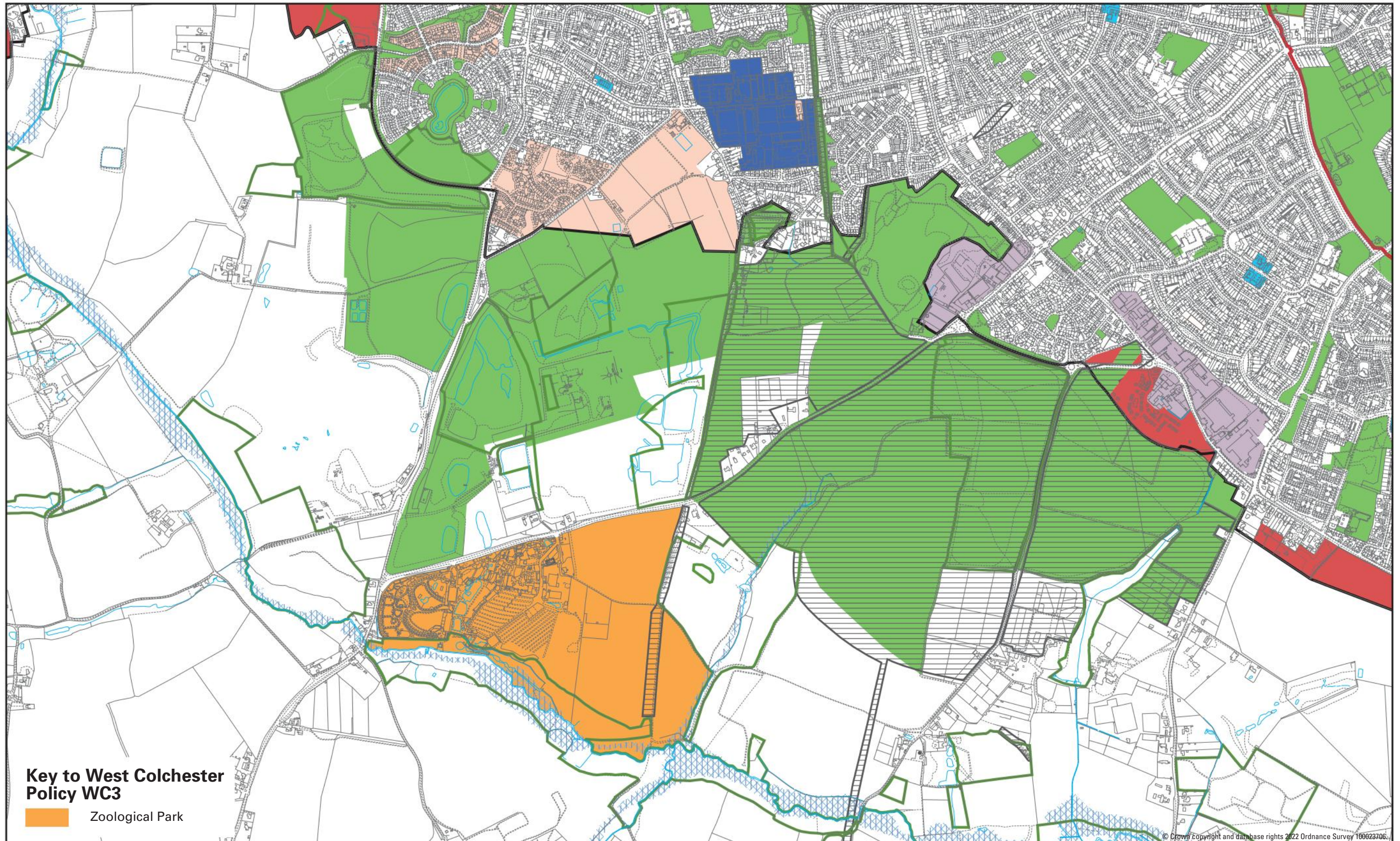


WEST COLCHESTER

Policy WC3

Scale 1:13,000

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



















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Note, there is a Minerals Safeguarding Area as detailed in the Essex Minerals Local Plan within this location. Policies in the Essex Minerals Local Plan may also be relevant



Key to Policies Maps



-  Settlement Boundary
-  Existing Commitments (selected for illustrative purposes only)
-  Other Village Boundary
-  New Residential Allocation
-  Employment
-  New Residential-led Mixed Use Allocation
-  Public Open Space
-  Local Centre
-  District Centre
-  Garden Community Broad Area of Search
-  Neighbourhood Plan Preferred Direction of Growth
-  Coastal Protection Belt
-  Dedham Vale Area of Outstanding Natural Beauty
-  Environmental Agency Flood Zone 3
-  Environmental Agency Flood Zone 2
-  Conservation Area
-  Site of Special Scientific Interest
-  Special Protection Area
-  Special Area of Conservation
-  Local Nature Reserve
-  Local Wildlife Site
-  Scheduled Monument
-  Registered Parks & Gardens
-  Colchester Orbital
-  RAMSAR
-  Regional Important Geological Sites
-  Allotments
-  Borough Boundary
-  Area Outside the Borough

Note, there is a Minerals Safeguarding Area as detailed in the Essex Minerals Local Plan within this location. Policies in the Essex Minerals Local Plan may also be relevant

NB: this key covers Borough-wide designations. Please see respective Policies Maps for specific policy area designations (e.g. North Colchester, East Colchester, etc.).



Local Plan Committee

13th June 2022

Report of	Assistant Director of Place and Author	Sandra Scott
	Client Services	☎ 282975
Title	Adoption of the Marks Tey Neighbourhood Plan and Adoption of the West Mersea Neighbourhood Plan	
Wards affected	Marks Tey & Layer Ward and Mersea & Pyefleet Ward	

1. Executive Summary

- 1.1 Both the Marks Tey Neighbourhood Plan and West Mersea Neighbourhood Plan have successfully completed the process of examination and approval at referendum and have been before the Council to be made (adopted) as part of the Colchester Local Plan.
- 1.2 Due to the legal requirement for the Council to ratify the results of the referendum within 8 weeks, this decision was approved in accordance with the urgency provisions contained in the Council Procedure Rules.

2. Recommended Decision

- 2.1 That the Local Plan Committee notes that the Marks Tey and West Mersea Neighbourhood Plans were made (adopted) following approval at referendum and the Council decision, under the urgency procedure rule 18 (8th April) and as reported to Council 25th May 2022.

3. Reason for Recommended Decision

- 3.1 To ensure the Council's planning policies provide a robust basis for decisions on future planning applications in the Borough.

4. Alternative Options

- 4.1 There is no alternative option.

5. Background Information

Marks Tey Neighbourhood Plan

- 5.1 Colchester Borough Council designated the Marks Tey Neighbourhood Plan Area on 16 September 2015 for the purpose of preparing a Neighbourhood Plan (in accordance with The Neighbourhood Planning (General) Regulations 2012). The plan area includes the whole of Marks Tey parish.
- 5.2 During the course of the preparation of the Neighbourhood Plan, the Marks Tey Neighbourhood Plan Steering Group carried out a significant number of meetings, consultation events and publicity. This included the following:
- Regular public meetings
 - Public consultation events, including hard to reach groups such as young people, and commuters using the railway station.
 - Residential, business and housing needs survey
 - Establishment and maintenance of dedicated webpages on the Marks Tey Parish Council website (https://marksteyparish.org.uk/?page_id=69)
 - Postings on social media
 - Press releases
- 5.3 The Neighbourhood Plan does not allocate sites for housing due to the limitations caused by the capacity of the existing road network and ongoing uncertainties as to when upgrades to the A120 might take place. There have also been uncertainties due to the Colchester Braintree Borders Garden Community being included but subsequently rejected in the Section One Local Plan and the resultant delay to the adoption of the emerging Local Plan. The Plan contains 15 Policies that cover a wide range of issues including housing mix and choice; local character and heritage; local green spaces; traffic and transport; business; infrastructure; creating walking and cycle friendly neighbourhoods and business and employment. In addition, a number of Community Projects are proposed.
- 5.4 Colchester Borough Council appointed an independent examiner, Mr Peter Biggers, to examine the Neighbourhood Plan in August 2021. The Examiner's Report was issued in October 2021 and concluded that subject to modifications, recommended by the examiner, being made to the document, the Neighbourhood Plan satisfied all the Basic Conditions set out in legislation and should proceed to Referendum.
- 5.5 The Referendum on the Marks Tey Neighbourhood Plan was held on 17th March 2022 with the following results: 308 votes recorded in favour of the plan and 41 against, which amounts to 88% in favour.

West Mersea Neighbourhood Plan

- 5.6 In November 2016, Colchester Borough Council designated the West Mersea Neighbourhood Plan Area for the purpose of preparing a Neighbourhood Plan (in accordance with The Neighbourhood Planning (General) Regulations 2012). The plan area includes the whole of West Mersea Ward.
- 5.7 During the course of the preparation of the Neighbourhood Plan, the West Mersea Neighbourhood Plan Working Group carried out a significant number of meetings, consultation events and publicity. This included the following:
- Regular public meetings
 - Public consultation events
 - Residential, business and housing needs survey
 - Establishment and maintenance of a website (<https://www.merseamatters.uk/>)
 - Regular postings on social media
 - Articles about the Neighbourhood Plan in various local publications
 - Summary leaflets prepared and inserted into local publications
- 5.8 The Neighbourhood Plan does not allocate sites for housing but refers to those allocated in the emerging Local Plan. The Plan contains 19 Objectives, and 28 Policies that cover a wide range of issues including housing; open space, sport and recreation; traffic and transport; business; infrastructure; natural environment and landscape; tourism; heritage; and development design. In addition, a number of Community Aspirations are proposed.
- 5.9 Colchester Borough Council appointed an independent examiner, Mr David Kaiserman, to examine the Neighbourhood Plan in October 2021. The Examiner's Report was issued in December 2021 and concluded that subject to modifications recommended by the examiner being made to the document, the Neighbourhood Plan satisfied all the Basic Conditions set out in legislation and should proceed to Referendum.
- 5.10 The Referendum on the West Mersea Neighbourhood Plan was held on 17th March 2022 with the following results: 1,127 votes recorded in favour of the plan and 148 against, or 88% in favour.
- 5.11 The latest version of Planning Practice Guidance provides that if the majority of those who vote in a referendum are in favour of the draft neighbourhood plan then the neighbourhood plan must be 'made' by the local planning authority within 8 weeks of the referendum. A neighbourhood plan comes into force as part of the statutory development plan once it has been approved at referendum. Due to there being no Full Council meetings within the 8 week period, and in consultation with The Portfolio Holder for Housing and Planning this decision was approved in

accordance with the urgency provisions contained in Council Procedure Rule 18 and reported at Council on 25th May 2022.

6. Equality, Diversity and Human Rights implications

- 6.1 An Equality Impact Assessment has also been prepared for the Local Development Framework and is available to view by clicking on this link:-

[Equality Impact Assessment June 2017.pdf \(windows.net\)](#)

7. Strategic Plan References

- 7.1 This decision sits well with a number of the themes for Colchester Borough Council's Strategic Vision. [Strategic Plan 2020-23](#).
- 7.2 ["Creating safe, healthy and active communities"](#) – Commitment to regenerate the Borough through buildings, employment, leisure and infrastructure. Build on community strengths and assets, encourage belonging, involvement and responsibility. Neighbourhood plan allows just this. They allow local community groups to, in consultation with local residents and businesses, produce plans which will help to shape development and investment within their local area. These plans are recognised within the planning system and carry material weight.
- 7.3 ["Delivering homes for people who need them"](#) - Providing more affordable homes, and enable local communities to help themselves. Neighbourhood planning places control over the design, location, and nature of housing and affordable housing that will be created within a locality firmly with the remit of the neighbourhood plan.

8. Consultation

- 8.1 The preparation of the Marks Tey and West Mersea Neighbourhood Plans were both underpinned by extensive public consultation. The consultation process was documented in a Consultation Statements submitted along with the Neighbourhood Plan documents as part of the examination process.

9. Publicity Considerations

- 9.1 In the case of both Neighbourhood Plans Parish / Town Councils and Colchester Borough Council have publicised the Neighbourhood Plan on their respective websites.
- 9.2 The documents have been made available on the Colchester Borough Council and Marks Tey Parish Council West Mersea Town Council websites

(respectively), and stakeholders have been notified, in accordance with Regulations 19 and 20 of the Neighbourhood Planning (General) Regulations 2012.

- 9.3 Neighbourhood planning is generally seen as a positive activity and any publicity arising should be seen in this light.

10. Financial implications

- 10.1 Colchester Borough Council is financially responsible for organising the examination and referendum for Neighbourhood Plans in their areas. The Council can however reclaim £20,000 from the Department for Levelling Up, Housing and Communities for all Neighbourhood Plans once a date is set for a referendum following a successful examination. These payments have been made by Central Government to Local Authorities to reflect the additional financial burdens associated with supporting Parish Councils or Neighbourhood Plan Forums prepare Neighbourhood Plans. The grant will cover the cost of the examination and referendum.

11. Health, Wellbeing and Community Safety Implications

- 11.1 None specifically identified.

12. Health and Safety Implications

- 12.1 None specifically identified.

13. Risk Management Implications

- 13.1 The adoption of the Marks Tey and West Mersea Neighbourhood Plans will help ensure that the Council's planning policies are robust and up-to-date and help to reduce the risk of inappropriate development being permitted.

14. Environmental and Sustainability Implications

- 14.1 In order to support the achievement of sustainable development, the Neighbourhood Plans both aim to ensure that new development will be both sustainable and improve life for the community without prejudicing lives for future generations. The plans contain objectives that seek to achieve these objectives including ensuring that any proposed development provides footway and cycleway links, encouraging residents to walk and cycle; preserving and enhancing existing wildlife corridors; protection and enhancement of designated habitats in their own rights and from the impact of new development. In addition, in the case of Marks Tey, through regeneration opportunities including existing employment and business areas; and ensuring that a stronger sense of community is created and maintained. In the case of West Mersea through ensuring that where tourism is encouraged it respects the rural countryside, coastal character and natural habitat.

- 14.2 A screening opinion, carried out under the Environmental Regulations 2004, was undertaken in March 202 for Marks Tey and July 2020 for West Mersea and both concluded that the Neighbourhood Plan is not likely to have significant environmental effects and consequently confirmed that a Strategic Environmental Assessment (SEA) is not required.

Appendices

Appendix A – Marks Tey Neighbourhood Plan Referendum Version

Appendix B- West Mersea Neighbourhood Plan Referendum Version



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MARKS TEY NEIGHBOURHOOD PLAN

2020- 2033

REFERENDUM NEIGHBOURHOOD PLAN
JANUARY 2022

FOREWORD

On behalf of Marks Tey Neighbourhood Plan Steering Group, I am very pleased to present the Parish Council's Neighbourhood Plan, along with its supporting documents, to Colchester Borough Council for its forthcoming public referendum.

I want to thank the many people and agencies that have contributed to the task and helped create the Neighbourhood Plan. Many of these have toiled consistently since June 2015. These are:

The current members of the Steering Group, who are Patsy Beech (who also researched, formatted and compiled the Character Assessment), Frank Clark, Gail Gibbs, Richard Gore, Karen Seward, Sue Stacey, Rev. Ian Scott-Thompson and Allan Walker, ex Chair of the Parish Council.

Former members of the Steering Group include Karen Barker, Bill Rudman, Shaun Balaam, Kate Evans, José Rodriguez and previous chairs of the Steering Group, Mark Wingate, Gerald Wells and Juliet English.

However, we could not have reached this stage of the process without the valuable help and guidance of many others, not least our consultant, Rachel Hogger of Modicum Planning, whose patience was often put to the test but never failed, Darren Carroll of Carroll Planning Design, who provided guidance for the Character Assessment report, and Paul Dodd of the Out Design team, who compiled the Masterplan report. We are also indebted to our Parish Clerk Gemma Humphries, who until she left recently, was a huge help with keeping the Council's records, and an army of volunteers who helped to deliver our leaflets throughout the village. Also invaluable have been members of Colchester Borough Council's Planning Department, especially Catherine Bailey, during the later stages of the process, Cllr. Andrew Ellis and the staff of the Rural Community Council of Essex.

In 2015 Marks Tey Parish Council decided that it should have a Neighbourhood Plan and what we present now is due to the dedication of the Steering Group in constantly relating its plans and proposals to the views of residents and the business community. The reason why the Neighbourhood Plan has been far more complex than many others is because it has been carried out against the background of major road development proposals and plans to have a garden community development locally. Significant progress has been made on both, with the publishing of plans for the new junction of the A12 and the decision to drop the garden community approach. During the long preparation of the Plan these factors put in our way many obstacles which made progress slow and often unpredictable. Our public consultation began on 24th February 2020 but it became necessary to extend the consultation period due to the Covid 19 pandemic twice, and it finally closed 21 weeks later, on 12th July 2020. The responses from residents, businesses, landowners and others reflect wide support for our policies and proposals, and a sympathetic understanding of the difficulties that had been faced, and for this we are very grateful.

Notwithstanding these recent developments, the Steering Group agreed it would be wiser to avoid going through the process of allocating house building sites until the situation becomes much clearer. Then it will incorporate site allocations at a future review of the Neighbourhood Plan.

For centuries the area now occupied by Marks Tey Parish was a group of small individual hamlets, Marks Tey, Potts Green, Long Green and Little Tey, but with the arrival of the first railway line the population expanded, and then the branch line to Sudbury. This has left a legacy of two railway lines and two major roads which have effectively cut Marks Tey into segments. This complex junction of road and rail has left residents with the problems of congestion, pollution and environmental damage, and so at the heart of our Neighbourhood Plan is the desire for a blueprint that sets out policies that will make the parish a more pleasant place to live and work and that provides realistic alternatives to reliance on road and rail. Our 15 policies are related to a few core objectives that reflect this motivation:

Getting Around. Managing the existing volumes of traffic as much as possible, so they at least do not get worse, improving the links between parts of the village.

An environmentally friendly place to live, with a more environmentally friendly way of travelling, both for work and for leisure, with walking and cycling opportunities.

Creating a Sense of Place. Preserving and enhancing those features that make Marks Tey a distinctive place, keeping it separate from nearby parishes, keeping the two Tey's separate and maintaining ancient locations in the village along with preserving many old and often listed buildings.

Creating a Stronger Community. Having policies that enhance the sense that Marks Tey is a living community, protecting and providing links between its green and open spaces.

Creating a Healthier Environment. Having policies such as protecting local wildlife, planting hedgerows and trees, and expecting developers will play a part in terms of funding and incorporating such features in their plans.

Housing for Current Needs. This will be delivered through a variety of homes and tenure with building designs that are responsive to the needs of different generations and changes in modern work patterns.

Business and Employment. Regenerating the main sites in the parish, particularly through environmental improvements including the London Road parade of retail businesses. Also helping to turn the now closed Andersons timber merchants and surrounding area into a modern industrial area.

John Wood, Chair of the Steering Group
January 2022

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1. INTRODUCTION

1.1 This document is the referendum Neighbourhood Plan (NP) for the Marks Tey neighbourhood plan area over the period 2020 to 2033. The purpose of the NP is to set a framework for future development within the plan area. Once made, the NP will carry the same legal weight as plans drawn up by Colchester Borough Council and will form part of the Council's Development Plan. Applications for development must be determined in accordance with policies of the Neighbourhood Plan and other parts of the Development Plan unless material considerations indicate otherwise¹.

1.2 The work on the Marks Tey NP has been led by the NP steering group which comprises nine people; all residents in the parish. Of these nine members, one is a parish councillor.

1.3 The NP area is the parish of Marks Tey. It includes Marks Tey village, the hamlet of Little Tey and, to the east, Marks Tey train station. Two historical hamlets, Long Green and Potts Green are now part of Marks Tey village. At the same time as the NP being prepared, Colchester Borough Council are bringing forward the Local Plan 2017 to 2033. Once adopted, this plan will replace the current Local Plan 2001 to 2021 and provide the strategy for growth for the borough up to 2033.

1.4 The Local Plan process has created an uncertain strategic policy context for the Marks Tey NP, not least because of the extended examination period (the examination commenced into Part 1 of the Local Plan in October 2017 and concluded in December 2020) and the removal, during the examination process, of the Colchester/Braintree Borders Garden Community for which previously the entirety of Marks Tey parish had been identified as an area of search. The Marks Tey NP has had an important role to play during this uncertain context in articulating clearly what the priorities for future development are. Part 1 of the Local Plan no longer includes proposals for a Garden Community in Marks Tey parish and neither does it include a local housing figure to be delivered through the Marks Tey NP.

1.5 The vision, objectives and policy proposals in this plan have been directly informed by the results of community consultation. This includes the results of a comprehensive 16-page residents survey covering 48 questions undertaken in January 2017. Over three hundred surveys were returned from either individuals or householders. The survey covered the following topics:

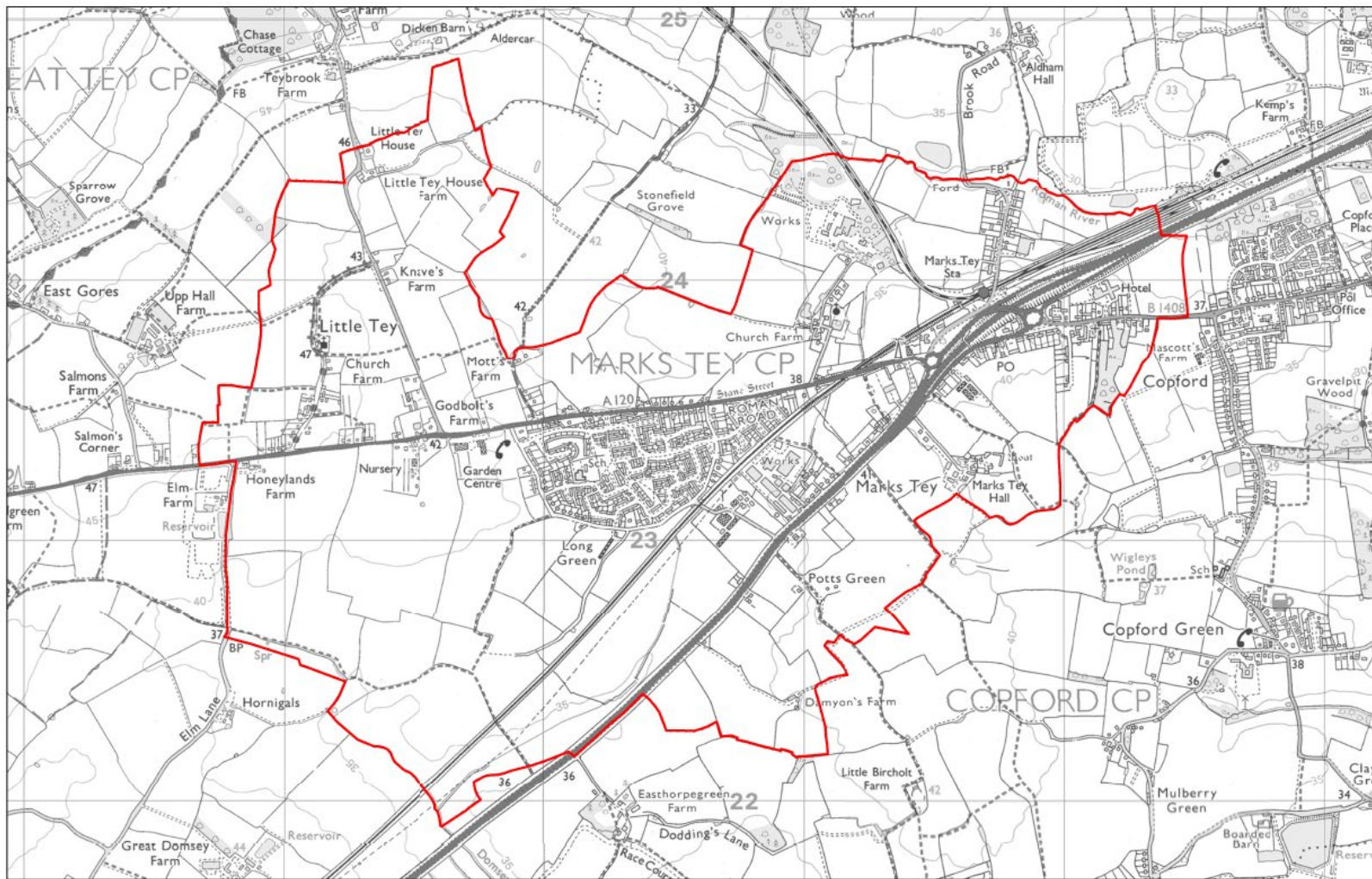
- Getting Around
- Housing
- Facilities
- Environment
- Economy
- Heritage

¹ Many issues are capable of being material considerations, but in broad terms should relate to the use and development of land. As a general principle, the planning system works in the public interest and matters that affect solely private interests are not usually material considerations in planning decisions. However, each application is considered on its merits. (*DCLG, Jan 2015 – A plain English Guide to the Planning System*)

1.6 In addition to listening to the views of the community, the NP steering work have also built up its own evidence base including:

- Marks Tey Character Assessment, NP steering group 2019
- Marks Tey Neighbourhood Plan Masterplanning support document, Out Design 2017 (undertaken by Out Design via the Locality direct support programme)
- July 2017 Estate Agent survey undertaken by NP steering group.

Map 1.1. The Neighbourhood Plan Area



Contains Ordnance Survey data © Crown copyright and database right 2014.

2. THE NEIGHBOURHOOD PLAN AREA

2.1 The Marks Tey NP area was designated on 16 September 2015. The designated area is shown in the Figure above. It has an area of 6.09 square kilometres.

GEOGRAPHY

2.2 Marks Tey parish comprises Marks Tey and the hamlet of Little Tey. The parish is in the borough of Colchester and located approximately 11km west of Colchester town. Marks Tey village lies at the meeting point of the A120 (named at this location as Coggeshall Road or Old Stane Street) and the A12. The A120 joins the dualled A12 northwards at this point, and the old road (B1408) links Marks Tey to Copford and Colchester to the east. The A120 west links to Coggeshall and Braintree.

TRANSPORT

2.3 Marks Tey is a village which is characterised by its road and rail links. The village has a railway station which is on the Great Eastern Main Line (GEML) providing a regular and direct service into London Liverpool Street. It is also a junction for the Sudbury branch line providing direct access to Sudbury in Suffolk. The A12 is a major road which runs diagonally through the southern part of the parish from north-east to south-west linking the east coast with London. The A120, an important trunk road, runs east to west through the parish further north linking Colchester to Stansted Airport and the M11. The A12 and A120 interchange is in the eastern part of the parish.

A COMMUNITY FRAGMENTED BY ROADS AND RAIL

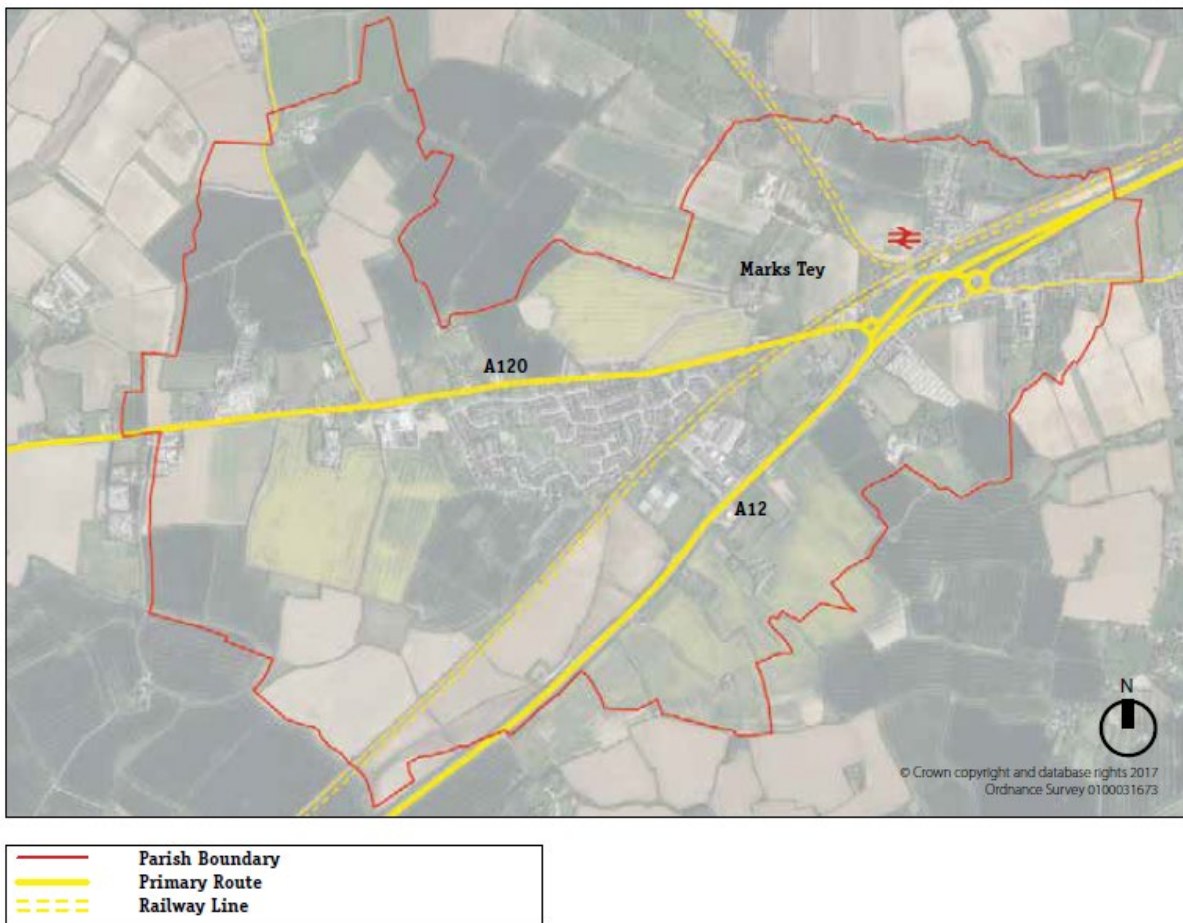
2.4 The two rail lines and the two roads create four separate linear barriers through the parish. There are three crossing points over the GEML; a road bridge at North Lane, a road bridge at the A120 near Church Lane and a pedestrian footbridge to the south of Marks Tey housing estate. The A12 has one crossing point in the form of a footbridge from the dual carriageway railway station bus stop westbound to London Road/ slip road to A12 southbound. This is connected to one of the **two** traffic light controlled pedestrian crossings on the A120 both designed to give access to the railway station. The first of these allows the crossing of the dual carriageway from the footbridge to the railway station, and the other, approximately 100 yards further west-bound just after the roundabout, is a crossing from the railway station to the estate side of the A120.

2.5 In addition to the linear barriers, the interchange between the A12 and the A120 takes the form of two large roundabouts which is subject to high levels of congestion during peak periods. The physical infrastructure of the interchange imposes the following barriers:

- between the railway station and main residential areas of the parish;
- between the railway station and the main shopping area; and
- between the shopping area and the residential area.

2.6 The fragmentation caused by the transport infrastructure in the parish is illustrated by Figure 3 in the Marks Tey Masterplanning Support document prepared by Out Design for the Marks Tey NP in December 2017. This is shown overleaf.

Map 2.1: An overview of transport infrastructure in the parish. (Figure 3 of the Marks Tey Masterplanning support document)



POPULATION

2.7 As at the 2011 Census, Marks Tey parish had a population of 2,551. The median age of the population is 43 and as at 2011, nearly 16% of the population was aged 65 or over. The proportion of people aged 65 or over is very similar to the borough and national level but much lower than neighbouring parishes which have a considerably older age profile (Great Tey: 19% is aged 65 or over; Eight Ash Green is 21%; Copford 20%; and Aldham 25%).

DWELLINGS AND HOUSEHOLDS

2.8 In 2011, the parish had 1,053 households and 1,088 dwellings. In May 2017, the NP steering group collected data on dwellings and dwelling type. A total of 1,116 dwellings were counted as follows:

Table 2.1 – Breakdown of dwellings in parish as collected by NP group May 2017

Dwelling Type	Detached House	Semi Detached	Detached Bungalow	Semi-detached bungalow	Terraced/linked	Flats
Numbers	403	330	162	54	37	130
% share	36%	30%	15%	5%	3%	12%

Source: Data collected by NP steering group, May 2017

2.9 The Census 2011 provides a useful overview as to how the number of households in Marks Tey are broken down by number of bedrooms:

Table 2.2 – Breakdown of dwellings in parish by number of bedrooms, Census 2011

Bedrooms	Number of households	%
1 bedroom	47	4
2 bedrooms	241	23
3 bedrooms	428	41
4 bedrooms	277	26
5 or more bedrooms	60	6
All households	1,053	100
Source: Census 2011 (DC1402EW)		

2.10 In terms of tenure the households are broken down as follows:

Table 2.3 – Breakdown of households and tenure, Census 2011

Tenure	Number of households	%
Owned outright	395	37.5
Owned with mortgage	453	43
Shared ownership	1	0.1
Social rented from council	57	5.4
Social rented from other	7	0.7
Private rented (landlord or letting agency)	129	12.3
Private rented (other)	8	0.8
Living rent free	3	0.3
Total households:	1,053	
Source: Census 2011		

COMMUNITY

2.11 Marks Tey is fortunate in the range of facilities that it currently enjoys. Few similar sized villages can claim 3 restaurants, 2 vehicle workshops, 3 petrol garages, 2 churches, specialist butchers, cycling and pet food shops and 3 large community halls with good parking which can be hired, and a pub (currently closed) and a community social facility. There is also a generous amount of open amenity space and playing fields and informal access to local countryside. This is partly due to support by the existing community but also largely due to Marks Tey's position on the A120 and the A12 Junction 25. Marks Tey has become a local hub and an accessible location of specialist facilities, but the precariousness of these facilities is indicated by the rise and fall of the specialist food hall business.

BUSINESS COMMUNITY

2.12 The plan area is home to a wide variety of businesses. There are established retail outlets such as Byford's (wholesale & retail florist) and Willsher & Sons (butchers) that are well known and used by customers from Marks Tey and outside the local area. The Marks Tey Hotel, the Shed Centre and Poplar Nurseries are also popular destination businesses. There are other outlets along London Road including a Post Office and general provision store, Auto Spares, Pharmacy and three fast food outlets, serving both Marks Tey and surrounding villages. WH Collier Ltd operate the brickworks which is one of the oldest businesses in Marks Tey.

2.13 Many of the companies are located around the junctions of the A12 & A120 but there are patches of employment spread across the parish.

HISTORIC ENVIRONMENT

2.14 There are 27 buildings listed by English Heritage within the parish. Of these, there are two Grade I listed churches of St. James the Less, Little Tey and St. Andrew's, Marks Tey. There is one Grade II* (starred) building found on the Marks Tey Hall estate. The remaining 24 are all Grade II listed. The oldest of these Grade II listed buildings is the c1400 barn at Knaves Farm, Little Tey shown below.



Figure 2.1 – C14 barn at Knaves Farm, Little Tey, Photo by Patsy Beech

2.15 Included in the parish's built heritage assets is the Circular Brick Kilns at the W H Collier Brick and Tile Works, Church Lane. The site is scheduled by Historic England as national monument. The monument includes two circular kilns and their associated brick working floor, flues and chimney base. The western kiln is a Grade II listed building.

2.16 The Marks Tey Brick Works was established by John Wagstaff, a farmer and brickmaker, in 1863. William Homan Collier, a young brickmaker from Reading, took over the brickworks by 1879 and in the late 19th and early 20th centuries the firm supplied not only local needs, but also the wider market from its own tramway and siding to the adjacent railway.

2.17 The brickworks is still in use today, though the processes employed have changed considerably. The brickworks, having been acquired by Christian Salvesan in 1988, returned to independent ownership as WH Collier Ltd in 2005.

2.18 In addition to historical information available via the national database of records held by Historic England the NP steering group has collected further information on local history. This includes an historical survey of Long Green along Granger's Lane in the south west of the parish. The lane once formed part of a link road between two roads known to be Roman, Stane Street, (now A120) and the road to London (A12) although both these roads could have earlier origins and were up-graded by the Romans. This earlier evidence has been noted by Oliver Rackham in his book *History of the Countryside*. Granger's Lane became recognised as a formal right of way in the autumn of 2020. It is valued by local walkers and provides important habitat including hedgerows and ponds. It is also valued as an important local heritage asset.

LANDSCAPE CHARACTER

2.19 There are a number of sources that provide information on the character of Marks Tey Landscape Character. This includes:

1. Colchester Landscape Character Assessment published in 2005
2. The Marks Tey Character Assessment produced by the NP steering group to inform this plan.
3. West Colchester Growth Area Option Environmental Audit. This was produced by Chris Blandford Associates in November 2015 to help inform the emerging Borough Plan.

2.20 The parish of Marks Tey falls in two different national character areas; the Northern Thames Basin and Southern Suffolk and North Essex Clayland. The parish of Marks Tey also falls within the Farmland Plateau Landscape Character Type of the Colchester Borough Landscape Character Assessment. This category is broken down into eight sub types, into two of which the parish falls:

- B2: Eastthorpe Farmland Plateau; and
- a sub section of B2a specific to Marks Tey village.

2.21 The Colchester Landscape Character Assessment provides a description of key characteristics which include:

- Raised farmland plateau, dissected by the wooded Roman River valley in the east;
- A mixture of small, medium and large irregular, predominantly arable fields;
- Small patches of deciduous woodland and several ponds/ reservoirs;
- Area crossed by a network of narrow, sometimes winding lanes;
- Settlement pattern consists of small villages and hamlets with scattered farmsteads amongst predominantly arable agricultural land.

2.22 It also identifies key planning and land management issues, a landscape strategy objective, landscape planning guidelines and land management guidelines. The landscape strategy objective for B2 is "Conserve and Enhance". The landscape planning guidelines applicable to Marks Tey parish include:

- Conserve the mostly rural character of the area.
- Ensure that any appropriate new development responds to historic settlement pattern and use materials, which are appropriate to landscape character.
- Ensure that any development on the edges of Marks Tey responds to traditional settlement patterns and uses design and materials which are appropriate to landscape character.
- New farm buildings such as sheds should be sensitively located within the landscape to respect local character and avoid the skyline.

2.23 The landscape management guidelines applicable to Marks Tey parish include:

- Consider the introduction of new structure planting to shield/mitigate the visual effects on the A12/railway and (Marks Tey village) settlement corridor
- Strengthen and enhance hedgerows with hawthorn where gappy and depleted.

- Conserve historic lanes and unimproved roadside verges.

2.24 The West Colchester Growth Area Option Environmental Report provides an audit of ecology and nature conservation, landscape/townscape character and visual amenity as well as water quality and flood risk for the entirety of the West Colchester Growth Area. Amongst other things, the report provides an assessment of townscape within Marks Tey itself.

2.25 The report includes an assessment of visual amenity within Marks Tey parish (as part of looking at the wider area). As part of this an assessment of fourteen views taken from within the parish was undertaken.

2.26 The conclusions on constraints and opportunities which are applicable to the Marks Tey parish can be summarised as follows:

- In terms of impact (of development) on landscape, the principal effect of development would be a change from rural arable to a residential character
- In terms of townscape, development is unlikely to have a significant overall effect. There is opportunity for development to be complementary to surrounding townscape
- Development would potentially have a negative effect on the visual amenity of public rights of way across the site including those in Marks Tey parish.
- Care should be taken to avoid loss of the woodlands and hedgerows/field boundaries that form screening elements in views from the edge of Marks Tey area.
- In terms of landscape capacity this is identified as being limited ability to be able to accommodate development without degradation of landscape characteristics that are of local value. Mitigation and enhancement measures would be required where change does take place.
- In terms of green gaps, the report finds that
 - The arable fields between Copford and Marks Tey along the B1408 are considered to provide a high contribution to the physical and visual separation between the settlements.
 - It is considered desirable to safeguard the land further south (where the distance between Copford and Marks Tey widens) from inappropriate development.
 - Most of the land between Marks Tey and Little Tey is considered to provide a high contribution to the physical and visual separation between the settlements. It is considered desirable to safeguard this from inappropriate development.
 - Most of the land between Marks Tey and Easthorpe is considered to provide a high contribution to the physical and visual separation between the settlements.
 - At the western end of Marks Tey, arable fields on either side of Dobbies Lane and their associated greenhouses are considered to have no more than a medium contribution to the sense of separation between Marks Tey and Easthorpe.
 - The area of hardstanding south of the intersection of the A12 and A120 has a predominantly urban fringe character and makes a low contribution to sense of separation between the settlements. This also applies to the adjacent field which is enclosed by built development on three sides.
- Existing landscape structure across the site should be retained and strengthened.

NATURAL ENVIRONMENT

2.27 In addition to its importance to heritage, the Marks Tey Brick Works is also designated by Natural England as a Site of Special Scientific Interest (SSSI) under the Wildlife and Countryside Act. The reason for this designation is:

Marks Tey has uniquely important Pleistocene sediments, which have yielded a continuous pollen record through the entire Hoxnian Interglacial. No other site in the British Isles has so far produced a comparable vegetational record for this or any other interglacial. Of considerable interest also are the laminations (seasonal layers) within these lacustrine (lake) sediments which have made it possible to estimate the duration in years of the Hoxnian Interglacia.

Source: Citation for Marks Tey Brickpit as provided by Natural England at <https://designatedsites.naturalengland.org.uk/SiteDetail.aspx?SiteCode=S1004027>

2.28 The Marks Tey designated Local Wildlife Sites are:

1. Little Tey Churchyard (reference Co14).
2. Marks Tey Brick Pit (reference Co31)

2.29 A search using the mapping tool at www.magic.gov.uk identifies nine areas of broadleaved deciduous woodland (a priority habitat for England), three additional areas of woodland and a range of bird life and mammals in the parish.

2.30 Additional information on local wildlife has been collected by the NP steering group. Wildlife surveys were undertaken in 2016 and 2017. The surveys revealed the presence of a wide variety of birdlife throughout the year, amphibians, and many large and small mammals including bats, deer and badgers.

3. KEY ISSUES

3.1 This section of the plan:

- Describes the priority issues shared by the community as identified in engagement work in 2016, 2017 and 2018.
- Summarises the existing planning policy context for the NP area. The existing planning policy context provides important background to the NP and it is essential the NP adds to that context rather than duplicates it
- Includes a SWOT analysis prepared by the steering group in August 2017 as a way of building shared consensus of the key priority concerns

ISSUES IDENTIFIED DURING ENGAGEMENT WORK

Early engagement work:

3.2 The Marks Tey community have been asked about key issues concerning them at the early stages of plan development (2015) and mid-way engagement stage (2017). The output of this work is available in more detail in the accompanying consultation statement. Key findings from survey work throughout the process were the identification of positive aspects of the Marks Tey environs, aspects considered as being negative and top priorities for improvements. Results are summarised below:

Table 3.1 – Positive aspects, negative aspects and top priorities for change

Positive aspects of living in Marks Tey	Negative aspects of living in Marks Tey	Top priorities for change
<ul style="list-style-type: none"> • Countryside • Park • School • Quiet • Walking • Non-car transport • Lack of crime • Friendly people • Transport links • Recycling • It's a village • The village hall • The church • The playing fields • Community spirit 	<ul style="list-style-type: none"> • A120 • A12 • Traffic • Poor pedestrian environment along A120 • Road safety issues at key points including North Lane bridge and conflict between road users and pedestrians • Divided by roads and railway line • Pollution • Noise from traffic • Commuter parking • Parking • Lighting • Road surfaces • Healthcare • Non car transport 	<ul style="list-style-type: none"> • Reducing congestion on the A120 • A12 • Limit development • Improve infrastructure • Protect countryside • Provision of a GP surgery and dentist in plan area • Parking improvements around the village

	<ul style="list-style-type: none"> • Crime • Litter/Mess • Loss of hedgerows 	
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3.3 Other priorities expressed by the community, largely in response to the 16-page householder survey sent out in January 2017 were:

- Strong support for the preservation of a countryside-buffer zone between Marks Tey and other developments
- Strong support for the preservation of views of St Andrew's Church from the A120 including the rural landscape to the north/beyond
- Support for the provision of additional open space around the parish
- Strong support for a stronger village heart given the existence of the A120 and A12
- Support for the protection of employment sites
- Strong support for the preservation of built heritage assets
- Support for the restoration of Granger's Lane as public right of way
- Little Tey should be maintained as a separate community

Business Survey:

3.4 In June 2016, a business survey was distributed. This comprised a six-page survey seeking an understanding of the make-up of the employee base as well as needs of the businesses.

3.5 The survey was delivered to 112 businesses and the response rate was 47% with the general statistics indicating the following:

- Most of the businesses in MT are service-orientated.
- 66% of businesses have been established in MT for more than ten years.
- Only one new business has been established in the last 12 months.
- 28 of 50 businesses have been on the same site in MT for more than ten years.
- About 25% of MT businesses felt that their current site was too small but only 20% were looking for new or extended premises. Of those looking for new or extended premises none were looking outside MT.
- 80% of MT businesses had maintained the same number of employees over the last 12 months. Where there had been change it was in general a reduction although numbers were small.
- Whether full-time or part-time the overwhelming majority of workers were in the 20-59 age group.
- Very broadly speaking part-timers represent 27% of the workforce headcount – based on the age group table.
- The largest group of workers was skilled manual.
- There were as many professional/managerial as there are technical and clerical/admin put together.
- The single largest group of workers working in Marks Tey was from Colchester. 42 workers live in Marks Tey and of the others 71 live within 10 miles of Marks Tey and 46 more than ten miles away.
- By an overwhelming majority the single largest group of employees travelled to Marks Tey by private vehicle.

Other findings of engagement work:

3.6 In July 2017, a survey (the 2017 Train Users Survey) was undertaken by the NP steering group of commuters using the Marks Tey railway station. In total, 175 people were surveyed.

3.7 The survey found that the vast majority of users were regular train commuters and that only 10% of respondents were Marks Tey parish residents. Just under 70% people travelled to the railway station by car with the other 30% travelling by foot, public transport or bicycle. Over 50% of respondents parked their car at or near the station with the remainder getting a lift or travelling by alternative means. 20% of respondents said they would cycle to the train station if better cycle paths were provided and just under 60% stated they would work in Marks Tey parish if job opportunities were available.

PLANNING POLICY CONTEXT

Adopted Statutory Development Plan

3.8 The parish of Marks Tey falls within the Colchester Borough Council (CBC) local planning authority area. The Local Plan relevant to the NP is therefore the:

- Adopted Local Plan 2001 to 2021 which includes:
 - o Local Plan Focused Review (July 2014).
 - o Core Strategy (adopted 2008 but updated in July 2014 as part of the Local Plan Focused Review).
 - Policy ENV2 – Rural Communities. Marks Tey village falls within the Rural Community category of the borough-wide settlement hierarchy and Policy ENV2 provides principles for development proposals coming forward in these locations.
 - o Site Allocations DPD (2010) which allocates in the NP area:
 - an area of 8.03 hectares of land suitable for employment use;
 - an area of 2.5 hectares of land suitable for nursery use;and identifies:
 - London Road, Marks Tey as a Neighbourhood Centre where shopping/amenity uses are protected by policy DP7 in the Local Plan;
 - Marks Tey Brick Pit SSSI as designated under the Wildlife and Countryside Act 1981 with additional protection provided under Countryside and Rights of Way Act 2000.
 - o Development Policies Development Plan Document (adopted 2010 and updated in July 2014 as part of the Local Plan Focused Review).
 - o Proposals Map 2010.

3.9 The statutory Development Plan applicable to Marks Tey also includes the Essex Minerals Local Plan produced in July 2014 and the Essex and Southend-on-Sea Waste Local Plan (2017).

- A key purpose of the Minerals Local Plan is to *"maintain a plan-led approach to future provision, providing reassurance for Essex residents, the minerals industry, key stakeholders and future*

developers that future needs can be met, whilst also providing a degree of certainty as to where minerals development will take place” (see paragraph 2.39 of the Essex Minerals Local Plan). The plan safeguards the following two sites in the Marks Tey NP area:

- Marks Tey Brickworks for brick clay extraction and brickmaking (Policy S8 – Safeguarding mineral resources and mineral reserves).
- Marks Tey Rail Depot which is a minerals transshipment (Policy S9 -Safeguarding mineral transshipment sites and secondary processing facilities).

3.10 The Essex and Southend-on-Sea Waste Local Plan (WLP) sets out how Essex and Southend-on-Sea aim to manage waste up to 2032. It seeks to deal with waste more sustainably across the plan area by guiding the development of waste management facilities in appropriate locations, encouraging recycling and reducing reliance on landfill.

3.11 The WLP safeguards the following site:

- Honeylands Farm Waste Transfer Station for the recycling of waste arising from highway gullies, including the construction of concrete pads, sumps, ancillary equipment, office and welfare facilities. This site is located on the western boundary of the NP area.

Emerging Local Plan 2017 to 2033

3.12 Colchester Borough Council is relatively advanced with the progression of its new Local Plan and is currently at examination stage. The examination into Part 1 of the Local Plan commenced in October 2017 and closed in December 2020.² In July 2018, progress was halted following findings from the Planning Inspectorate. After additional evidence, the Examination in Public restarted in January 2020. In May 2020, the Inspector issued a letter to the NEA concluding that two of the garden communities, including the proposed garden community around Marks Tey, were unviable and recommended their removal from the plan. Significant modifications to Part 1 of the Local Plan were prepared and subject to further consultation. Part 1 of the Local Plan was then adopted on 1 February 2021. The emerging Local Plan does not include a housing requirement figure to be delivered through the Marks Tey Neighbourhood Plan. The examination into Part 2 of the Local Plan started in spring 2021.

PLANNED STRATEGIC ROAD IMPROVEMENTS

A12 Chelmsford to A120 Road Widening

3.13 The expansion and improvement of the A12 was in the 2015 to 2020 Road Improvement Strategy (RIS1) for widening to three lanes each way. It has now been carried forward into the 2020 to 2025 strategy (RIS2). National Highways (formerly Highways England until Sept. 2021) have announced a preferred route which will continue to run through Marks Tey but with its junction moved. It is

² Part 2 of the Local Plan was subsequently adopted in February 2021 (after the Marks Tey Neighbourhood Plan was submitted).

anticipated to be completed in 2028. <https://nationalhighways.co.uk/our-work/east/a12-chelmsford-to-a120-widening-scheme/>

A120 dualling between Braintree and the A12.

3.14 The A120 at Marks Tey, which stretches through the plan area, is the last stretch of single carriageway road between the M11 and Colchester. As part of Essex County Council's (ECC) response to this plan at pre-submission stage in July 2020, ECC have explained that *'Over the years, and particularly since the stretch of the A120 from Stansted and Braintree was upgraded, the single carriageway of the A120 between Braintree and the A12 has become increasingly congested and unreliable. This has led to poor levels of service and safety for road users, impacting on economic growth and development in the region, as well as affecting the well-being of local residents via impacts on the local environment and access to essential services. With traffic volumes expected to increase, congestion on the A120 will get worse, further exacerbating the impacts on travel, local residents and economic growth'*.

3.15 ECC part funded (with then Highways England) and undertook an analysis of options for the dualling. From this, ECC has identified its favoured route as being Route D which would join the A12 south of Kelvedon. ECC considers this would help address A120 movements but would also be instrumental in addressing through traffic issues in the area. The NP steering group however note the ECC analysis of the options published in its 2017 consultation document the *A120 Braintree to A12 Consultation on Route Options 17 January to 14 March 2017*. Figure 6 of this document shows that Route D will leave the A120 in Marks Tey with 82% of its current traffic load, the largest residual traffic load of any of the considered options and this will need to be fully evaluated and planned for.

3.16 The Government's Road Investment Strategy 2 (RIS2) announcement in March 2020 included commitments to progressing further development work on the A120 dualling including detailed design, land assembly and statutory processes that are required to prepare the scheme for delivery. The A120 dualling scheme will be considered for inclusion in the RIS3 programme. ECC have stated in its pre-submission response to this plan that the scheme is considered to be amongst the most advanced unfunded strategic road schemes in the country (in terms of design stage) so once funding is secured it is 'shovel-ready'.

SUMMARY OF KEY CONSTRAINTS AND PLANNING DESIGNATIONS IN THE NP AREA

3.17 The key constraints in the plan area include:

Infrastructure constraints:

- The Railway Line
- The A12
- The A120

Environmental constraints:

- Marks Tey Brick Pit SSSI
- Marks Tey Circular Brick Kilns Scheduled Monument (WH Collier Bricks and Tile Works, Church Lane)

- A number of listed buildings
- Head of the Roman River valley north east of Marks Tey identified in Colchester's emerging spatial strategy
- Limited capacity for landscape to accommodate development without adversely impacting sense of place and character
- Lack of capacity at Water Recycling Centre, under current permit, to treat additional wastewater flows from development without adversely impacting water quality in the Roman River, as advised by the Environment Agency in its response to the pre-submission consultation draft of this plan.
- Parts of the designated NP area lie over (water) source protection zones, as advised by the Environment Agency in its response to the pre-submission consultation draft of this plan

Additional planning policy constraints and designations:

- Marks Tey Brickworks safeguarded in the Essex Minerals Plan for brick clay extraction and brick-making.
- Marks Tey Rail Depot safeguarded in Essex Minerals Plan as a Safeguarded Transshipment site.
- Honeylands Farm Waste Transfer Station safeguarded in the Essex and Southend-on-Sea Waste Local Plan for the recycling of waste arising from highway gullies, including the construction of concrete pads, sumps, ancillary equipment, office and welfare facilities.
- Village settlement boundaries (currently around Marks Tey, Little Tey, A12 small residential area, London Road parade and North Lane residential area).
- Existing employment site allocations:
 - o at Anderson's Yard
 - o Nursery (not due to be carried through in emerging Local Plan)
- A neighbourhood centre at London Road, Marks Tey.

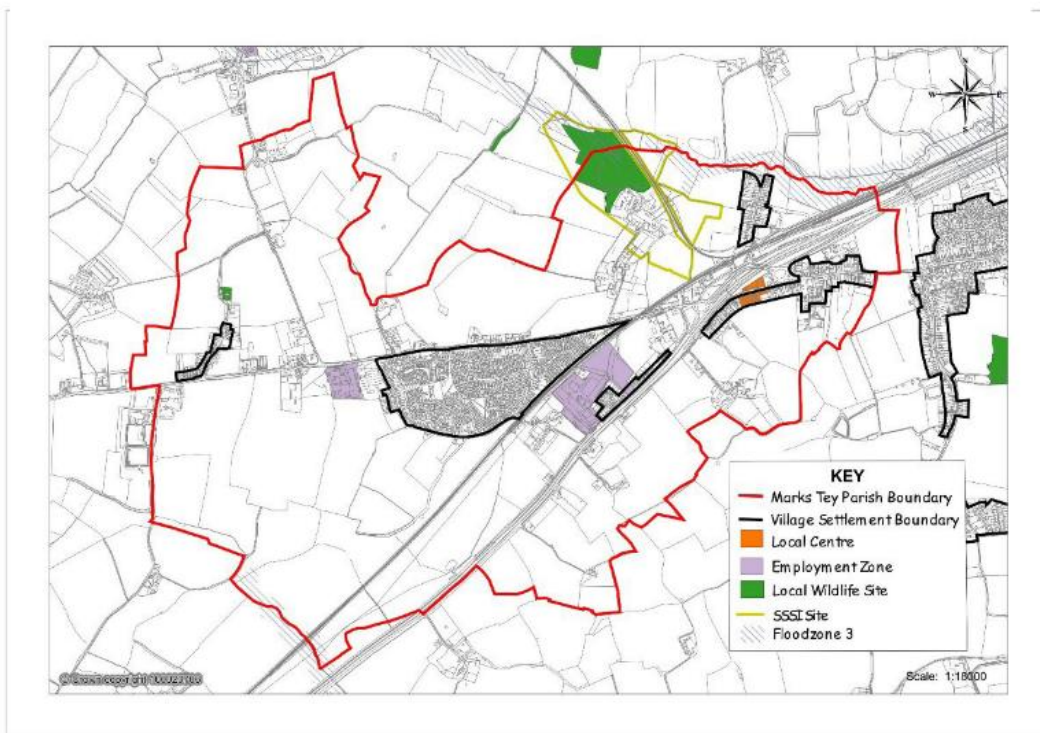
3.18 As well as the active extraction of brick clay, there are unworked deposits of sand and gravel within the parish which are safeguarded through Policy S8 of the Minerals Local Plan. This policy has specific requirements of development proposals when 5ha or more of a proposed non-mineral development falls within a Minerals Safeguarded Areas associated with sand and gravel. There also exists a Minerals Safeguarding Area associated with the brick clay resource. Policy S8 has further requirements when development equating to one dwelling or more is proposed within a brick earth Minerals Safeguarding Area.

3.19 Policy S8, as well as Policy S9, further safeguards existing and allocated minerals infrastructure from proximate new development which may compromise the ability to work or manage minerals. The policy ensures that ECC in its role as the Minerals Planning Authority (MPA) is consulted on all applications within 250m of existing or allocated minerals infrastructure, depending on the nature of that infrastructure. The MPA is likely to object to the permitting of development that would unnecessarily sterilise a mineral resource or compromise the operation of mineral infrastructure unless certain policy tests are met.

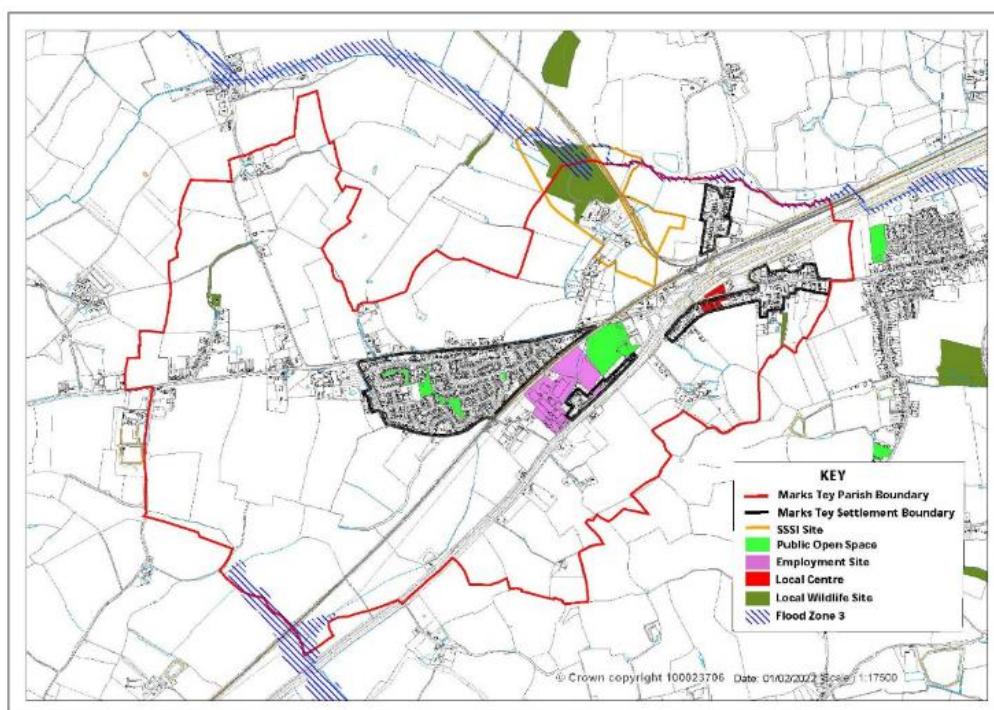
3.20 Policy 2 of the Waste Local Plan designates Waste Consultation Areas up to 250m from existing or allocated waste infrastructure (400m from Water Recycling Centres). ECC in its capacity as the WPA is likely to object to the permitting of development that would unnecessarily compromise the operation of waste infrastructure unless certain policy tests are met.

3.21 The designated planning constraints as per the adopted Local Plan and emerging Local Plan are shown in Maps 3.1 and 3.2 below.

Map 3.1: Planning designations and constraints as per the adopted Colchester Borough Local Plan 2001 to 2021



Map 3.2 Planning designations and constraints as per the emerging Colchester Borough Local Plan (update provided by Colchester Borough January 2022)



STRENGTHS, WEAKNESSES, OPPORTUNITIES AND THREATS

3.22 The NP steering group used the consultation results in 2015 and 2016 to identify the strengths in the plan area that should be protected, weaknesses that should be addressed, any threats to be managed and opportunities for improvement. The outcome is shown below:

Table 3.2 – Marks Tey SWOT Analysis	
Strengths	Weaknesses
<ul style="list-style-type: none"> • Railway station <ul style="list-style-type: none"> - Providing interchange between mainline to London and branch services to the north • Access to London, east coast and Stansted Airport • Good range of facilities <ul style="list-style-type: none"> - Parish hall, hotel, shops, restaurants, Post Office, primary school, churches, pharmacy • Heritage assets <ul style="list-style-type: none"> - 27 listed buildings, non-listed but locally important historic buildings, historic village greens, 3 roads improved by Romans. • A historic place <ul style="list-style-type: none"> - Connections to important historic figures, QE1 and Henry Compton, Bishop of London 1675 – 1713 • Rural Setting <ul style="list-style-type: none"> - Reasonably good access to countryside including some ancient footpaths and bridleways - Attractive rural landscape - Predominantly Grade II (very good) agricultural land in parish • Natural Assets <ul style="list-style-type: none"> - SSSI, extensive range of wildlife, semi natural habitats, landscape features including hedgerows, mature trees, ponds, small amount of woodland near Methodist church. • High speed internet infrastructure link on A12 <ul style="list-style-type: none"> - Would be ideal location for data centres • Low density development <ul style="list-style-type: none"> - The 1970's housing estate was given building permission with only 8 houses to the acre leaving space for building extensions and allowing for open green areas 	<ul style="list-style-type: none"> • A fragmented community <ul style="list-style-type: none"> - Poorly linked residential areas due to A12, A120 and railway corridors acting as barriers. - No village heart or facility that unites the parish - Poor pedestrian connectivity from residential areas to and from services including the railway station (only 1 pedestrian crossing on the A120) • Poor parking provision <ul style="list-style-type: none"> - For station users which leads to on street parking in residential area surrounding station - For London Road shop customers/businesses • Poor pedestrian environment <ul style="list-style-type: none"> - Air and noise pollution - National speed limit on A roads throughout parish • Very poor accessibility to places, shops and services for mobility impaired • Traffic congestion • Noise pollution • Air pollution • Poor local knowledge of heritage and history • No health facilities e.g., doctor, dentist • Unconnected habitats leading to fragmentation and isolation of areas for wildlife. • No secondary school • No elderly care provision in parish • Lack of employment opportunities for professional occupations

Table 3.2 – Marks Tey SWOT Analysis

Opportunities	Threats
<ul style="list-style-type: none"> • Reconnect a fragmented community <ul style="list-style-type: none"> - Can we identify local solutions or priorities for reconnecting fragmented communities? - Can we strengthen sense of place through provision or expansion of community meeting space (outdoor/indoor) with purpose of bringing together parish residents. • A12 and A120 road improvements: <ul style="list-style-type: none"> - A12 programmed in Road Investment Strategy for widening J19 to J25 to start in March 2023. Possible further widening J25 – J29. A120 potential for revised route between Braintree and A12 which would remove the existing cut through the parish. • Potential to “green” the road corridors • NP could raise profile of NP area including its heritage • Connect habitats <ul style="list-style-type: none"> - Can we identify priority areas for improving or linking habitats? - Where are green corridors needed the most? <p>MT could in the future become a more attractive location for industry and high tech firms?</p>	<ul style="list-style-type: none"> • Road congestion • Impact of new development on existing infrastructure <ul style="list-style-type: none"> - e.g., vulnerability of shops to closure of J25 on A12 • Loss/damage to heritage assets <ul style="list-style-type: none"> - Loss of locally important historic buildings e.g., the cottages on Old London Road, bungalow built to showcase collier bricks on A120) - Damage to all heritage assets via air pollution and vibration • Loss/damage to Rural Character <ul style="list-style-type: none"> - Loss of access to countryside - Loss of countryside - Loss of attractive landscapes - Loss of good quality agricultural land • Loss/damage to Natural Assets <ul style="list-style-type: none"> - Loss of mature trees, poor management of natural assets, front gardens being paved over) • General loss of character through insensitive and intensive development <ul style="list-style-type: none"> - Uncertainty over future development. What will actually be delivered on the ground?

4. FURTHER EXPLORATION OF THE KEY ISSUES THROUGH THE MARKS TEY MASTERPLANNING SUPPORT WORK AND THE MARKS TEY CHARACTER ASSESSMENT

OUT DESIGN MASTERPLANNING SUPPORT DOCUMENT

4.1 During the autumn of 2017, and after the NP steering group had undertaken early community engagement and an appraisal of the strengths, weaknesses, threats and opportunities, the NP steering group received master-planning support from Out Design. The work was informed by a combination of baseline research and engagement with the NP steering group. The engagement took the form of two master-planning support workshops. As part of this work Out Design provided an urban design analysis of the plan area. A summary of this analysis taken from the document under the sub-heading *A place with a distinct character and pattern of development, streets and spaces, roofscapes and building materials* is:

"Marks Tey supports a variety of housing and employment uses that reflect the architectural style of the period within which they were constructed. The majority of homes are located within Marks Tey housing estate developed in the 1970's."

...

"Properties fronting Coggeshall Road vary in age and style with a predominance of two storey semi-detached and detached properties. Most properties are set back from the road, however the more historic properties here front directly onto the busy 'A' road providing a degree of enclosure and overlooking."

The predominant building material is red brick with slate roof tiles however there are a wide variety of other materials including white render, timber cladding and occasional historic properties with thatched roofs."

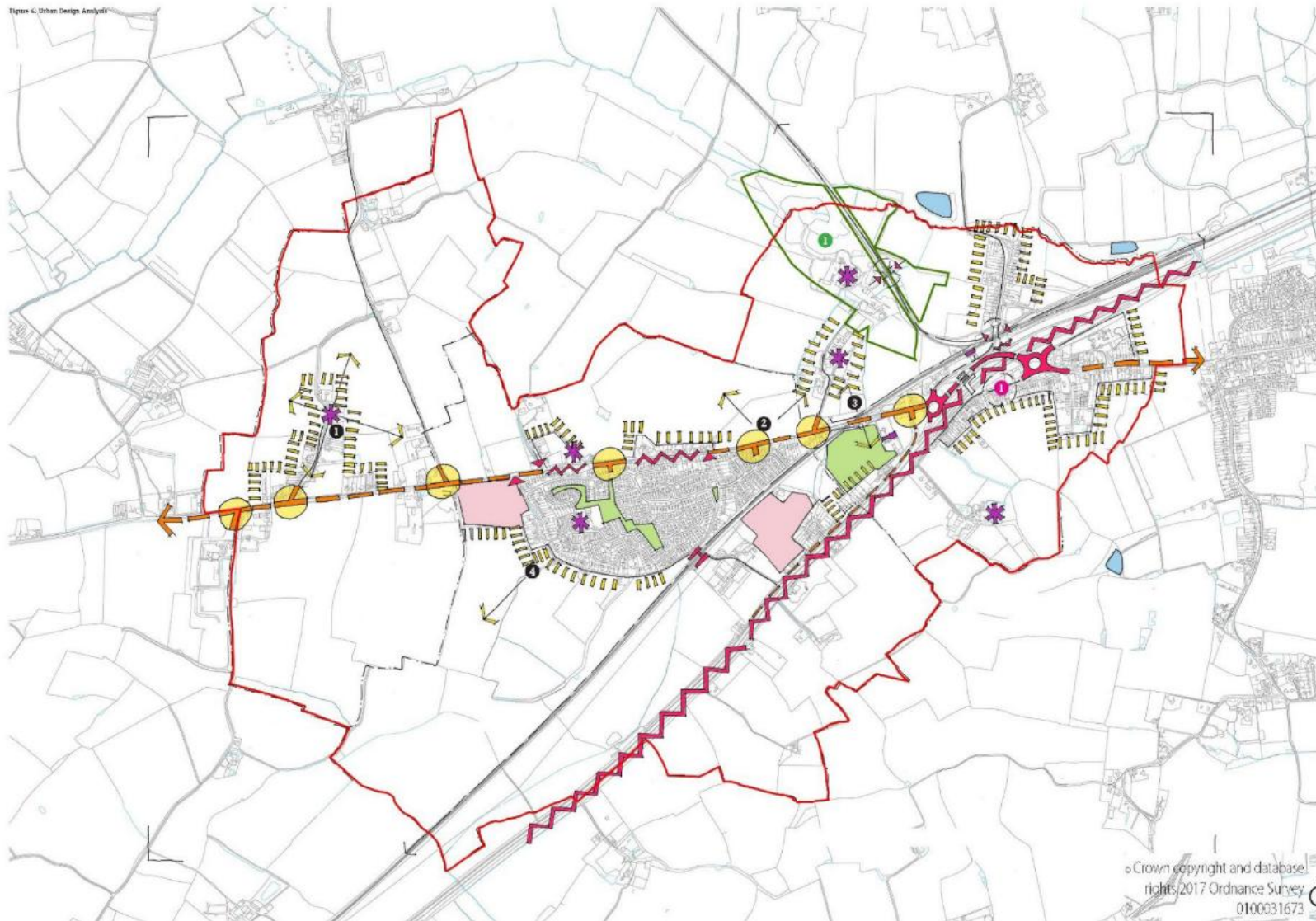
Marks Tey's character is defined to a greater extent by its relationship with the strategic highways and rail lines that pass through the village. The A12/A120 and railway infrastructure effectively sever the village and create a series of dispersed residential areas. In addition to the physical severance the strategic road and rail lines create adverse visual and noise impacts."

Notwithstanding the negative impact of the highway network, Marks Tey sits within an attractive rural setting characterised by gently undulating agricultural land bounded by mature hedgerows and trees. The open nature of the landscape provides residents with views of the wider countryside and glimpses of the areas historic buildings from numerous view points. These buildings include St. James the Less Church at Little Tey and St. Andrew's Church at Marks Tey and the historic Marks Tey Hall, the former parish Manor House."

These historic listed buildings sit within established historic landscape settings that help define Marks Tey's character."














Source: extracts from Marks Tey Masterplanning Support December 2017

4.2 A visual illustration of the key characteristics is provided in Figure 4.1 below which has been extracted from the masterplanning support document. Table 4.1 provides an explanation of the map symbols.



Map 4.1 - Urban design analysis of plan area undertaken by Out Design 2017

Table 4.1: Key to Map 4.1

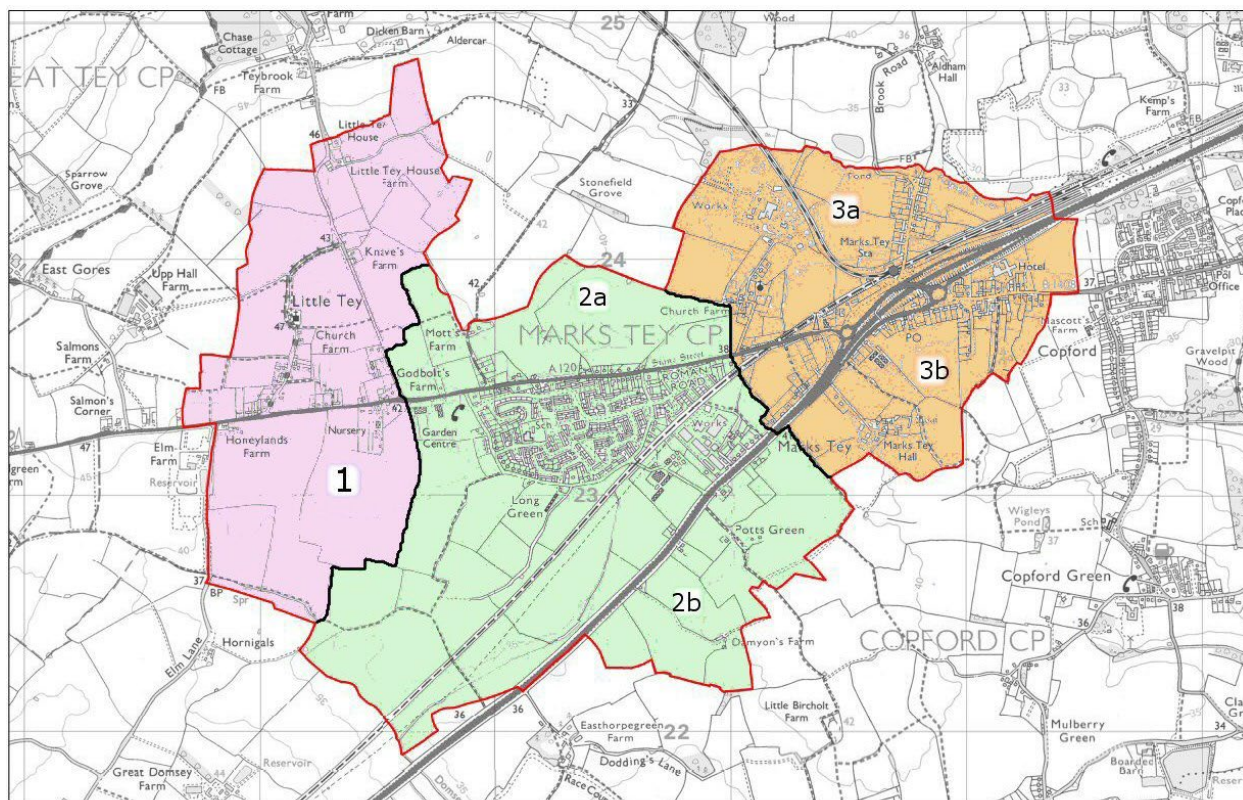
Map Symbol	Description
	A120 road characterised by poor pedestrian and cycling environment with traffic travelling at high speeds
	Severance (physical barrier) created by A120/A12
	Junction
	A120/A12 interchange
	Poor pedestrian access
	Poor pedestrian access across the railway line
	Settlement Edge
	Brick pit SSSI
	Local centre
	Landmark building
	Locally valued views: 1. St James the Less Church, Little Tey 2. A120 to St Andrews Church, Marks Tey 3. Railbridge to St Andrew's Church 4. Long Green looking south west
	Employment site
	Public open space

MARKS TEY CHARACTER ASSESSMENT

4.3 The Marks Tey Character Assessment has been prepared by volunteers in the Neighbourhood Plan steering group. This work provides further detail on the parish's qualities, including those aspects (e.g., viewpoints, locally valued landscape features and buildings) which are most valued by the wider community. The Character Assessment is a key evidence base document supporting this plan and has been subject to formal consultation during the pre-submission stage. The document is available to view on the Parish Council website and on the Colchester Borough website.

4.4 A key output of the Marks Tey Character Assessment were 5 character area maps identifying

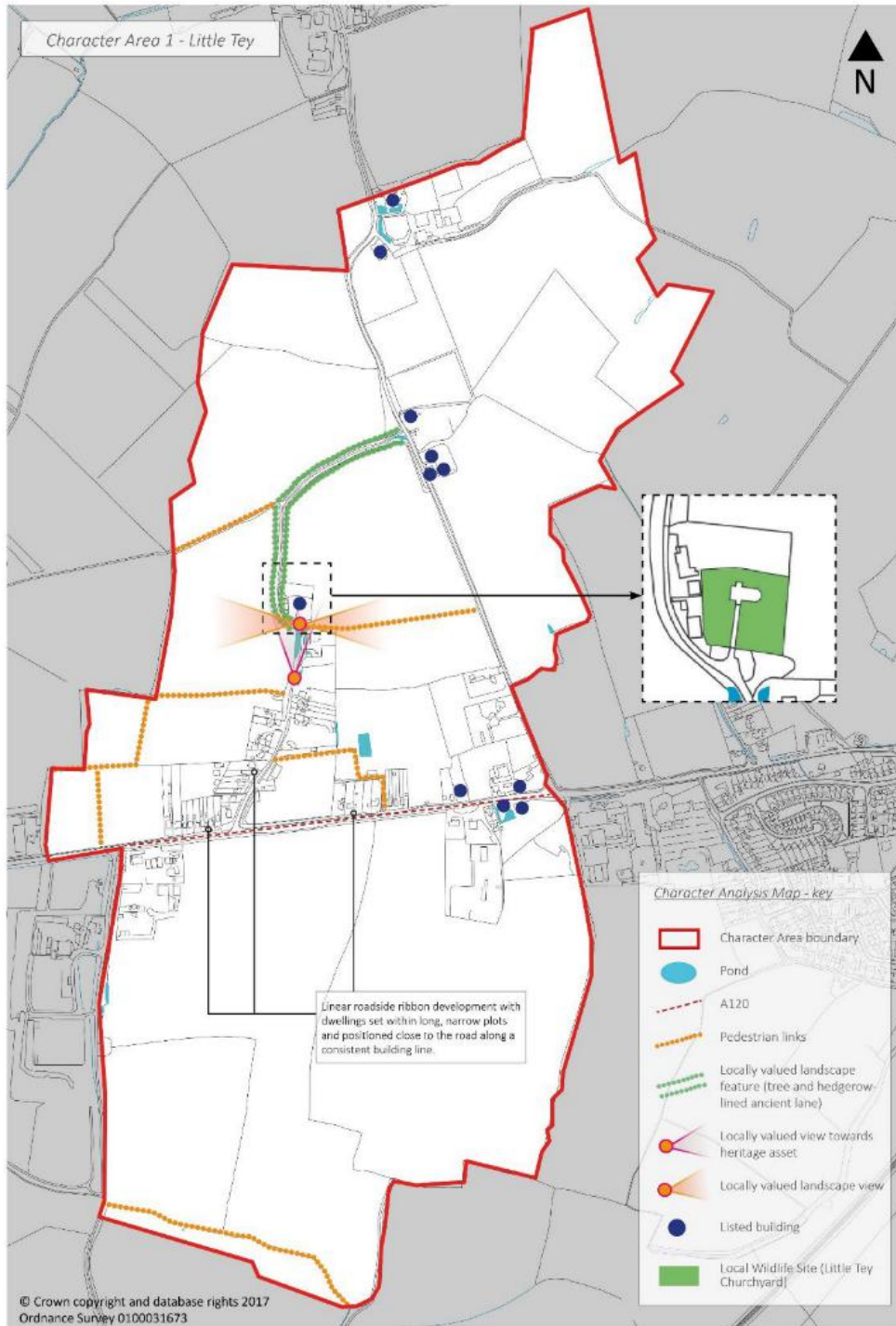
- Important sites of local value (for example tree and hedgerow lined ancient lanes)
- Key views towards heritage assets
- Key views of the wider landscape
- Listed buildings
- Non-designated heritage assets
- Important pedestrian links



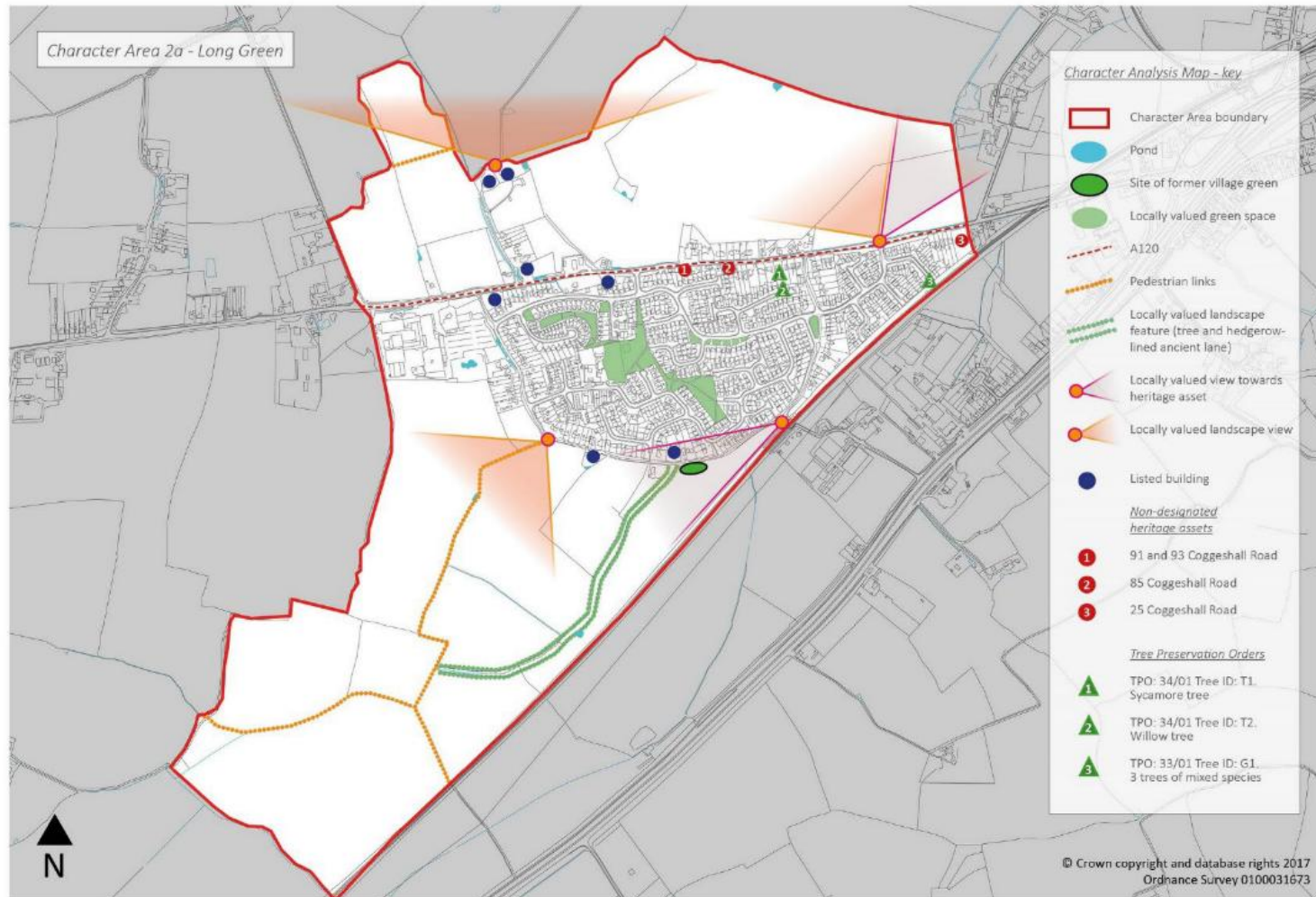
Contains Ordnance Survey data © Crown copyright and database right 2014.

Map 4.2– Map of the NP area divided into five character areas

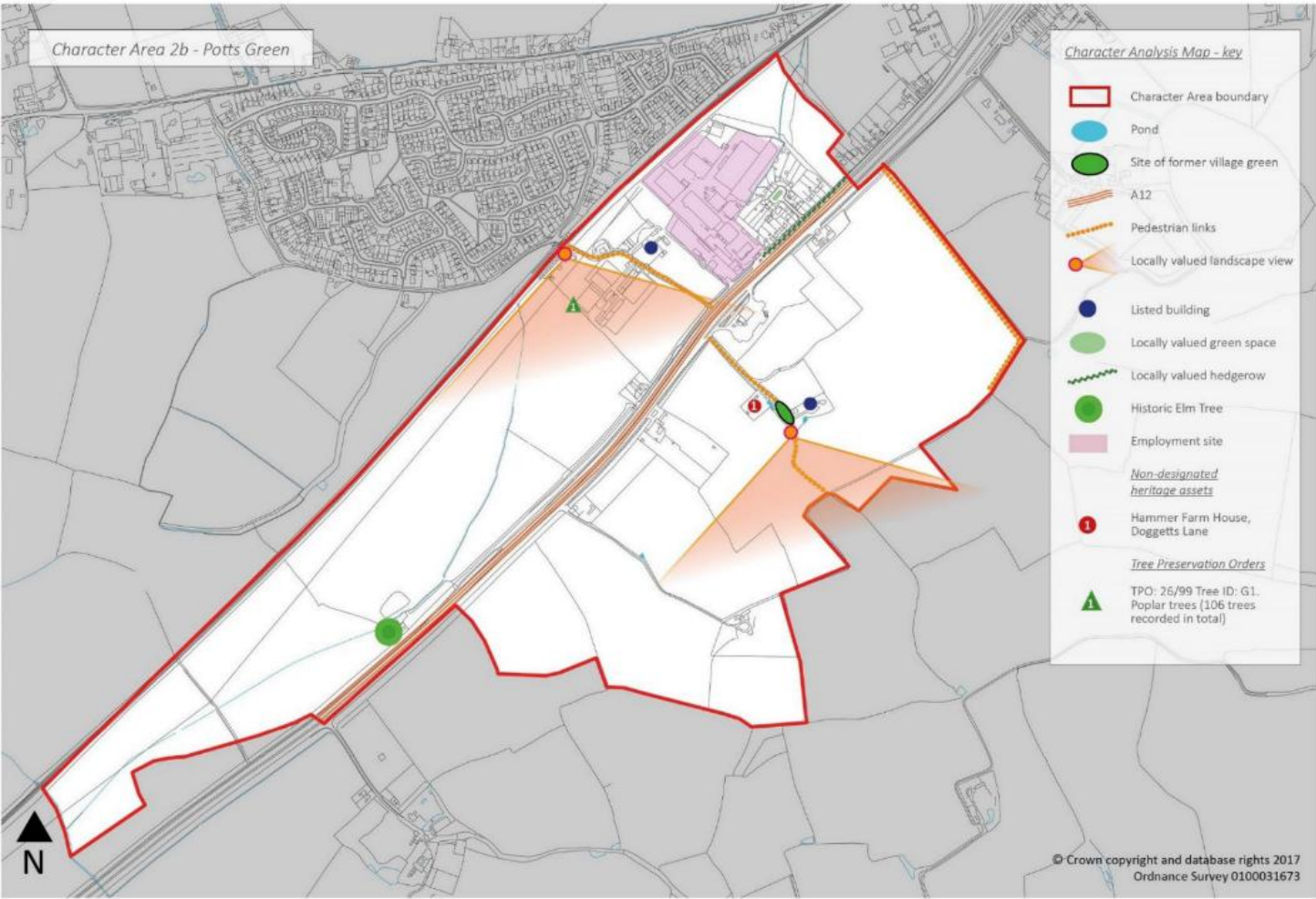
Map 4.3 Character area 1 – Little Tey



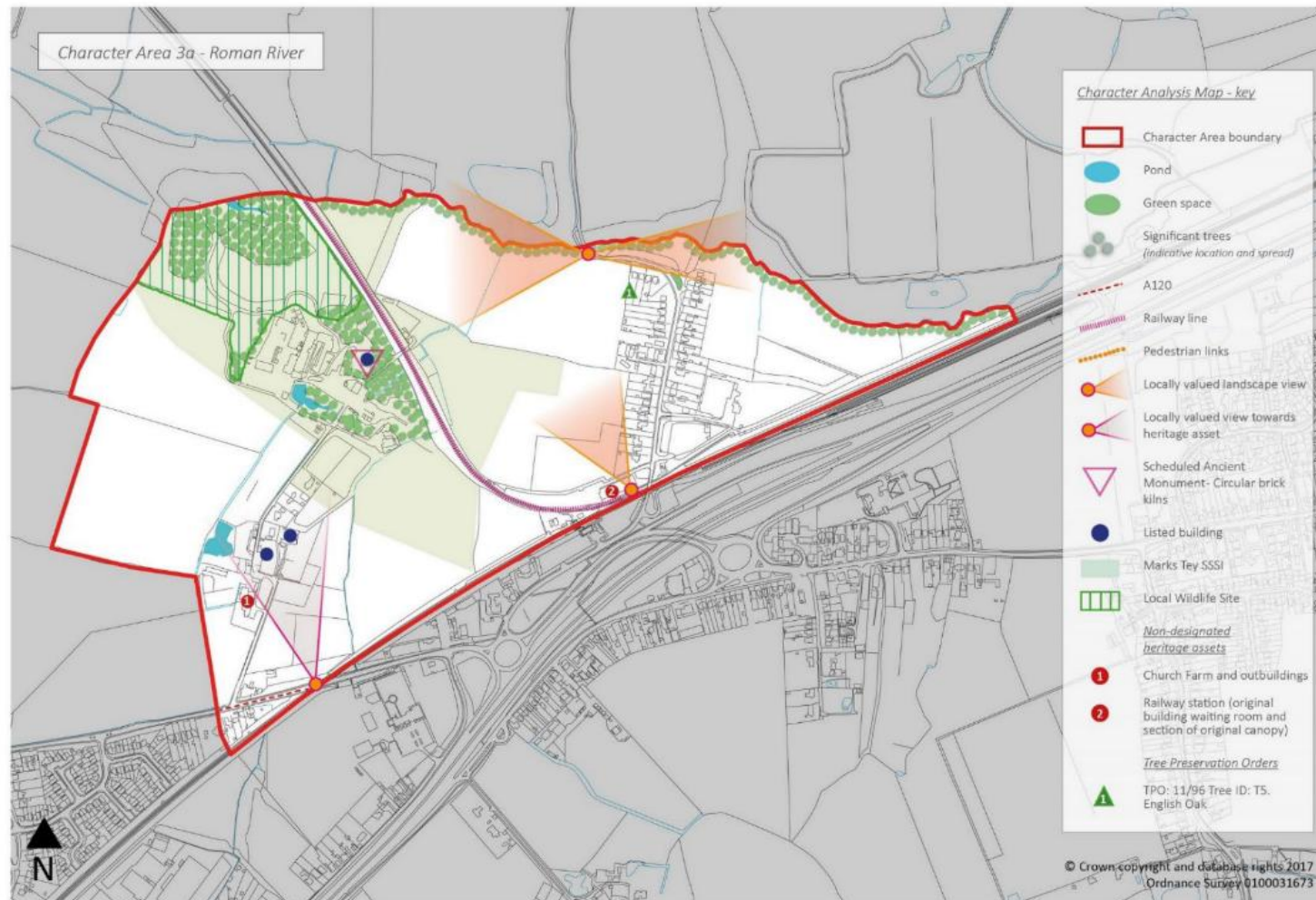
Map 4.4 Character area 2a – Long Green



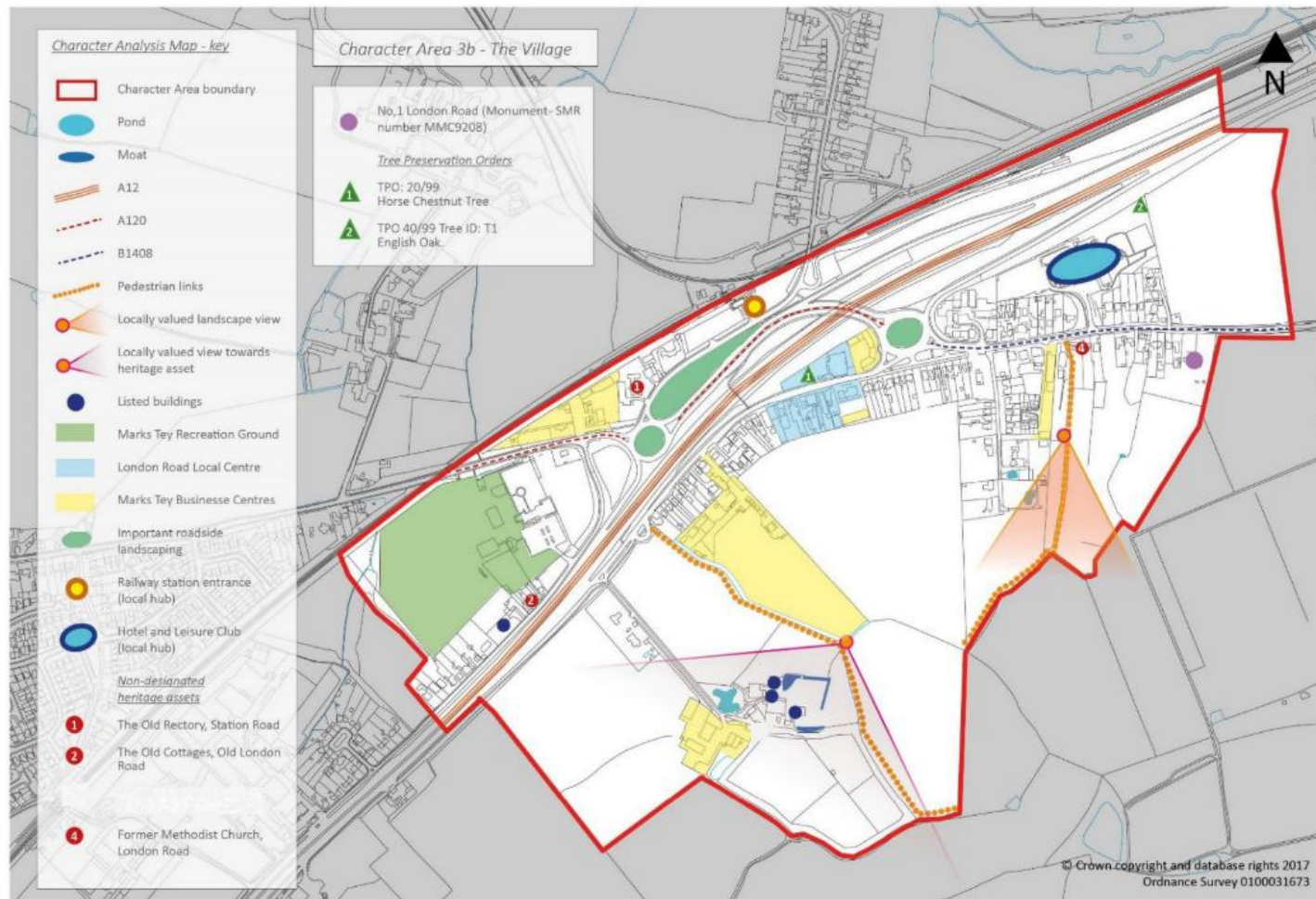
Map 4.5 Character area 2b – Potts Green



Map 4.6 Character area 3a – Roman River



Map 4.7 Character area 3b – The Village



5. NEIGHBOURHOOD PLAN VISION AND OBJECTIVES

5.1 An initial draft of a vision for the plan, together with an initial set of eight objectives was sent out to all homes in the plan area as part of the 16-page household leaflet in January 2017. The feedback on this work helped to inform a revised vision as follows:

"A sensitive sustainable community reflecting the housing and employment needs of the locality; helping to build cohesion in the village, maintaining and strengthening a sense of place across the parish, whilst maintaining our countryside surroundings (including access to it) and improving highways, the public rights of way network, paths and cycleways to gain better access to our surrounding environment."

5.2 Six themes and nine core objectives underpin this vision:

Table 5.1: NP themes and objectives	
Theme	Core Objectives
Getting Around	1. Existing severe congestion and traffic volumes are not made worse through new development in the parish.
	2. Create a more connected and cohesive community
Sense of place	3. Maintain and strengthen sense of place
	4. Preserving and enhancing our designated and non-designated heritage assets.
A stronger community	5. Existing community facilities including open space will be protected and opportunities to improve existing provision will be realised
A healthier environment	6. Protect and foster the natural environment for the benefit of people, flora and wildlife
	7. Noise, air, and light pollution will be effectively managed
Housing	8. New housing developments will include variety and choice and will meet existing local needs (in terms of type and tenure)
Business and employment	9. Businesses will continue to thrive in the parish

5.3 This Neighbourhood Plan does not allocate sites for development. The Out Design Masterplanning report provides guidance to the community in terms of potential options for the future growth of the parish. The work has informed our understanding of priorities for the parish in spatial terms and we will use it when working with stakeholders, in particular, Colchester Borough. However, the NP steering group do not consider it prudent to identify development sites until the implications of the planned strategic transport infrastructure measures are understood in more detail. For instance, it is unknown how National Highway's proposals for a revised Junction 25 on the A12 will impact land around the London Road centre and the Parish Hall recreation ground.

6. PLANNING POLICIES

GETTING AROUND

Core Objectives:

- Existing severe congestion and traffic volumes are not made worse through new development in the parish
- Create a more connected and cohesive community

6.1 Policy MT01 – A12, A120 and station infrastructure improvements

Policy context and rationale:

6.1.1 It is widely acknowledged by all stakeholders (county, parish council and residents) that traffic volumes, congestion and traffic-related noise can be severe in the parish and that this has significant adverse impacts on the environment, air quality and the ability to move around the parish as well as residential amenity for Marks Tey residents, visitors and employees. Both the Highways Agency and Essex County Council (ECC) fully recognise the existing capacity issues on the A120 and the A12³. Traffic volumes on both the A120 and the A12 are only expected to increase leading to further unacceptable congestion on the A120 through the middle of Marks Tey village and along the A12.

6.1.2 To a certain extent some of these issues could be addressed through transport infrastructure projects progressing at the more strategic level and which could be implemented during the plan period.

A12

6.1.3 The A12 for instance was in the 2015 to 2020 Road Improvement Strategy (RIS1) for widening to three lanes each way from Chelmsford (junction 19) to the A120 (junction 25). A public consultation was held by Highways England January to March 2017 where four route options were presented.

6.1.4 In October 2019, a further announcement was made to present the preferred route between junction 19 (Boreham Interchange) to 23 (Kelvedon South) and to clarify that further work was needed to determine their preferred route from junction 23 to junction 25 (in Marks Tey parish) due to complexities created by the garden community proposals presented in the Joint Local Plan. Highways England then produced two alternative options for Marks Tey, one following the existing route past the shops, and an alternative route around the back of the shops. These have been formally consulted upon, and with the Planning Inspector's rejection of the Colchester/Braintree Borders Garden Community, Highways England in August 2020 announced their preferred route option to be on the existing route past the shops and leaving the existing road with a new Junction 25 between the Parish Hall and Anderson's employment site. This is the proposals that the re-named National Highways are now proceeding with.

³ See their representations made on the Regulation 14 version of this plan

6.1.5 Until further information is made available, it is still uncertain how National Highway's preferred route will impact on current noise and air pollution and community severance issues created by the current A12 alignment (as described in Chapter 2 and illustrated in Figure 2.1 of this NP). The Parish Council will work with National Highways and other stakeholders to seek ways in which traffic burden in Marks Tey from the A12 is minimised and the linkages between different parts of the village could be improved and increased.

A120

6.1.6 ECC and partners continue to lobby for the dualling of the A120 between Braintree and Marks Tey at the earliest opportunity. The Government's Road Investment Strategy 2 (RIS2) announcement in March 2020 included commitments to progressing further development work on the A120 dualling including detailed design, land assembly and statutory processes that are required to prepare the scheme for delivery. The A120 dualling scheme is due to be considered for inclusion for construction in the RIS3 programme (2025 – 30).

6.1.7 The scheme is regarded by ECC as being 'shovel-ready' so as soon as the funding is secured, the scheme is expected to commence.

6.1.8 Due to the unacceptable volume of traffic, congestion and traffic-related noise through the parish which is only expected to get worse, the Marks Tey community feels very strongly that these strategic transport improvements and more need to be delivered ahead of any new development coming forward in the parish.

Marks Tey Station

6.1.9 There were aspirations with the proposed Local Plan for the Marks Tey Mainline Station to be relocated to the centre of the previously proposed Garden Community (between Marks Tey and Feering/Kelvedon). Since the withdrawal of the Garden Community from Part 1 of the Local Plan, it is now likely that it will stay in situ in Marks Tey. This is supported by the NP. The station with its accessibility, parking and activity will remain a prominent and growing feature of Marks Tey. The challenges that this creates pose issues for the Neighbourhood Plan.

6.1.10 The 3 platform Station is on the main line from London to Colchester and is the junction and only connection with the branch line to Sudbury. There are trains into London and to Colchester every 30 mins with an average journey time of 61 mins to London and 9 mins to Colchester, and every 50 mins with a 19 mins journey time to Sudbury every working day. The Station handles some 428,816 passenger movements per year (1,200 per day – 2013 figures) through the Station with approx. 90% of them coming from outside of Marks Tey (2017 Train Users Survey). A majority of these, approx. 70%, travel to the Station by car and approx. 55% of car users, park at or near the Station. The Station has 3 main surface car parks catering for 261 vehicles:

West car park – 102 spaces

North car park – 99 spaces

Informal rail sidings car park – 35

On-street long term parking – 25

6.1.11 The on-street parking opposite the Station entrance restricts Station Road and has been the scene of serious accidents. There is currently no disabled access across the railway through the Station and the adjacent North Lane bridge is narrow with a substandard footpath on one side. Also informal parking by rail users in surrounding areas causes nuisance to Marks Tey residents and those in Copford Parish.

6.1.12 There are aspirations to increase the capacity of the main line rail link into London but currently these are limited by the need to create additional rail lines and/or passing loops but with little capacity to create these within the current RailTrack land ownership.

6.1.13 It would be advantageous to Rail users (greater retail choice) and to the London Road shops (greater footfall) to see if more integration could be achieved between the two facilities. One way of doing this might be to integrate Station related parking with the desire to increase off road parking at the shops.

6.1.14 Currently there are no pleasant and easy pedestrian/cycling routes to the Station from the majority of Marks Tey or Little Tey or beyond.

Policy Intent

6.1.15 The transport impacts of every development proposal on the parish with respect to residential amenity, the street scene environment, air pollution and safety for all users including pedestrians and cyclists should be considered as part of the decision-making process. Traffic movements along the A120, the A12 and existing road junctions in the parish are currently exceeding capacity. Special care therefore needs to be taken to ensure that new development proposals do not exacerbate further the existing problems on these two roads.

6.1.16 Whilst it would not be reasonable to veto all minor development proposals (so long as they wouldn't generate unacceptable impacts on the community) ahead of these strategic transport infrastructure schemes it is appropriate to resist the major and significant proposals on this basis.

6.1.17 With regards to Marks Tey Station, the intention of Policy MT01, whilst encouraging growth in use of the station, is to ensure that proposals that will lead to increased passenger use of Marks Tey Station will only come forward where any potential negative impacts on road safety and residential amenity in Marks Tey parish are anticipated and where possible, avoided, planned for and appropriately mitigated against. No proposals should come forward which will lead to a poorer standard of road and pedestrian safety or residential amenity and all proposals should seek to improve both.

POLICY MT01 – A12, A120 AND STATION INFRASTRUCTURE IMPROVEMENTS

Any development proposals found to be generating significant transport movements¹, the impacts of which would be severe, will not be supported in advance of the A12 road widening scheme and a dualled A120 from Braintree to the A12 being delivered. Furthermore, any such development proposal should be accompanied by:

- evidence that road capacity is in place in Marks Tey, taking into account current and forecast traffic volumes along the A120 and A12; and
- mitigation measures necessary to protect the residential and street-scene environment along Coggeshall Road from traffic-related environmental impacts including noise and vibration, and poor air quality. Proposals which are designed to lead to an overall reduction in traffic volume along the A120 are welcomed.

Other development proposals that will generate additional traffic movements in the parish will only be supported if it can be demonstrated through a transport assessment or, in the case of smaller schemes, in an accompanying Design and Access/Planning Statement, that the traffic impacts of the development on the A120 and the A12 will not lead to unacceptable adverse impacts on residential amenity in the parish, or the street scene environment along Coggeshall Road (through the generation of traffic-related noise, air pollution or disruption) or on road safety for all vulnerable users including pedestrians, cyclists and equestrians.

Development proposals involving expanded facilities (including passenger car parking) at Marks Tey train station should be assessed for their impact on road safety, pedestrian safety and residential amenity in Marks Tey parish. Where potential adverse impacts are identified, proposals will only be supported if accompanied by measures which monitor and, if applicable, appropriately mitigate impacts (for example through further strengthening and widening the North Lane/Station Road rail bridge, street scene enhancement measures along Station Road, screening of noise, pollution or visual impacts).

To be supported, proposals must maintain existing passenger accessibility at the station and seek to take opportunities to secure improvements in passenger accessibility.

Proposals likely to have residual unacceptable impacts on road safety and residential amenity will not be supported.

¹: Note: In the case of Marks Tey, because the road infrastructure is already well stretched the threshold where a development will trigger significant transport movements will be low. This is in accordance with Planning Practice Guidance.

6.2 Policy MT02 - Creating walking and cycle friendly neighbourhoods

Policy context and rationale:

6.2.1 The parish is very much characterised by its road and rail links providing excellent connectivity to London by both rail and road. But the three transport corridors (one railway line, the A120 and the A12) also impose physical barriers across the parish creating considerable difficulties for residents and visitors to move around the parish, in particular by foot or by bicycle.

6.2.2 Primary road and rail links in the parish are predominantly used by non-parish residents who are using the roads to travel through the parish or who travel to the station in order to travel on further by train. This creates considerable road congestion including an unpleasant street environment along the A120 (known locally as Coggeshall Road) and a high demand for on street parking for commuters living outside the parish but using the train station to commute by train to London.

6.2.3 The urban design analysis undertaken for the plan area shows that the existing pedestrian and cycleway connections in the plan area are inadequate. The A12, the railway line and the A120 all create linear barriers throughout the plan area. The effects on the pedestrian/cyclist travelling within the parish is particularly severe at the A120 and A12 interchange and alongside the A120. These areas provide the focus of parish-based movement. Residents in Little Tey and Marks Tey Estate need to travel via this road in order to access the railway station, other residential areas and the shops but they feel unsafe walking along this road. Consequently, short potentially walkable trips to Marks Tey Station, the Parish Hall and local shops and services on London Parade are taken by a car.

6.2.4 The urban design analysis shows the following issues on Coggeshall Road/A120:

- Generally characterised by poor pedestrian and cycling environment with traffic travelling at a high speed
- Specific locations along Coggeshall Road where pedestrian movement is particularly compromised by barriers such as wide junctions, narrow pavements and poor access
- Many opportunities for improving the street scene environment.

6.2.5 The Character Assessment supporting this Neighbourhood Plan provides further detail on the challenges and opportunities with regards to roads, streets and routes across the parish (see Chapter Four 'Roads, Streets and Routes' in each of the five character areas.

6.2.6 This plan identifies the following priorities for improving the cyclist and pedestrian environment. These priorities are set out in Tables 6.1 and 6.2 below. The measures have been informed by the masterplanning support document which accompanies this neighbourhood plan and the Marks Tey Character Assessment, together with a stakeholder and community consultation exercise undertaken in summer 2018.

Table 6.1: Priorities for improving pedestrian and cyclist connectivity in the plan area

Provide a Green Bridge across the A12. Currently the A12/A120 interchange imposes a significant barrier to pedestrian and cycle connectivity to residents and visitors wishing to visit the Marks Tey retail parade. Enhanced access could be in the form of an attractive land bridge over the A12 which would connect Marks Tey station with Marks Tey shops. Key benefits:

- Allow pedestrians and cyclists to avoid the A120 and A12 interchange
- Provide a direct link between station and Marks Tey retail parade.
- A direct link to Marks Tey retail parade will give the village back its heart.
- Provide better access for disabled residents who currently have few options for getting around.

This measure is considered necessary in the event of substantial development coming forward in this part of the plan area including south of the Marks Tey row of shops

Upgrade or replace the North Lane railway bridge so that pedestrians and cyclists can move around more safely and quickly: Currently pedestrian and cyclist access over the North Lane bridge is poor. The bridge is narrow making two-way vehicular access difficult. There is a pavement on one side of the bridge but vehicular traffic on the bridge impacts adversely on pedestrian safety (e.g., in early 2018, a male pedestrian was struck on the shoulder by a wing mirror of a vehicle as he walked to his home over the bridge). Sightlines are restricted on the approach to the bridge by both the bend in the road and the hump over the bridge.

Although the railway bridge has recently been reconstructed and strengthened, the railway bridge is still narrow with poor pedestrian and cyclist access. Use of the bridge by HGVs makes the bridge an unsafe crossing point for pedestrians and cyclists.

Provide new pedestrian and cycleway connections.

The following connections and improvements are prioritised:

1. A120 improvements to pedestrian access, environmental enhancements and junction improvements as shown on the emerging framework plan and listed as Coggeshall Road Environmental Enhancement Measures in the supporting text to Policy MT03: A120 Coggeshall Road: A Quality Street for All
2. Creation of new or improved pedestrian routes at the following locations:
 - A new link from Dobbies Lane rail footbridge to the Parish Hall via the Anderson Employment site
 - A new link from Church Lane north of the A120 road bridge, to the west of Marks Tey Station. This would mean pedestrians and cyclists would not have to progress along the dangerous A120, on the narrow pavement. The link would provide a separate, pleasant access route to the main station from any future housing development, well away from road traffic, and access could be directly on to platform 2.
 - Investigate possibilities for a 'quietway' cycle route through Marks Tey estate along Godmans Lane/Ashbury Drive subject to other adverse impacts on this only through route of the village.
3. Maintain existing cycling routes from Marks Tey parish to neighbouring parishes (including the route from Marks Tey to Feering) and utilise opportunities to improve the quality and safety of the network and provide additional routes.

Table 6.1: Priorities for improving pedestrian and cyclist connectivity in the plan area

A new station square around Marks Tey train station to:

- Provide a sense of arrival
- Reduce our dependence on the car and provide wider footways with direct pedestrian access

Greening the environment close to traffic corridors to help mitigate the impact of air and noise pollution

London Road Parade: Environmental Improvements

Continuous footpaths, street lighting, tree and shrub planting, cycle facilities (including cycle parking), public seating and furniture

Providing direct, safe and comfortable walking and cycling links between the parade and Marks Tey station for example through replacing the A12 footbridge with a land bridge (see above).

Table 6.2: Priorities for improving accessibility for those with restricted mobility

Improve platform access at Marks Tey train station. Wheelchair users currently have to travel a long way round over the narrow road bridge.

Environmental improvements at the London Road parade including continuous footpaths, street lighting, public seating

London Road Parade: Making the road safer to cross as some traffic tends to speed up as it approaches the A12 slip road.

Pedestrian crossings with a dropped kerb on the A120 at Church Lane, Little Tey, Poplar Nurseries; formal signalised pedestrian crossings adjacent to Godman's Lane roundabout and adjacent to Ashbury Drive roundabout.



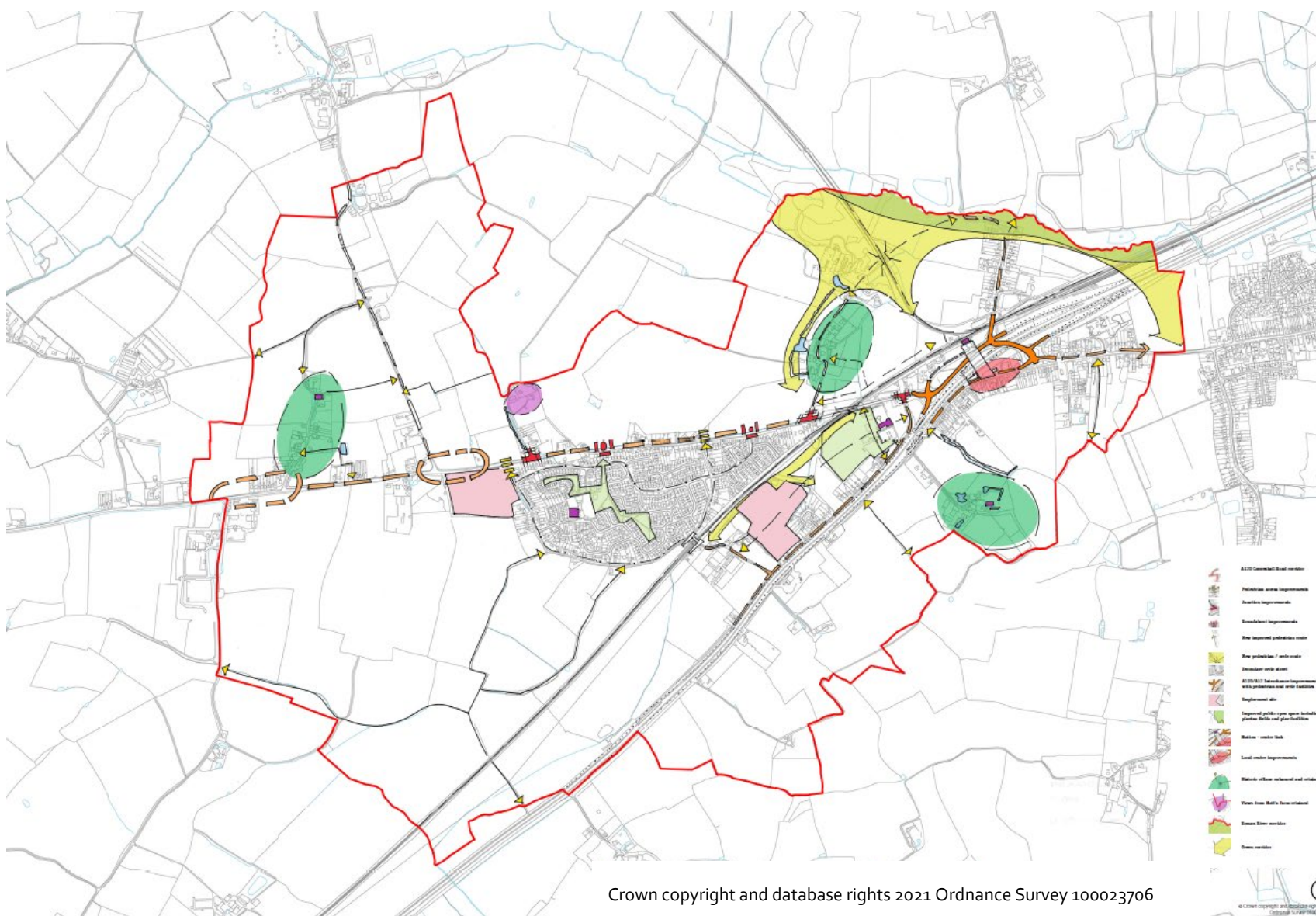
Figure 6.1: Lorry attempting to turn around before the North Lane railway bridge



Figure 6.2 North Lane railway bridge looking north














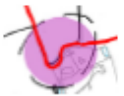




Figure 6.3 A heavy goods vehicle approaching the Roman River Bridge



Map 6.1 - Marks Tey Emerging Framework Plan. Marks Tey Masterplanning support document

Table 6.3: Key to Map 6.1

	A120 Coggeshall Road corridor
	Pedestrian access improvements
	Junction improvements
	Roundabout improvements
	New improved pedestrian route
	New pedestrian / cycle route
	Secondary cycle street
	A120/A12 Interchange improvements with pedestrian and cycle facilities
	Employment site
	Improved public open space including playing fields and play facilities
	Station - centre link
	Local centre improvements
	Historic village enhanced and retained
	Views from Mott's Farm retained
	Roman River corridor
	Green corridor

Policy Intent

6.2.7 The intention of Policy MT02 is to ensure that the need and opportunities to improve pedestrian and cyclist connectivity in the parish are considered as part of every development proposal. Proposals which involve new development without providing adequate access will not be supported. The extent to which safe and attractive walking routes can be incorporated into a development site will depend on the size of the development. However, even for minor development such as house extensions and infill development it is essential that safe and easy access for pedestrians and cyclists is provided.

POLICY MT02 – CREATING WALKING AND CYCLE FRIENDLY NEIGHBOURHOODS

All development proposals will be expected to incorporate safe and attractive walking and cycling routes on site and take opportunities to connect to the wider public rights of way, walking and cycling route networks in the parish.

As a minimum, development proposals involving new build should include walking and cycle routes as part of the layout and design ensuring these are accessible for people less able including those using wheelchairs, mobility scooters or prams.

Development proposals involving additional dwellings or additional employment/retail floor space which result in poor access to shops and services and do not utilise opportunities to improve pedestrian and cycle connectivity in the parish will be resisted.

In determining whether development proposals can be supported, the following will be key considerations:

Residential development proposals

1. Whether the proposed development would be within walking distance to existing shops and services, taking into account delays caused by barriers such as the trainlines, the A12 and lack of pedestrian bridges;
2. The extent to which the safety and quality of the walking and cycling environment provides real choice in terms of travel mode to shops and services in the plan area;
3. Whether the proposed development will assist in improving the walking and cycle connectivity of the parish;
4. The extent to which the proposed development utilises opportunities to improve connectivity; and
5. For larger schemes, the extent to which the proposed development improves overall connectivity and accessibility in the plan area, taking into account the list of priorities in Tables 6.1 and 6.2 that accompanies this policy.

Continues overleaf

POLICY MT02 – CREATING WALKING AND CYCLE FRIENDLY NEIGHBOURHOODS CONTINUED...

New shops and services

1. The accessibility of the proposed shop or service by plan area residents or potential customers travelling by public transport, on foot or by bike;
2. Whether the quality of the street scene environment in the immediate vicinity provides a pleasant environment for customers and workers travelling to the site and whether the proposed development sufficiently utilises opportunities to improve this environment;
3. Whether the street scene environment in the immediate vicinity provides an accessible environment for those with limited mobility or those with a push chair and whether the proposed development sufficiently utilises opportunities to improve this environment; and
4. For larger schemes, whether the proposed development improves the accessibility of shops and services in the plan area, taking into account the list of priorities in Table 6.2 that accompanies this policy.

Employment

1. The accessibility of the proposed employment use by plan area residents or potential employees travelling by public transport, on foot or by bike.

6.3 Policy MT03: A120 Coggeshall Road: A quality street for all

Context and Rationale

6.3.1 There is significant congestion experienced along the A120 through Marks Tey village and at the A120 interchange with the A12. As well as having negative environmental impacts on residents of the parish the congestion is also leading to delays on the wider strategic network. Enhancements to the A120 between the A12 and Braintree is a strategic priority for Essex County Council in the current Local Transport Plan (<https://www.essexhighways.org/Transport-and-Roads/Highway-Schemes-and-Developments/Local-Transport-Plan.aspx>)

6.3.2 ECC and partners continue to lobby for the dualling of the A120 between Braintree and Marks Tey at the earliest opportunity. The Government's Road Investment Strategy 2 (RIS2) announcement in March 2020 included commitment to progressing further development work on the A120 dualling and the scheme is due to be considered for inclusion in the RIS3 programme. The scheme is regarded by ECC as being 'shovel-ready' so as soon as funding is secured, the scheme is expected to commence.

6.3.3 The new A120 alignment planned by the County Council will alleviate congestion at the A120/A12 interchange and should also lead to some reductions in traffic along the A120 in the village. The County Council's favoured route (Route D) is only expected to deliver modest reductions

(compared to other route options) in traffic volumes along the A120 in Marks Tey⁴. The NP recognises that the proposed A120 improvements alone will not provide an opportunity for the A120 to become a local access route or deliver a more pleasant environment for residents. The Plan therefore identifies other opportunities for improvements to take place along the A120 which would increase pedestrian safety and access at key junctions. Such measures include:

Little Tey Gateway

1. Improvements at the A120/Church Lane junction to provide a welcoming gateway feature at the entrance to Little Tey to reduce traffic speeds, together with new pedestrian crossings and more accessible bus stops

Marks Tey Western Gateway

2. Provide a welcoming gateway at the entrance to Marks Tey to provide a sense of arrival and reduce traffic speeds. Here is an opportunity to introduce continuous footpaths and pedestrian crossings

A120 Coggeshall Road: A Quality Street for All (Coggeshall Road runs the length of the A120 from the west at the parish boundary with Great Tey Parish to the roundabout prior to Junction 25 of the A12).

1. Introducing a 20mph speed limit along the A120 in Marks Tey parish. Create more continuous footways, raised surfaces and pedestrian crossings, also segregated cycle facilities, tree and shrub planting
2. Narrowing the carriageway (through physical measures such as kerb build outs or achieve through different materials or carriageway markings)
3. List of potential environmental measures identified in the masterplanning support document and supported by the wider community during consultation which would help turn Coggeshall Road into a safe and attractive street for the parish. These are:

⁴ See Figure 6 in the 2017 consultation document the A120 Braintree to A12 Consultation on Route Options 17 January to 14 March 2017

Coggeshall Road Environmental Enhancement Measures (See Map 6.1)

- Pedestrian crossing and environmental improvements across A120 at top of Jays Lane
- Pedestrian crossing and bus stop access across A120 at top of Ashbury Drive
- Pedestrian crossing and bus stop access across A120 at junction with Godmans Lane
- Motts Lane Junction; improved pedestrian access to the Red Lion PH across A120
- A separate cycle way along A120 (Coggeshall Road)
- Pedestrian crossing and bus stop access across A120 at top of Wilson's Lane
- Junction improvements, bus link and speed reduction measures along Great Tey Road/Coggeshall Road
- Junction improvements and bus stop link along the A120 at junction of Church Lane Little Tey/Coggeshall Road
- Speed reduction measures along A120 from Elm Lane to Church Lane Marks Tey
- Introduction of safe crossing facilities catering for all vulnerable road users including pedestrians, cyclists and equestrians

MT03 Policy Intent

6.3.4 All proposals coming forward in the parish, which are likely to lead to additional traffic movements along the Coggeshall Road as defined on Map 6.2 should be assessed in terms of any adverse impacts on the Coggeshall Road street scene environment and residential amenity.

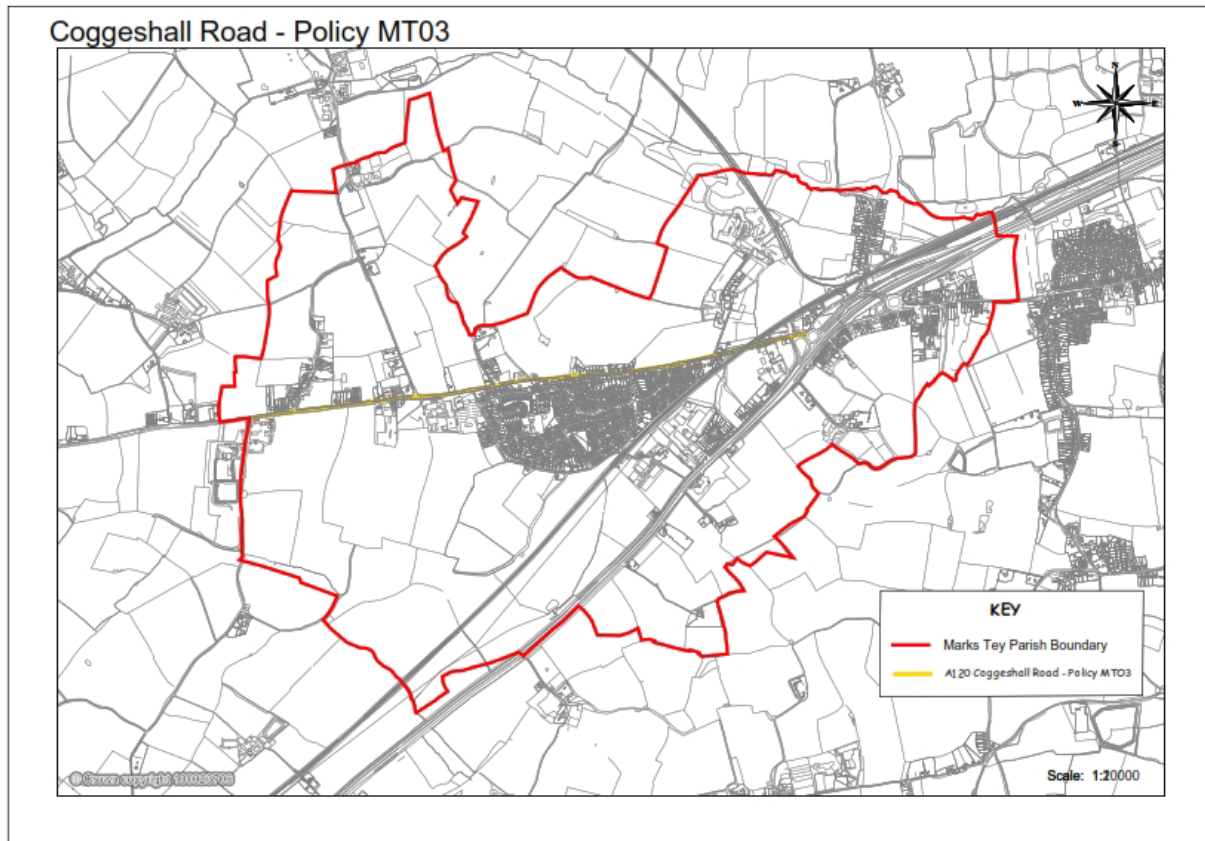
POLICY MT03 – A120 COGGESHALL ROAD: A QUALITY STREET FOR ALL

Development proposals coming forward in the parish which will lead to additional traffic movements along the Coggeshall Road, as marked on Map 6.2, shall be assessed in terms of their likely impact on residential amenity and on the Coggeshall Road street scene environment.

To be supported, development proposals must either:

- mitigate their impact through on-site measures or contribute towards the implementation of Coggeshall Road street scene enhancements (including the creation of enhanced gateways into the village along the A120) (see paragraph 6.3.3); or
- demonstrate that there will be no adverse impacts on the Coggeshall Road street scene environment as a result of the proposed scheme or that mitigation measures are otherwise not necessary as a result of the proposed development.

Map 6.2 – A120 Coggeshall Road



6.4 Increasing parking provision at the London Road parade

6.4.1 An important item under the theme of Getting Around is the need to improve car parking provision at the London Parade shops as well as improving the street scene environment at the London Road Parade as set out in Table 6.2 above. This is addressed in a planning policy later on in this chapter under Policy MT14 – London Road Centre.

SENSE OF PLACE

Core Objectives:

- **Maintain a Sense of Place**
- **Preserving and enhancing our designated and non-designated heritage assets.**

6.5.1 Marks Tey is defined as a rural community in the adopted Local Plan. Policy ENV2 – Rural Communities in the adopted Core Strategy for Colchester Borough states that:

- Appropriate development of infill sites and previously developed land within the settlement development boundaries of villages will be supported
- Design of new village development must be high quality in all respects, including design, sustainability and compatibility with the distinctive character of the locality.
- Outside village boundaries, the Borough Council will favourably consider sustainable rural business, leisure and tourism schemes that are of an appropriate scale and which help meet the local employment needs, minimise negative environmental impacts and harmonise with the local character and surrounding natural environment
- Development outside but contiguous to village settlement boundaries may be supported especially where it constitutes an exception to meet identified local affordable housing needs
- Villages are encouraged to plan for the specific needs of their communities by developing neighbourhood plans which provide locally determined policies on future development needs.

6.5.2 The approach taken in Policy ENV2 is supported by the Neighbourhood Plan. The policies in this chapter complement this policy by providing more detail on the approach to be taken in Marks Tey Parish

6.5.3 To maintain and strengthen sense of place in our parish we consider it important to:

- Maintain a visual and physical separation between Marks Tey and Little Tey
- Maintain the special rural character found in the hamlet of Little Tey
- Maintain or enhance the semi-rural character in Marks Tey
- As part of the above identify and protect other key characteristics unique to our parish

6.6 Policy MTo4 – Village settlement boundaries

Policy Context and rationale

6.6.1 The adopted Local Plan for the parish defines five different village settlement boundaries which are listed below and illustrated on the map below:

- Marks Tey estate (largely made up of Little Marks Estate and Colne Park Estate with adjacent pockets of housing e.g along and off the Old London Road)
- Little Tey village
- A12 small residential area
- London Road Parade shops

- North Lane residential area

6.6.2 Due to the existing rural character of Little Tey and the separation of this hamlet from the rest of the parish, it is not considered appropriate for any development to come forward outside the existing village settlement boundary in Little Tey. As noted at other points in this plan (e.g., supporting text to Policy MTo3) it is not a straightforward matter to leave this hamlet and access shops and services in Marks Tey; this is due to the heavy congestion along the A120 and the poor street scene environment making it an unpleasant journey by foot or bicycle. Therefore, despite its proximity to Marks Tey, the hamlet of Little Tey is very much separate and cut-off from the village.

6.6.3 Also of relevance here and noted in other places in the plan (see supporting text to Policy MTo6), is the importance of keeping the countryside surrounding Little Tey protected from development. The Colchester Landscape Character Assessment published in 2005 and updated through the West Colchester Growth Area Option Environmental Audit (produced in 2015 by Chris Blandford Associates) concludes that most of the land between Marks Tey and Little Tey is considered to provide a high contribution to the physical and visual separation between the two settlements and it is considered desirable to safeguard this from inappropriate development.

6.6.4 Some development may be considered appropriate on the edge of the other settlement boundaries where development could bring specific benefits to the village such as improving pedestrian connectivity of the wider parish or meeting parish specific housing needs.

6.6.5 Chapter 4 of the Marks Tey Character Assessment supporting this plan provides further information on the character of the residential areas and how they relate to their wider countryside setting.

Policy Intent

6.6.6 We support appropriate development within the village settlement boundaries subject to the proposals meeting policies in this plan. Beyond these boundaries only development appropriate to countryside locations will be supported.

6.6.7 The term 'minor development' used in Policy MTo4 means residential proposals for 9 or less homes or the site has an area less than 0.5 hectares. For non-residential development this means proposals less than 1,000 m² floor space or a site of less than 1 hectare.

6.6.8 Part 2 of the emerging Local Plan proposes to remove the settlement boundary around Little Tey. It is anticipated that Part 2 of the emerging Local Plan will be adopted soon. However, until this is implemented there is a need for the Marks Tey neighbourhood plan to fully recognise the status of the current settlement boundaries as shown in the current Local Plan. That is why the policy refers to Little Tey to ensure that the exemptions to edge of settlement development apply.

POLICY MT04 – VILLAGE SETTLEMENT BOUNDARIES

Development proposals will, in principle, be supported within the existing village settlement boundaries as defined in the Local Plan.

Proposals outside the village settlement boundaries will not be supported other than for:

- sensitively designed employment uses on the edge of the settlement boundaries (not including the Little Tey settlement boundary) where these will meet local business needs;
- recreational uses that will meet identified community need;
- appropriate countryside uses including essential utilities infrastructure; and
- in exceptional circumstances such as:
 - Sensitively designed small-scale minor development on the edge of the defined settlement boundary (not including Little Tey settlement boundary) where proposals will deliver high quality urban design and raise the standard of architecture, green infrastructure and design in the surroundings and meet other planning policies in this NP; or
 - Larger development schemes on the edge or well-related to the defined settlement boundary around Marks Tey village only (does not include the Little Tey settlement boundary) where proposals will deliver significant community benefits (see definition below) to the existing Marks Tey parish and which adopt innovative approaches to the construction of low carbon homes which demonstrate sustainable use of resources and high energy efficiency levels (for example construction to Passivhaus or similar standards).

Due to the intrinsic character and beauty of the countryside surrounding the hamlet of Little Tey development outside the settlement will be resisted.

Development proposals in Marks Tey Parish coming forward as part of strategic development allocated in the Local Plan, or under the exceptional circumstances stated above, will only be supported subject to the following conditions:

- retaining or enhancing the visual and physical separation between Marks Tey and Little Tey;
- preserving or enhancing the special rural character of Little Tey;
- preserving or enhancing the semi-rural character of Marks Tey, having particular regard to the sensitive interface between the existing settlement edges and network of public footpaths into the wider countryside; and
- utilising opportunities to protect or enhance distinguishing features of the parish as described in the Marks Tey Character Assessment and illustrated on Figures 4.3 to 4.7 of this plan.

Continues overleaf

POLICY MT04 – VILLAGE SETTLEMENT BOUNDARIES CONTINUED...

Significant community benefits mean:

- delivering the priorities for pedestrian and cycle connectivity and for improving accessibility for those with restricted mobility (see Tables 6.1 and 6.2) where these will facilitate a significant improvement for Marks Tey residents and where these are planned in consultation with the applicable highways agency (National Highways and/or Essex County Council);
- delivering Coggeshall Road environmental enhancement measures (see paragraph 6.3.4 of the NP) where these will facilitate a significant improvement for Marks Tey residents and where these are planned in consultation with the applicable highways agency (National Highways and/or Essex County Council); and
- relieving vehicular pressure on residential areas in the plan area and aiding vehicular and pedestrian connectivity.

Policy MT05 - Local character and design

6.7.1 National policy asserts that neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.

6.7.2 The character assessment we have prepared has been submitted alongside this NP. It is also available to view at <https://www.marksteyparish.org.uk/>. The character assessment identifies qualities in the parish which we value. This includes our connection to the countryside, special views, the natural environment and some of our buildings which are of local historical importance. We wish to retain these positive aspects.

6.7.3 We also wish to strengthen our sense of place through providing a more welcoming sense of arrival at key places in the parish.

6.7.4 The character assessment resulted in the identification of 5 different character areas within the parish.

- Character Area 1 – Little Tey
- Character Area 2a – Long Green
- Character Area 2b – Potts Green
- Character Area 3a – Roman River
- Character Area 3b – The Village

6.7.5 The characteristics of each area is described for each of these areas covering layout, topography, spaces, roads/streets/routes, green and natural features, landmarks, buildings and details, streetscape features, land uses and views. The output from the work is summarised neatly in the 5 character area maps shown on Figures 4.2 to 4.7.

6.7.6 The Marks Tey Character Assessments was produced by parish residents working on behalf of the neighbourhood plan steering group. The work was extremely useful in helping the community identify what it is they value about their local area.

Out Design Urban Analysis

6.7.7 The approach taken on design in the NP as a whole, has also been informed by the Out Design Masterplanning document which provided its own urban design analysis of the plan area. In this process, Out Design used eight commonly recognised characteristics that successful places have in common (irrespective of architectural styles) set out in the Design Companion for Planning and Place Making (RIBA 2017). This document resulted in the following analysis.

1. A distinctive sense of place

(A place with a distinct character and pattern of development, streets and spaces, roofscapes and building materials.)

Outcome: New development should strengthen Marks Tey's sense of identity, recognise its special qualities, and help to create a walkable, characterful village. Little Tey should remain as a distinct hamlet separate from Marks Tey.

2. A place that is easy to get around

(A place with convenient access where access to public transport is best; roads, footpaths and public spaces that are connected into well-used direct routes that lead to where people want to go.)

Outcome: New development should be served by high quality frequent public transport and walking and cycling facilities to provide an easy alternative to the private car. New streets should be designed to balance place and movement function and connect to existing streets providing direct and continuous links between homes, public transport and local amenities.

3. Being fit for purpose, accommodate uses well

(A place that works well for the people who live or work there, who use it and who pass by.)

Outcome: New homes and workplaces should be well built, fit for purpose and designed to be adaptable to different uses.

4. A place with successful public space

(A place where public and private spaces are clearly distinguished. With lively public spaces and routes that feel safe. Spaces should be well designed easy to maintain and suited to everyone's needs.)

Outcome: New development should retain historic landscapes and views and respect historic settlement boundaries. Open agricultural fields that provide clear separation between Marks Tey and the neighbouring settlement of Copford to the east and between Marks Tey and the hamlet of Little Tey to the west should be retained and strengthened through hedgerow protection and renewal. A variety of public spaces and play spaces should be integrated with new development. Large open spaces such as sport pitches may be located on the periphery of the settlement to help connect it to the wider countryside

5. A place that adapts to change

(Successful places have to adapt to social, economic and technological change. A place that can change easily is likely to have flexible uses, buildings and spaces that are capable of being adapted to a variety of uses.)

Outcome: Any new development should come forward in a manner which benefits existing residents and businesses. For Marks Tey a key challenge will be how new growth can help overcome existing severance. New infrastructure should come forward in advance of any new development.

6. An appealing place that is easy to understand

(A place where functional and aesthetic characteristics are closely related to one another.)

Outcome: New development should not just provide new homes but a balanced mix of homes, jobs and local retail and community infrastructure such as new health and education facilities. All new development should provide clear, easily navigable, safe and welcoming streets for all.

7. A place with a mix of uses & activities

(A place where the activities, occupations, businesses and operations carried out in a building or on a tract of land determine the life of the place.)

Outcome: Existing local businesses and skills should be retained and development brought forward in a manner that enables people to live and work in Marks Tey.

Outcome: New development should provide a complementary mix of uses including local shops, employment space and community amenities such as health, education and public open space.

8. Being efficient in how land and other resources are used

(A place where there is efficient use of resources including space, energy, materials and water and where development does not waste land, water or energy, or create unnecessary requirements for people to travel.)

Outcome: New development should facilitate public realm improvements within the neighbourhood centre. This would strengthen its role at the heart of the community, where people of all ages are able to come together, and enjoy the area.

Outcome: New development should provide a complementary mix of uses (including local shops, employment space, community amenities such as health, education and public open space) in a manner which reduces, rather than exacerbates, existing fragmentation of shops and services.

Policy MT05 – Local character and design

Context and rationale

6.7.8 The special qualities of the parish are illustrated partly by the character area maps shown in Figures 4.3 to 4.7 but the Character Assessment report describes in detail key defining characteristics. Appendix A to the Character Assessment provides information on existing buildings (and their features) which residents responded positively to as part of a consultation exercise in 2017.

6.7.9 A summary of the five character areas is provided below:

Little Tey

6.7.10 This area is one of a rural landscape with a very small and well-established community. The settlement at Little Tey is distinctly separate from the rest of Marks Tey.

6.7.11 The very busy A120 bisects the character area with the southern part comprising open countryside with the exception of industrial land uses at the corner of Elm Lane/A120 and Godbolt's Nursery on the A120. Residential development is focused in the linear hamlet of Little Tey to the north

of the A120 but there is also residential development fronting the A120 between Church Lane and Great Tey Road and, more sparsely, along Great Tey Road itself.

6.7.12 An important landmark in this area is St. James the Less Church, a Grade I listed building, together with its tranquil surroundings comprising the churchyard, Church Lane itself, the pond by the church and a tree and hedgerow lined ancient lane which leads from this point northwards to the village of Great Tey. Listed buildings here comprise four further Grade II listed buildings at the Old Rectory and the Knave's Farm. Further north where the road becomes Brook Road there is the Grade II* listed building called the Barn to South West of Little Tey House and the Grade II listed building Little Tey House itself.

6.7.13 Further detail is provided in the Character Assessment (see Chapter 4 Little Tey and see Appendix H for details on listed and non-listed buildings) and a summary of different elements is provided in the table below:

Table 6.4 – Summary characteristics for character area 1 – Little Tey

Characteristics	Character area details
Layout	Linear roads with ribbon residential development that is occasionally interrupted by expansive industrial and business sites.
Land uses	Farming, residential. Along the A120, small and large industrial sites and business centres.
Building scale appearance	Low level detached and semi-detached houses and bungalows built with many different materials.
Green features	A village pond by the church, grass verges, trees and hedgerows are all important to the rural character of the village.
Open space	No parks or children's play areas, but the churchyard is managed for the benefit of flora and fauna. A well established network of public footpaths north of the A120.
Landmarks	Grade 1 listed church of St. James the Less One Grade II* listed Barn to the south west of Little Tey Six Grade 2 listed houses Three Grade 2 listed barns

Long Green 2a

6.7.14 This character area provides the focus and heart of the Marks Tey community. A large proportion of the parish's dwellings are located here in the two housing estates Little Marks' estate and Colne Park estate. Older properties are located along Coggeshall Road. The character area also includes the St. Andrew's C of E School (opened in 1966) and Poplar Nurseries on the Coggeshall Road, a long-established business founded in 1938. The busy and often congested Coggeshall Road (part of the A120) runs east west through the middle of the character area. Open countryside lies to the north of

Coggeshall Road and beyond the residential estates in the south. Single track lanes made up of Jay's Lane, Long Green and Wilson's Lane provide a rural setting to the southern edge of the housing estates. The open countryside to the north of Coggeshall Road provides a rural setting to the north and a view towards the Grade 1 listed St Andrews Church located north east is a key contributor to sense of place.

6.7.15 Further detail is provided in the Character Assessment (see Chapter 4 Long Green) and a summary of different elements is provided in the table below:

Table 6.5 – Summary characteristics for character area 2a – Long Green

Characteristics	Character area details
Layout	One linear through road (A120) with ribbon residential development and some retail outlets. The estates have winding main roads with cul-de-sacs running off, typical of a 1970s building layout. The country lanes have grass verges and field hedges and ditches.
Land uses	Farming, residential, educational, retail and restaurant businesses.
Building scale appearance	All buildings are low level and houses do not exceed two floors in height. They are built with a variety of materials.
Green features	Ancient lanes, ponds, grass verges, hedges and mature trees are all important to the historic rural landscape.
Open space	A children's play area and seating enhance the open space next to the school, and an avenue of mature trees help improve the environment on Colne Park Estate. Within the estates, some grassed areas traversed by tarmac footpaths have potential for improvement. Where they remain, colourful front gardens enrich the whole area.
Landmarks	Six Grade II listed residential houses; One Grade II listed public house. The site of the former village green (at Long Green) is recorded as a monument (as a historic landscape feature: Monument number MCC9117) on the Historic Environment Record (HER) database and can be viewed here: https://colchesterheritage.co.uk/Monument/MCC9117

Potts Green 2b

6.7.16 This character area is located to the south of character area 2a – Long Green and to the south of the railway line. It is also in the most south easterly part of the NP area. It is sparsely populated with the majority of the land still being used for farming. The A12 bisects this character area and there are no crossing points across it for either vehicles or pedestrians.

6.7.17 Residential and employment land uses are located in the north east part of the character area between the railway line and the A12. Here, and running parallel with the A12 is the Old London Road, a service road for an industrial area to the north of the A12 and houses. The service road was the original A12 before the dual carriageway was built and opened in the late 1930s. There are houses located in linear format along one side of the service road (the A12 is on the other side). There is also a small crescent of houses located off the Old London Road, originally built to relocate residents who lost their

homes when the A12 was built. Behind this residential area, there is the vacant Anderson's employment site and to the west, an industrial site on Dobbies Lane owned by By-Pass Nurseries with a number of glass houses, now redundant, but once the homes to extensive seed production. Dobbies Lane itself is a rural lane providing an important pedestrian link to the pedestrian footbridge across the railway line and to the residential areas in character area 2.

6.7.18 This character area takes its name, Pott's Green from the former village green located on the southern side of the A12 at the end of Doggett's Lane.

6.7.19 Further detail is provided in the Character Assessment (see Chapter 4 Potts Green) and a summary of different elements is provided in the table below:

Table 6.6 – Summary characteristics for character area 2b – Potts Green

Characteristics	Character area details
Layout	One linear road (A12) bisects this area. There is a small amount of residential ribbon development on the north side of the A12 and scattered residential development to the south. There is one cul-de-sac with houses surrounding a small green area, and two country lanes.
Land uses	Predominantly agricultural, one industrial site, residential housing, and retail at Shell garage only
Building scale appearance	No residential building exceeds two storeys in height, and they are built with a variety of materials.
Green features	Ancient lanes, ponds, grass verges, hedges and mature trees are all important to the historic rural landscape and enhance the quality of life for the residents.
Open space	To the east, south and west the area has views of open countryside.
Landmarks	2 Grade II listed buildings The site of the former village green (at Potts Green) is recorded as a monument (as a historic landscape feature: Monument number MCC9116) on the Historic Environment Record (HER) database and can be viewed here: https://colchesterheritage.co.uk/Monument/MCC9116

Roman River

6.7.20 This character area is in the north eastern part of the plan area. It is located north of the east west London to Norwich Railway Line and the area is also bisected by the Marks Tey to Sudbury Railway Line. The latter creates a western part of the character area where Church Lane is and an eastern area where North Lane is.

6.7.21 As a whole the area is sparsely populated. There is linear residential development along North Lane and a few houses are scattered on Church Lane. In addition, there are four late 19th Century terraced cottages in the southern part of this Character Area on Coggeshall Road.

6.7.22 Church Lane itself is a tranquil place; the Grade I listed St Andrews Church is located halfway along it and at the end there is the Marks Tey Brick Pit SSSI beyond where the road comes to an end.

Both the Church and the Brick Pit are important local landmarks. The church is visibly striking, views of which can be enjoyed from the site of the Brick Pit, from the A120 in the south and from Little Tey.

6.7.23 North Lane provides access from the Coggeshall Road to Aldham and beyond. It is not a route without difficulties. It includes two important bridges; one over the Roman River at the northern extent of the character area (which is also an area susceptible to flooding) and one over the railway lines at the southern part of the character area. The Roman River bridge was replaced in May 2019 and the bridge over the railway line is very narrow making it difficult for two-way traffic to cross and presenting pedestrian safety issues as a result of this (see Figure 6.2).

6.7.24 Further detail is provided in the Character Assessment (see Chapter 4 Roman River) and a summary of different elements is provided in the table below:

Table 6.7 – Summary characteristics for character area 3a – Roman River

Characteristics	Character area details
Layout	A very small section of the A120 and two country lanes, with some residential development, are the only roads. A main line and branch line railway cross the area, 2 industrial areas
Land uses	Farming, worship, residential, small and large industrial areas.
Building scale appearance	Low level detached and semi-detached houses and bungalows built with many different materials.
Green features	The river area and SSSI. The fields, ancient hedgerows and trees.
Open space	No parks or play areas. Churchyard.
Landmarks	Grade I listed church of St. Andrews Grade II listed house Grade II listed scheduled monument at Marks Tey Brick Kilns War memorial

The Village

6.7.25 This character area is where you will find the shops, the railway station, hotel and over 50% of all businesses in Marks Tey Parish. The Village Character Area (see Map 4.7) is located south of the railway line and today, it is separated by the A12 from most of the dwellings in the parish.

6.7.26 The mainline railway first separated Marks Tey Village from other communities found at Long Green and Little Tey in 1843. Then, in the 1930s a number of houses and businesses were demolished to widen the main road to London. Later, in the 1960s, the Rectory Meadow (where the Marks Tey Cricket Club held their matches and school children played each day) and Station Road were lost completely to the construction of the dumbbell style Junction 25 to the A12 and the Stanway bypass.

6.7.27 Residential development is constructed in a linear layout along London Road, Mill Road and Old London Road. In addition, there are separate apartment complexes at the Old Rectory, north of the dumbbell style Junction 25, the Rookeries east of Junction 25 and Point Chase along the Old London Road, also east of Junction 25. As a whole, the residential areas are dispersed among other land uses, segregated by transport infrastructure and, taken as a whole, incoherent in style.

6.7.28 Despite the radical changes that have taken place to the transport infrastructure in this character area, London Road is still a hub of activity, and referred to by residents as the “The Village”. Among the facilities found on London Road are a hotel with swimming pool and gym, a variety of shops, restaurants, fish and chips, Chinese take-away, post office, pharmacy, hairdressers and beautician, vehicle repair garage and a field used regularly for a car boot sale. A key challenge facing this area is:

- Addressing street scene amenity issues so as to increase accessibility to the shops and services for pedestrians, the mobility impaired as well as those accessing the area by vehicles and wishing to find an off-road parking space;
- Future change resulting from a planned relocation of Junction 25 - addressing the impact this may have on passing trade but also realising any opportunities created by this to create a better environment for residents and shoppers alike;
- Attracting visitors using Marks Tey railway station and residents north of the railway line who currently have to take a convoluted route to first cross the A120 and then use a pedestrian bridge which spans the A12.

6.7.29 Even as the busiest of Marks Tey character areas, the countryside is not far out of reach, and from the footpath beside the former Methodist Church along the Old London Road, a walk through the only wooded area in the parish will bring the walker to open farmland to enjoy the views.

6.7.30 Important landmarks in this area include the Marks Tey Hall, together with its associated buildings with moat and medieval fishpond, accessed south off Old London Road and formerly the hub of the community and formerly home to Marks Tey Lord of the Manor.

6.7.31 Further detail is provided in the Character Assessment (see Chapter 4 The Village) and a summary of different elements is provided in the table below:

Table 6.8 – Summary characteristics for character area 3b – The Village.

Characteristics	Character area details
Layout	An area dominated by a major trunk road and dumbbell junction. Residential areas are dispersed in amongst other land uses. Houses are built in ribbon development or in small cul-de-sacs off the main roads. Three apartment complex sites.
Land uses	Residential, educational, retail, post office, motoring service centre, railway station, hotel and leisure, community services, light industrial, restaurants, pharmacy and farming.
Building scale appearance	Features which are common to the majority of buildings is a low level built form built along consistent building lines, placed at the front of plots, but with buildings spanning several centuries there is not one style which characterises this character area.
Green features	Large mature trees, footpaths out to the open countryside in the south. Vegetated islands in amongst the road infrastructure.
Open space	Large recreation area with play area and sports fields.
Landmarks	<p>Cemetery, moat, medieval fishpond, wooded area, ancient hedges and field boundaries.</p> <p>3 Grade II listed buildings:</p> <ul style="list-style-type: none"> - Marks Tey Hall - 16th Century Barn at Marks Tey Hall - The Villa <p>1 Grade II* listed building</p> <ul style="list-style-type: none"> - 14th Century Barn at Marks Tey Hall <p>Site of historic farmstead at No. 1 London Road (formerly Butcher's Farm)</p> <ul style="list-style-type: none"> - Listed as Monument Record MCC9208 on the Historic Environment Record and can be viewed here: https://colchesterheritage.co.uk/Monument/MCC9208

Policy Intent

6.7.32 The purpose of Policy MT05 is to ensure that all development proposals that come forward in the parish are of high quality and contribute positively to the existing character of the built-up and rural environment. The policy has been directly informed by the Marks Tey Character Assessment. With respect to its approach on design, the NP as a whole, has also been informed by the Out Design Masterplanning document which provided its own urban design analysis of the plan area (as described above). The policy will apply to all proposals involving new build including extensions to existing residential or buildings in other uses. Expectations will be proportionate to the size of a proposed scheme.

6.7.33 Policy MT05 will apply against the context of national and strategic policy applicable to design. Applicable Local Plan policies are:

- Core Strategy Policy SD1: Sustainable Development Locations,
- Core Strategy Policy UR2: Built Design and Character,
- Development Policies Plan Policy DP1: Design and Amenity, and
- Emerging Local Plan Policy DM15: Design and Amenity.

6.7.34 Both the emerging and adopted Local Plan signposts the Essex Design Guide published by Essex County Council as being a useful source for detail on achieving appropriate design in new development and avoiding undesirable impacts. The value in Policy MT05 in this NP is its direct relevance to the plan area and the way in which it highlights existing characteristics of value and challenges in the plan area.

POLICY MT05 – LOCAL CHARACTER AND DESIGN

All development proposals should contribute in a positive way to the quality of the built environment and settings in the parish.

Development proposals must be the result of a design-led process with regards to a scheme's location, layout, design, choice of building materials and density.

To be supported, development proposals must also be sympathetic to the existing character and history of Marks Tey including its built environment (whereby nearly all buildings in the parish are low in height, built either to ribbon or estate style development on good sized plots, using mainly brick and timber with some plaster work) and landscape setting; details of which are provided in the Marks Tey Character Assessment (available to view alongside this Neighbourhood Plan).

Innovative approaches to design will be welcomed where this will add to the overall quality of the neighbourhood and parish for example via self build or custom build development.

Key considerations and recommendations for all schemes include:

For proposals in the Little Tey Character Area:

- Protect the tranquil and rural environment along Church Lane.
- All development to be in keeping with existing pattern of low density linear development.
- Protect the open landscape between Little Tey and Marks Tey.
- Mitigate the residential amenity and traffic management issues as a result of the busy and congested A120 as the principal access corridor.

For proposals in the Long Green Character Area:

- Be sympathetic to the existing character, comprising low density residential development, away from busy through-roads connected through network of green spaces and pedestrian friendly routes
- Retain or enhance the rural lanes which provide a rural setting to the residential areas and connectivity to the public rights of way
- Respect, and not adversely impact the open views looking northwards from the A120 towards the Grade I listed St. Andrews Church (located in Roman River Character area).
- Mitigate the residential amenity issues and poor street scene environment created through the busyness on the A120.

For proposals in the Potts Green Character Area:

- Retain or enhance the pedestrian links from Old London Road, up Dobbies Lane over the railway line to the Marks Tey estates.
- Mitigate the residential amenity issues created through the busyness of the A12.
- Retain or enhance connectivity to historic village green at Potts Green.

Continues overleaf

POLICY MT05 – LOCAL CHARACTER AND DESIGN CONTINUED...

For proposals in the Roman River:

- Conserve or enhance the Grade I listed St Andrews Church and its setting.
- Retain the strong sense of tranquillity along Church Lane.
- Adequately address the constraints on any development created by the narrow bridge on North Lane and areas of flood risk along the Roman River.

For Proposals in The Village:

- Conserve or enhance the Grade II listed Marks Tey Hall and its setting.
- Take opportunities to improve the street scene environment around the London Parade shops.
- Take opportunities to improve the connectivity between the areas currently segregated by the road infrastructure through measures which improve the attractiveness of pedestrian routes and create more direct routes.
- Retain existing and take opportunities to create new green infrastructure.
- Prioritise design and layout that increases coherence and strengthens sense of place.

Development proposals which adopt innovative approaches to the construction of low carbon homes and buildings which demonstrate sustainable use of resources and high energy efficiency levels (for example construction to Passivhaus or similar standards) will be welcomed.

6.8 Policy MTo6 - Landscape character, views and setting

Context and rationale

6.8.1 There is a range of sources that provide information on the character of Marks Tey Landscape Character:

- Colchester Landscape Character Assessment published in 2005
- West Colchester Growth Area Option Environmental Audit. This was produced by Chris Blandford Associates in November 2015 to help inform the emerging Borough Plan.
- The Marks Tey Character Assessment produced by the NP steering group to inform this plan.

6.8.2 The West Colchester Growth Area Option Environmental Audit draws from previous landscape characterisation work in the proceeding Chris Blandford reports. Key conclusions from this work are:

- The landscape capacity of Marks Tey parish has limited ability to be able to accommodate development without degradation of landscape characteristics that are of local value. Mitigation and enhancement measures would be required where change does take place.
- Care should be taken to avoid loss of the woodlands and hedgerows/field boundaries that form screening elements in views from the edge of Marks Tey area.
- The arable fields between Copford and Marks Tey along the B1408 are considered to provide a high contribution to the physical and visual separation between the settlements.
- Most of the land between Marks Tey and Little Tey is considered to provide a high contribution to the physical and visual separation between the settlements. It is considered desirable to safeguard this from inappropriate development
- Most of the land between Marks Tey and Easthorpe is considered to provide a high contribution to the physical and visual separation between the settlements
- Existing landscape structure across the site should be retained and strengthened.
- Opportunities for development without impacting significantly on landscape character exist at:
 - The western end of Marks Tey, arable fields on either side of Dobbies Lane and their associated greenhouses are considered to have no more than a medium contribution to the sense of separation between Marks Tey and Easthorpe
 - The area of hardstanding south of the intersection of the A12 and A120 has a predominantly urban fringe character and makes a low contribution to sense of separation between the settlements. This also applies to the adjacent field which is enclosed by built development on three sides

6.8.3 As part of the Marks Tey Character Assessment work, the NP group has identified a range of locally important views looking out to the countryside from public spaces in the village, views looking out towards locally important heritage assets.

6.8.4 As illustrated in the table below, many of these views have also been assessed as part of the West Colchester Growth Area Option Environmental Audit undertaken to support the Borough's emerging spatial strategy in 2015.

Table 6.9 - Viewpoints identified in Marks Tey Character Assessment and West Colchester Growth Option Environment Audit, 2015

Locally Important Views	Viewpoint in the West Colchester Growth Area Option Environmental Audit 2015
<p>View 1a) – Long Green This is a locally valued view shown on Map 4.4 from the railway line pedestrian bridge looking out towards Long Green. Key contributing features to sense of place and to be respected are:</p> <p>a) the site of the historic village green at Long Green. This is now listed as a monument and connects the listed buildings of “The Green” and “Samsons Cottage” and</p> <p>b) the locally valued landscape feature of Granger’s Lane (a tree and hedgerow-lined ancient lane and (since April 2021) also a public right of way.</p> <p>View 1b) – looking south of railway line. This is a locally valued view shown on Map 4.5. A key contributing feature to sense of place and to be respected is the view of the Fields looking towards Potts Green & Easthorpe. These fields were once part of an area that was classed as the seed producing capital of the world.</p> <p>Resident quote during consultation work: <i>“A typical Essex landscape. Brilliant area for both train spotting and dog walking.”</i></p>	Viewpoints 16a and 16b
<p>View 2 – Wilsons Lane - footpath to Elm Lane (View from Wilsons Lane looking out over the footpath towards Elm Lane).</p> <p>This is a locally valued landscape view shown on map 4.4. The view is enjoyed from the public footpath across the fields from Wilsons Lane towards Elm Lane. Key contributing features to sense of place and to be respected are the open space and sky, alongside the hedges which line the fields which are all clearly marked on the 1843 Tithe Map.</p> <p>Resident quote during consultation work: <i>“We have always appreciated the view, the open space and sky. This is a very popular place.”</i></p>	Viewpoint 15
<p>View 3a)– Little Tey A wide landscape view looking, east and west from Church Lane.</p>	View 10 is view from Little Tey looking east towards open countryside

Locally Important Views	Viewpoint in the West Colchester Growth Area Option Environmental Audit 2015
<p>This is a locally valued landscape view shown on Map 4.3. The viewpoint is along Church Lane close to the car park (a little further north from View 3b (below). This is a landscape view looking westwards and eastwards. The key contributing feature to sense of place and to be respected is the vast open countryside, representing Little Tey's rural background.</p> <p>View 3b) – Little Tey towards St. James the Less Church A view taken on Church Lane looking towards the Grade I listed church</p> <p>This is a locally valued view towards an important heritage asset in the parish shown on Map 4.3. The key contributing features to sense of place and to be respected is the view of the Grade 1 listed St. James the Less Church, together with the characterful lane, the pond and trees which are all part of the setting of this important heritage asset.</p> <p>Resident quote during consultation work: <i>"This has been the focus of village life for centuries. A village view of a lovely historic church"</i></p>	
<p>View 4 – Motts Lane bridleway A wide landscape view looking north, east and west from Mott's Lane Bridleway.</p> <p>This is a locally valued view across open landscape and also encompassing heritage assets. The view is shown on Map 4.4. Key contributing features to sense of place and to be respected are</p> <ul style="list-style-type: none"> a) the Motts Lane bridleway itself b) views across the fields to a small copse which are enjoyed from the bridleway. c) views towards the three Tey Churches (Grade I listed St. James the Less, Grade I listed St Andrews Church and the Grade I listed St. Barnabas Church (located in Great Tey Parish https://historicengland.org.uk/listing/the-list/list-entry/1223408) <p>Resident quote during consultation work: <i>"The three Tey churches viewed from one spot. Priceless."</i></p>	Not assessed
<p>View 5 – St. Andrews Church from the A120 Coggeshall Road</p>	Views 12, 13 and 14 look at views northwards from Coggeshall Road

Locally Important Views	Viewpoint in the West Colchester Growth Area Option Environmental Audit 2015
<p>From Ashbury Drive roundabout on A120 looking north towards Aldham and towards the Grade 1 listed church</p> <p>This is a locally valued view towards open landscape and towards a key heritage asset, the Grade I listed St Andrews Church. Key contributing features to sense of place and to be respected are:</p> <ul style="list-style-type: none"> a) the rolling countryside of Aldham, b) the Grade I listed St. Andrew's Church Marks Tey. c) the view of the Site of Special Scientific Interest (SSSI) at the brickpit which is described as a unique site in the UK and one of 'World Heritage' importance. <p>Resident quote during consultation work: <i>"Probably the most unspoilt and uplifting view in Marks Tey. It's an open view and probably the only one everyone can enjoy"</i>.</p>	<p>where view 14 matches as the view towards St Andrews Church</p>
<p>View 6a –St. Andrews Church from road bridge</p> <p>This view is enjoyed from the road bridge that crosses over the railway line looking north towards the Grade 2 listed church. It is also enjoyed from trains pulling out of the station, just before going under the A120 road bridge.</p> <p>This is a locally valued view towards an important heritage asset in the parish, the Grade I listed St. Andrew's Church</p> <p>Key contributing features to sense of place and to be respected are the:</p> <ul style="list-style-type: none"> a) Grade I listed St Andrews Church in the foreground b) the open rural landscape against which the church is framed and c) the rolling countryside of Aldham in the background Marks Tey. <p>Resident quote during consultation: <i>"Beautiful view of the church with distant views of countryside and farming activity."</i></p>	<p>Not assessed</p>
<p>View 7 – Aldham</p> <p>This view is enjoyed from the railway station footbridge looking north towards Aldham.</p> <p>This is a locally valued landscape view shown on Map 4.6. Key contributing features to sense of place and therefore to be respected are:</p> <ul style="list-style-type: none"> a) the view northward to the Roman River Valley 	<p>Viewpoint 9</p>

Locally Important Views	Viewpoint in the West Colchester Growth Area Option Environmental Audit 2015
<ul style="list-style-type: none"> b) the rolling countryside of Aldham c) the hedges which can be found on the 1843 title map 	
<p>View 8 - Roman River Valley This is a view looking east and west from the little bridge over the Roman River on North Lane.</p> <p>This is a locally valued landscape view shown on Map 4.6. Key contributing features to sense of place and therefore to be respected are the Roman River Valley and the farmland in which it is set.</p>	Viewpoint 7
<p>View 9 – Wooded area south of Methodist church This view is to the south of the Methodist Church looking south over wooded area.</p> <p>This is a locally valued landscape view shown on Map 4.7. A key contributing feature to sense of place and therefore to be respected is the wooded landscape. It is the last remaining wooded area in the parish.</p> <p>Resident quote during consultation <i>"This was an old orchard. It has wonderful drifts of snowdrops. A truly natural area"</i></p>	Outside scope of the West Colchester Growth Area Option Environmental Audit
<p>View 10 – Marks Tey Hall This is a view from the public footpath looking west towards the Grade II listed building.</p> <p>This is a locally valued views towards a heritage feature, the Grade II listed Marks Tey Hall. Key contributing features to sense of place and therefore to be respected is Marks Tey Hall and its setting.</p>	Not assessed
<p>View 11 - Potts Green - site of village green This is a wide landscape view taken from the public footpath on Doggetts Lane towards the south overlooking the historic village green.</p> <p>This is a locally valued landscape view shown on Map 4.5. Key contributing features to sense of place and therefore to be respected are:</p> <ul style="list-style-type: none"> a) the open views looking southeast across fields towards Easthorpe b) the site of the historic green itself c) the remaining hedges which can still be found on the 1843 tithe maps giving them ancient status. 	Not assessed

6.8.5 Due to their contribution to establishing sense of place in the parish it is important that new development proposals coming forward do not adversely impact landscape character, views and setting. This does not necessarily mean disallowing anything within the view cones shown on Maps 4.3 to 4.7 but it means that special attention will need to be had to design and layout of developments which fall within those view cones. If a development proposal adversely impacts a view it will be resisted where harm to a view is determined to outweigh the public benefits.

Policy Intent

6.8.6 We wish to support proposals which maintain or enhance existing landscape character and views in Marks Tey parish.

POLICY MT06 – LANDSCAPE CHARACTER, VIEWS AND SETTING

Development proposals will be supported where they recognise, maintain and where possible enhance landscape character in Marks Tey parish.

Areas of open land which make a high contribution towards physical and visual separation between Marks Tey and Copford, between Marks Tey and Little Tey and between Marks Tey and Easthorpe shall be safeguarded from inappropriate development.

To be supported development proposals must

- retain open corridors which connect the built environment to the surrounding countryside; and
- maintain or enhance the setting of the following locally identified important views which contribute to sense of place in the parish (described in Table 6.9 and identified in Maps 4.3 to 4.7).

View 1a) – Long Green (See Map 4.4)

A view from the railway line pedestrian bridge looking out towards Long Green (a historic site of the village green)

View 1b) – Looking south of railway line. (See Map 4.5)

View 2 – Wilsons Lane - footpath to Elm Lane (See Map 4.4)

A view from Wilsons Lane looking out over the footpath towards Elm Lane

View 3a)– Little Tey (See Map 4.3)

A wide landscape view looking east and west

View 3b) – Little Tey Towards St. James the Less Church (See Map 4.3)

A view taken on Church Lane looking towards the Grade 1 listed church

View 4 – Motts Lane bridleway (see Map 4.4)

A wide landscape view looking north, east and west from Mott's Lane Bridleway

View 5 – St. Andrews Church from the A120 Coggeshall Road (see Map 4.4)

From Ashbury Drive roundabout on A120 looking north towards Aldham and towards the Grade 1 listed church

View 6a –St. Andrews Church from road bridge (See Map 4.6)

This view is enjoyed from the road bridge that crosses over the railway line looking north towards the Grade I listed church. It is also enjoyed from trains pulling out of the station, just before going under the A120 road bridge.

View 7 – Aldham (See Map 4.6)

This view is enjoyed from the railway station footbridge looking north towards Aldham

View 8 - Roman River Valley (See Map 4.6)

This is a view looking east and west from the little bridge over the Roman River on North Lane.

Continues overleaf

POLICY MT06 – LANDSCAPE CHARACTER, VIEWS AND SETTING CONTINUED:

View 9 – Wooded area south of Methodist church (see Map 4.7)

This view is to the south of the Methodist Church looking south over wooded area

View 10 – Marks Tey Hall (See Map 4.7)

This is a view from the public footpath looking west towards the Grade II listed building.

View 11 - Potts Green - site of village green (See Map 4.5)

This is a wide landscape view taken from the public footpath on Doggetts Lane towards the south overlooking the historic village green

6.9 Policy MT07 – Non-designated heritage assets

Policy context and rationale

6.9.1 There are 27 statutorily listed buildings within the parish. These are highly valued by the community of Marks Tey and are already protected under local plan and national planning policies. In addition to these there are other buildings which are of local historic importance and their preservation or enhancement is important to maintaining a sense of place in Marks Tey.

6.9.2 Information on buildings of local historic importance was collected as part of the Marks Tey character assessment work. The community were consulted on this during consultation undertaken in summer and autumn 2018. Please see Chapter 4 for further detail on these locally important buildings.

6.9.3 The Colchester Local List seeks to safeguard selected undesigned heritage assets that, although not suitable for designation nationally are valued by the local community and make a significant contribution to the heritage of Colchester and the surrounding villages. The selection criteria for the Local List was adopted in October 2019 and is available to view:

https://colchesterheritage.co.uk/documents/2019-10-21_adopted.local.list.selection.criteria.pdf ..

Policy Intent

6.9.4 The Marks Tey community values its local heritage and we want to ensure that our locally interesting buildings and other heritage assets are not lost or re-developed in a way that would negatively impact on their architectural significance. We want to protect these non-designated heritage assets⁵.

6.9.5 Policy MT07 is intended to apply to all buildings and structures listed in the policy as well as any additional assets in the parish that are included as part of a future Colchester Borough Council local list. It is intended that the list of non-designated heritage assets in Marks Tey will be reviewed as necessary as part of any future review of the Marks Tey Neighbourhood Plan.

⁵ Old Rectory Court, Station Road is referred to as the Old Rectory in the Character Assessment and Church Farm House as Church Farm.

POLICY MT07 NON -DESIGNATED HERITAGE ASSETS

The following buildings and assets, as described in Appendix 3 to the Plan, have been identified as non-designated heritage assets.

Proposals should seek to conserve or enhance the significance of the heritage assets listed in this policy as well as any additional non-designated heritage assets which are located in the plan area and included in the most up to date Colchester Borough Local List.

Where proposals have any effect on a non-designated heritage asset, a balanced judgement will be applied having regard to the scale of any harm or loss and the significance of the heritage asset.

Character Area 2a – Long Green:

1. White Essex weather boarded old farm cottages 91 and 93 Coggeshall Road
2. The Old Thatched Cottage 85 Coggeshall Road
3. 25 Coggeshall Road

Character Area 2b – Potts Green:

4. Hammer Farm House, Doggetts Lane
5. Site of former Potts Green

Character Area 3a – Roman River:

6. Church Farm House and outbuildings
7. Railway station (original building waiting room and section of original canopy)

Character Area 3b – the Village:

8. Old Rectory Court, Station Road
9. The Old Cottages, Old London Road
10. Former Methodist Church, London Road
11. Wyncroft, Number 1 London Road (previously known as Butcher's Cottage)

6.10 Policy MTo8 – Rural lanes

Context and rationale

6.10.1 There are a number of rural lanes in the parish which are highly valued by local people. In a parish otherwise dominated by transport infrastructure corridors disrupting connectivity, these rural lanes provide vital access to the countryside in which the village is set. As well as having amenity value in themselves they also provide routes for non-motorised modes of transport helping to connect different parts of the parish.

6.10.2 Policy MTo8 complements the landscape management guidelines (set out in the Colchester Borough Landscape Character Assessment published in 2005) for the character area in which Marks Tey falls (B2: Easthorpe Farmland Plateau) which includes the guideline to “conserve historic lanes and unimproved roadside verges”

6.10.3 The rural lanes are:

- Doggett’s Lane. An ancient lane along which Potts Green is reached.
- Dobbies Lane allows residents to cross the railway bridge and walk from Marks Tey Estate to Marks Tey Village Hall
- Mott’s Lane. This is a rural lane to the north of the A120. There is a public right of way which runs from the A120 junction along the length of Mott’s Lane and a further public footpath which joins Mott’s Lane from the west. There is no through route for motorised vehicles along Mott’s Lane.
- An ancient green lane in Little Tey leading from the church to the old rectory situated on the Great Tey Road. The lane is classified as a Byway.
- Granger’s Lane leading from Long Green to Broom’s Farm. Appendix B to the Character Assessment provides a detailed description of this lane. The lane once formed part of a link road between two roads known to be Roman, Stane Street, (now A120) and the road to London (A12) although both these roads could have earlier origins and were upgraded by the Romans. This lane has as at 21 October 2020 become recognised as a formal public right of way through the Essex County Council Definitive Map Modification No. 677, Footpath 13, Marks Tey.

6.10.4 The green lane in Little Tey and Granger’s Lane are particularly valued as having landscape and biodiversity value. They have been found through the character assessment work to be in a similar condition to what they have been in for several centuries with earth surfaces and a natural hedge on either side. They are mostly free from motorised vehicles with the exception of occasional farm vehicles in Little Tey.

6.10.5 Further information on these rural lanes can be found in Chapter 4 of the Character Assessment as well as Appendix B – Granger’s Lane.

POLICY MT08 - RURAL LANES

The following rural lanes (as identified on Maps 4.3 to 4.7) are identified as Marks Tey Important Features of Local Value.

Their amenity value and biodiversity value shall be protected or enhanced.

- Dogget's Lane.
- Dobbies Lane
- Ancient Green Lane in Little Tey
- Granger's Lane leading from Long Green to Broom's Farm
- Motts Lane

Where development is proposed adjacent or close to these rural lanes it is expected that all opportunities will be taken to increase their amenity, landscape and biodiversity value (for example through providing additional access for non-motorised modes of transport to Dobbies Lane through Anderson's employment site).

A STRONGER COMMUNITY

Objective 4: Existing community facilities including open space will be protected and opportunities to improve existing provision will be realised

Context

6.11.1 As described in Chapter 2, the parish has a wide range of community facilities and a generous amount of formal amenity space. Due to its position on the A120 and the A12 junction 25, the parish has become a hub serving the communities beyond its boundaries. The village hall, for instance, is often hired out to community groups from outside the parish. The hall has been established since 1994 and, due to its size, variety of rooms, plentiful parking and a location close to the A12, has become a major venue on the west side of Colchester for a very wide range of voluntary groups and activities. Over recent years the hall has become a resource both for local people and others who live in Colchester and the surrounding villages and the playing field is popular with dog walkers, young families, skate boarders and local football teams.

6.11.2 Formal open space in the parish is limited to the recreation ground on the parish hall grounds and the open space at the heart of the Estate (which comprises Colne Park Estate to the west of Jay's Lane and Little Marks Estate to the east of Jay's Lane). The parish hall recreation ground is valued, due to its openness and accessibility, by many local families. During consultation work (see section 3) it was often identified as a positive attribute by the wider community (see section 3).

6.11.3 Notwithstanding this, the Out Design masterplanning support document notes its location and access as a shortcoming:

"... given its location, lack of prominence and indirect access, particularly for pedestrians, it can feel disconnected from other parts of the village."

6.11.4 Within the village settlement boundary of Marks Tey village, green infrastructure comprises the Parish Hall recreation grounds as well informal areas of green open space within Marks Tey housing estate and road side landscaping (e.g. near the A120/12 interchange). The five character area maps identify all areas of locally valued green space and these are described in the character assessment itself. Outside Marks Tey village, there is a richer and more varied source of green infrastructure that is enjoyed by parish residents. This includes local views of the countryside as illustrated on the Character Area maps, enjoyed from key points within the village but also from points on the rural footpath network (e.g., Long Green beyond the built-up areas, areas providing wildlife habitat including mature trees, hedgerows and the Brick Pit SSSI).

6.11.5 It is clear from the ongoing community engagement work from 2015 through to 2018 that access to green infrastructure (comprising the open countryside, features of wildlife value and open space) is a top priority for residents.

6.12 Policy MTog – Local green spaces

Context and rationale

6.12.1 The National Planning Policy Framework (NPPF) allows communities to designate areas as Local Green Space. Once designated, a Local Green Space is safeguarded as an open space and protected from development. A Local Green Space must meet the criteria set out in paragraph 102 of the NPPF. This states:

"The Local Green Space designation should only be used where the green space is:

- In reasonably close proximity to the community it serves;*
- Demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- Local in character and is not an extensive tract of land."*

6.12.2 An assessment has been undertaken of the green spaces within the parish. This work has resulted in the identification of the following spaces as suitable Local Green Spaces.

- Colne Park Estate Play Area. This space is demonstrably special and holds a particular local significance due to its recreational value. Together with the recreation area (see below), the play area provides a green lung in the built-up area of the housing estate. This space has play equipment for younger children, together with seating and picnic benches.
- Colne Park Estate Recreation Area. This space is demonstrably special and holds a particularly local significance due to its recreational value. Together with the play area (see above), the recreation area provides a green lung in the built-up area of the housing estate. This space is a grassed area criss-crossed by paths enabling access from various points of the estate providing a break from traffic fumes for walkers, be they with dogs, children or on their own.
- Pond and Seating Area by Little Tey Church. This space is demonstrably special and holds a particular local significance due to its visual amenity, biodiversity amenity and the opportunity it provides for rest and contemplation in a tranquil location in the setting of the Grade I listed St. James the Less Church. With its seating area, the space is a landmark feature in Little Tey and provides amenity for both visitors and residents.
- Parish Hall Recreation Ground. This space is demonstrably special and holds a particular local significance due to its recreational value. The recreation ground is a centrally located area of outdoor recreation space providing a children's play space with play equipment, a skateboard park, a basketball court, and football pitches. The facilities are set in a large area of soft landscaping including trees and hedges.

Policy Intent

6.12.3 Because of their special value to the Marks Tey community, we wish to identify the following as Local Green Spaces

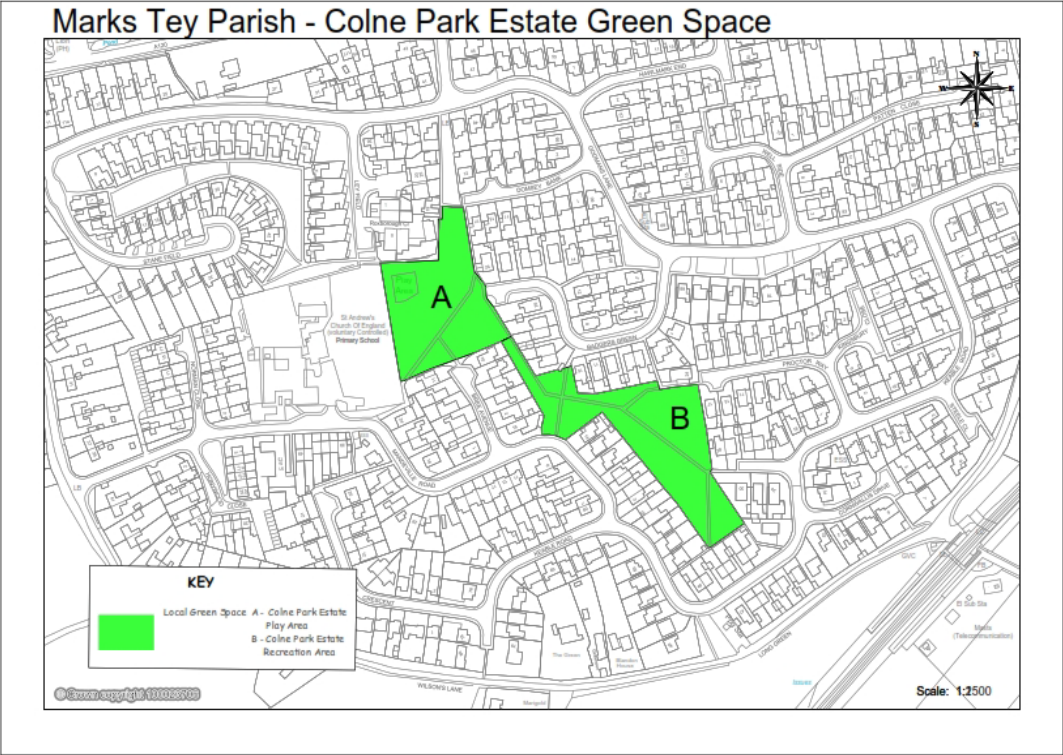
POLICY MT09 - LOCAL GREEN SPACES

The following green spaces, identified on Maps 6.3 – 6.5, are designated Local Green Spaces as defined in the National Planning Policy Framework.

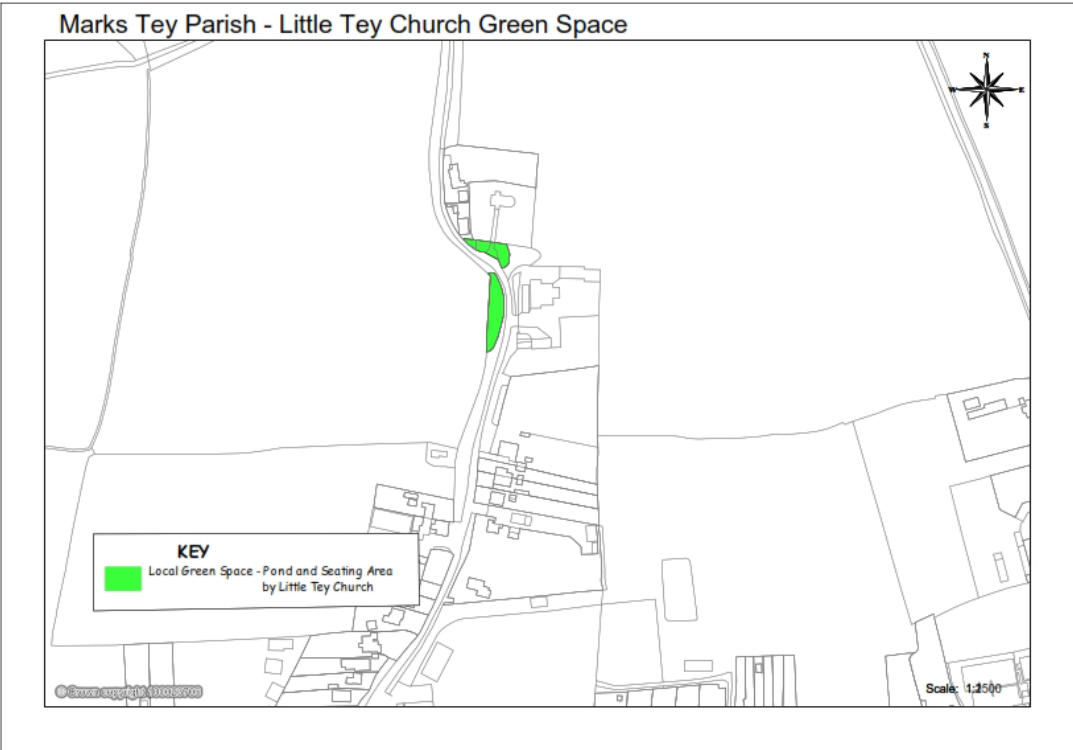
- Colne Park Estate Play Area
- Colne Park Estate Recreation Area
- Pond and Seating Area by Little Tey Church
- Parish Hall Recreation Ground

Proposals for any development on Local Green Spaces will be resisted other than in very special circumstances.

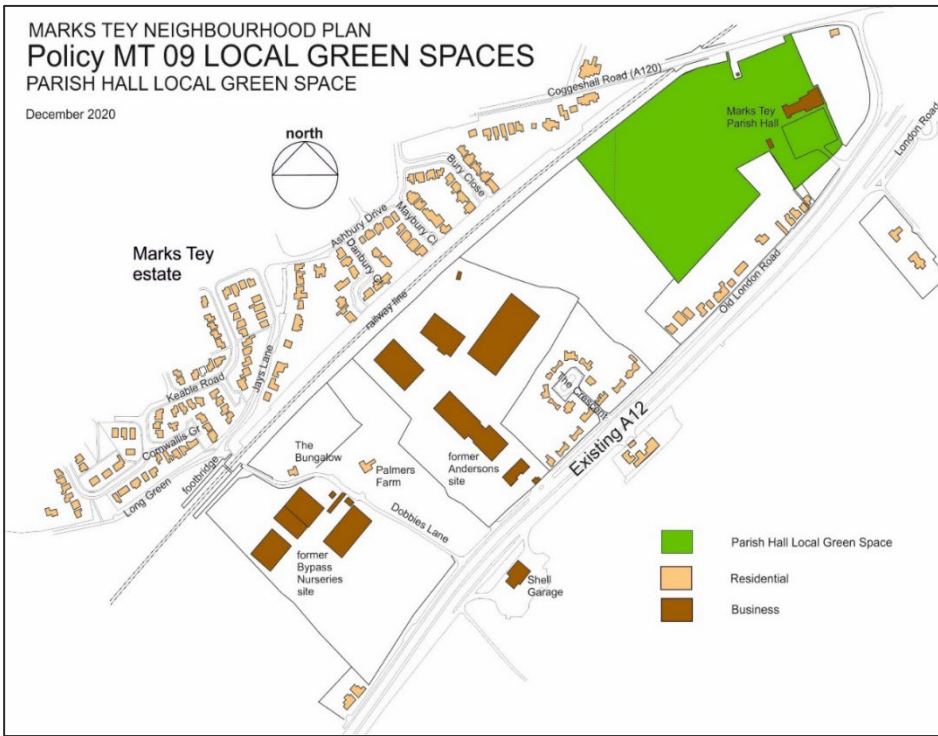
Map 6.3 Colne Park local green spaces



Map 6.4 Pond and seating area by Little Tey Church



Map 6.5 Marks Tey Parish Hall recreation ground local green space



6.13 Policy MT10 – Protecting and enhancing the quality and quantity of our green infrastructure

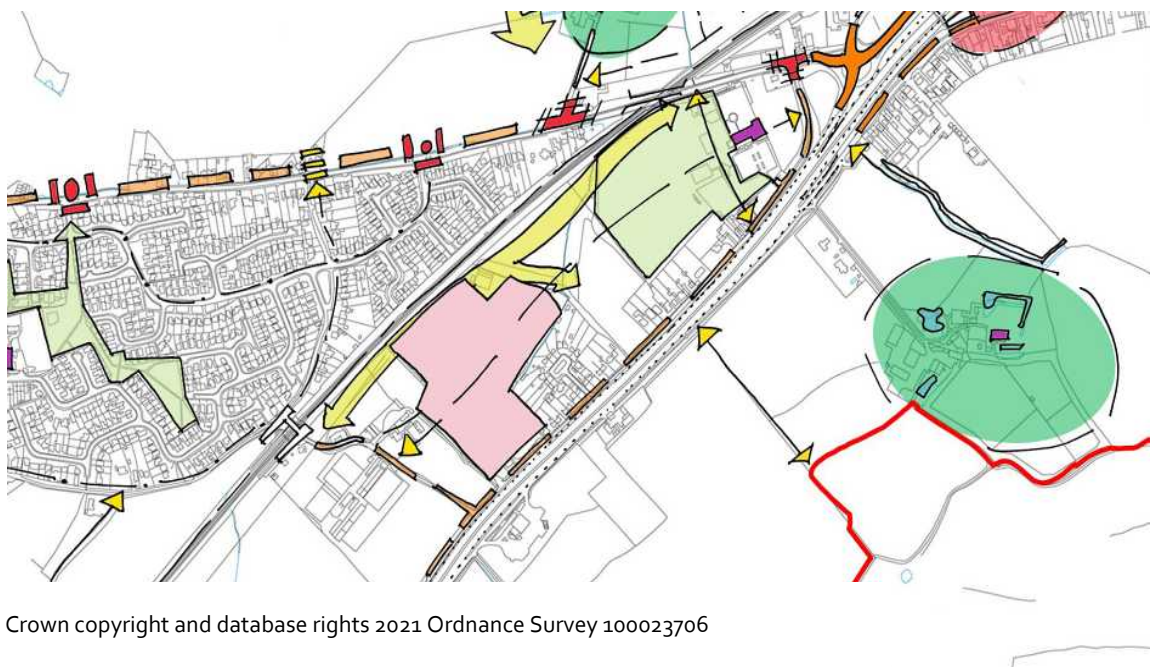
Context and rationale

6.13.1 The existing green infrastructure in the parish is highly valued but provision of green infrastructure within the built-up area is of limited quality and there is scope to improve this. The character assessment identifies opportunities to enhance existing green space in the parish including the rural lanes listed in Policy MT08 and the reinstatement of the historic green at Potts Green into a public open space. A number of opportunities have also been identified in the masterplanning support document on this:

Green Corridors:

- The Greens: the creation of a continuous, accessible green corridor to the west of Marks Tey incorporating Long Green and Potts Green. This aspiration is illustrated on the emerging framework plan in the Masterplanning support document (see Map 6.1 in this plan), an extract from which is provided below in Map 6.6, and would increase the amenity value considerably of the pedestrian route from the Parish Hall recreation ground through to Long Green (via the railway bridge). This route could also be accessed by commuters travelling by train.

Map 6.6: the creation of a continuous, accessible green corridor to the West of Marks Tey. Extract from Figure 5.3 Out Design Masterplanning Support document.



- Roman River: the creation of a continuous accessible green corridor to the north of Marks Tey broadly following Roman River Corridor and the surrounding countryside to encourage active lifestyles. A potential new walking connection under the railway line north of Marks Tey station could be explored. The corridor would also function as a visual and physical separation from Copford. See Map 6.7 below.

Map 6.7: the creation of a continuous accessible green corridor to the north of Marks Tey broadly following the Roman River Corridor and the surrounding countryside to encourage active lifestyles. Extract from Figure 5.3 Out Design Masterplanning support document.



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The Parish Hall recreation grounds

- a landscaping strategy to better integrate play and sports facilities within the grounds
- the provision of better pedestrian access to the Parish Hall and improved cycle facilities
- the provision of habitat-rich tree and shrub planting.

Marks Estate public open space:

- introduce more habitat rich tree and shrub planting
- improve play provision

6.13.2 The Colchester Local Plan includes policy DP15 Retention of Open Space and Indoor Sports Facilities which protects existing open spaces as identified on the Borough proposals map, unless exceptional circumstances exist and alternative provision can be made.

Policy Intent

6.13.3 The purpose of the policy is to highlight the existing priorities and aspirations regarding future green infrastructure provision in the parish. All development proposals will be expected to contribute towards green infrastructure provision and this provision should accord with the priorities identified in this plan.

POLICY MT₁₀ PROTECTING AND ENHANCING THE QUALITY AND QUANTITY OF OUR GREEN INFRASTRUCTURE

New development proposals will be expected to contribute to the provision of green infrastructure in the parish in terms of both quality and/or quantity having regard to the following priorities and aspirations:

Priorities and aspirations regarding the creation of new green infrastructure:

- i. Connecting and interlinking existing green infrastructure;
- ii. The creation of new routes which link in with existing public rights of way network and offer enhanced access to the countryside;
- iii. An aspiration to create a continuous, accessible green corridor to the West of Marks Tey incorporating historic landscapes of Long Green and Potts Green as indicated on Map 6.6;
- iv. An aspiration to create a continuous accessible green corridor to the north of Marks Tey broadly following Roman River Corridor and the surrounding countryside as indicated in Map 6.7; and
- v. Reinstating the historic Potts Green as a public open space.

Priorities and aspirations regarding improvements to the quality of existing green infrastructure:

- vi. Improved landscaping scheme that benefits wildlife in the recreation ground;
- vii. Improved pedestrian and cycle friendly access from residential areas to the recreation ground;
- viii. Improved planting on the Marks Tey residential estates;
- ix. Improved play facilities on the Marks Tey residential estates; and
- x. Enhancements to the rural lanes identified in Policy MT₀₈.

A HEALTHIER ENVIRONMENT

Objective: We wish to protect and foster the natural environment for the benefit of people, flora and wildlife

6.14 Policy MT11 – Protecting and enhancing our natural environment

Context and rationale

6.14.1 The parish is home to a variety of wildlife and habitats both in the countryside and within the village including in peoples' gardens. A search using the mapping tool at www.magic.gov.uk identifies nine areas of broadleaved deciduous woodland (a priority habitat for England), three additional areas of woodland and a range of bird life and mammals in the parish.

6.14.2 The first non-statutory wildlife sites in Colchester Borough were identified in 1991 by Essex Wildlife Trust following a county wide Phase 1 habitat survey. At the time they were known as Sites of Importance for Nature Conservation (SINC) and they were selected on the basis of being the most important wildlife habitats in the district, with the already nationally designated and legally protected Sites of Special Scientific Interest (SSSI) included within the network. They were reviewed again in 2008. In 2015, a further review was undertaken by Colchester focussing only on areas that are likely to come under pressure for development, and this included the Marks Tey NP area. The 2015 review did not result in any changes to the Marks Tey designated local wildlife sites which are still:

1. Little Tey Churchyard (reference Co14).
2. Marks Tey Brick Pit (reference Co31)

6.14.3 Additional information on local wildlife has been collected by the NP steering group. A hedgerow survey of Granger's Lane was undertaken in 2016 and 2017, the results of which are reported in Appendix B to the Marks Tey Character Assessment. Further information on wildlife in the parish is reported in Appendix C to the Marks Tey Character Assessment. This includes information collected as part of the RSPB Big Garden Birdwatch in January 2016 and Neighbourhood Plan consultation work undertaken in January 2017. The surveys revealed the presence of a wide variety of birdlife throughout the year and many small mammals including bats and amphibians.

6.14.4 The deciduous woodland behind the Methodist Church along the Old London Road is also identified as a locally important parish wildlife site since it is one of very few areas of deciduous woodland in the parish.

6.14.5 The existing flora and fauna in the parish is precious and highly valued by the community. The hedgerows running alongside the rural lanes, mature trees around the Brick Pit SSSI area and even tree planting at the A120 and A12 interchange are all highly precious environmental assets in a parish which continually is subjected to the noise, air, light and dust pollution generated by the three strategic transport corridors running through the parish.

6.14.6 A priority for the community is to protect the natural environment but also to improve the ways in which the natural environment can help to mitigate the negative impacts of urbanisation on the Marks Tey community.

6.14.7 Parts of the designated NP area for Marks Tey lie over source protection zones. Policy MT₁₁ therefore requires development proposals on land that may be affected by contamination to be accompanied by a preliminary risk assessment so that any risk to water quality can be understood and addressed accordingly.

Policy Intent

6.14.8 We wish to protect our existing natural environment assets and we seek opportunities to increase these as part of any new development.

POLICY MT₁₁- PROTECTING AND ENHANCING OUR NATURAL ENVIRONMENT

The sites identified on Maps 6.8 (a, b, c and d) and listed below have been identified by the local community as parish wildlife sites and as being important for purposes of maintaining and enhancing biodiversity in the parish. To be supported, development proposals adjacent or in close proximity to the wildlife sites must protect or enhance their biodiversity value.

- Little Tey Churchyard Local Wildlife Site
- Granger's Lane
- Marks Tey Brick Pit SSSI Local Wildlife Site
- Area of deciduous woodland behind the Methodist Church on Old London Road

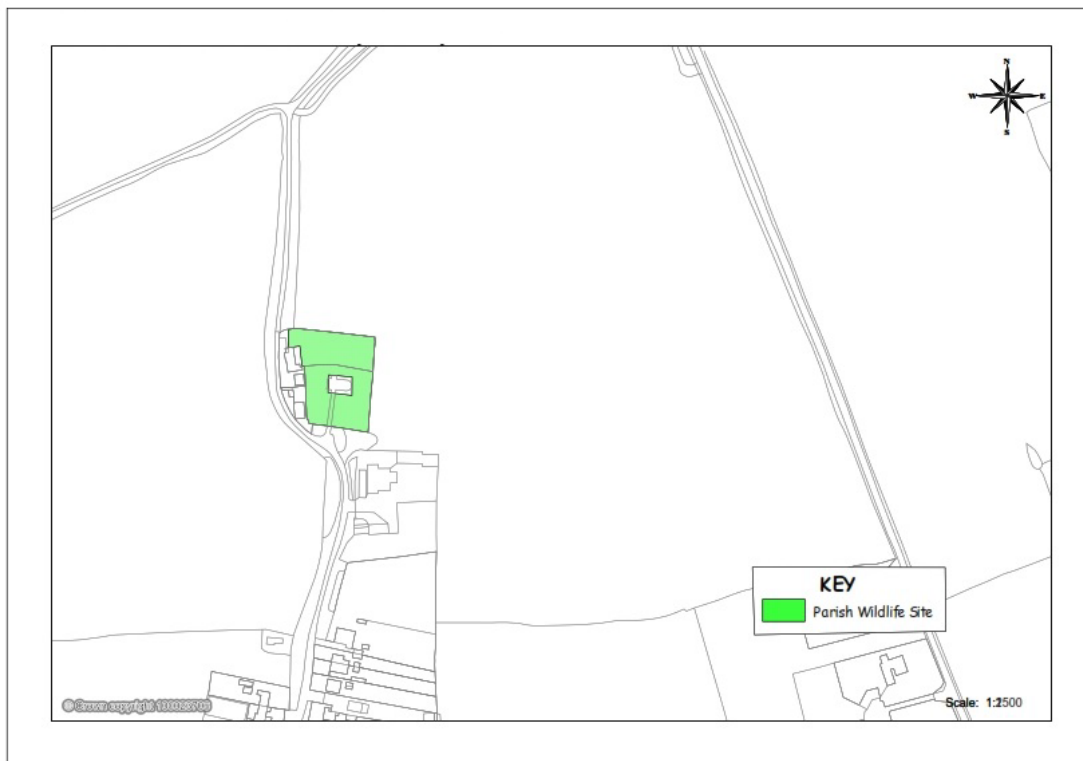
Other assets of biodiversity value in our parish are also precious including the Roman River, our ponds, hedgerows and trees including those indicated on the Character Assessment Character Area maps.

Development proposals will be expected to retain existing features of biodiversity value on site or likely to be affected by the development and provide a measurable net gain in biodiversity through for example:

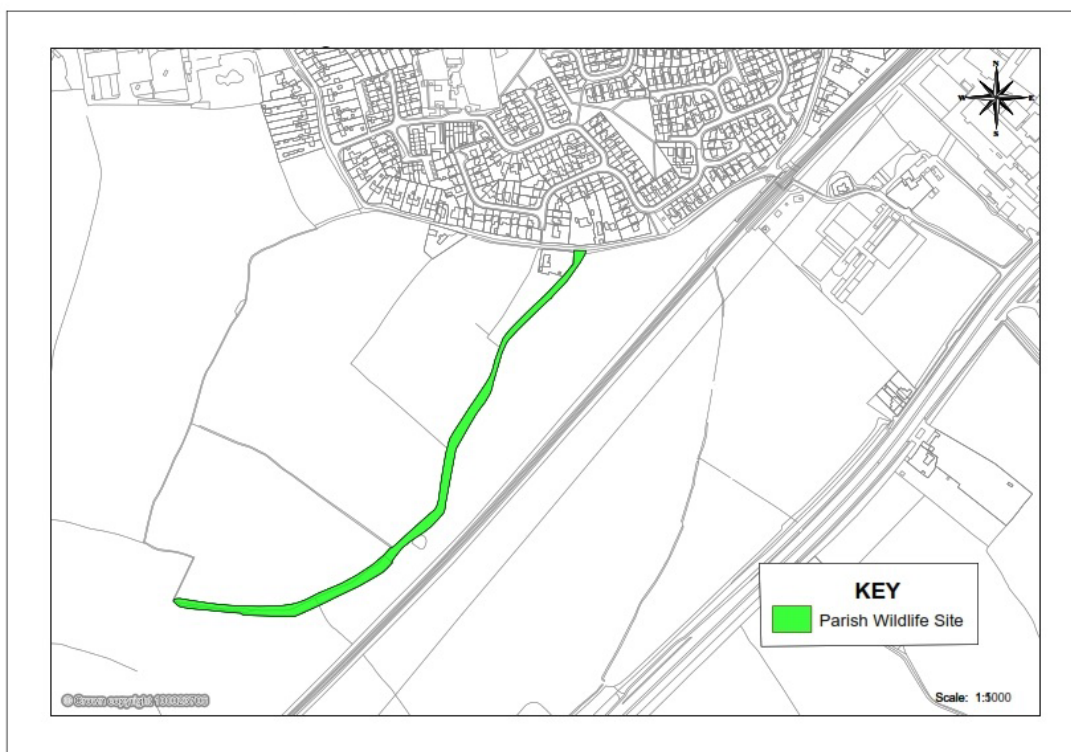
- The creation of new natural habitats;
- The planting of additional trees and hedgerows; and
- Creating new wildlife corridors linking up existing ones.

In the case of development proposals coming forward on land that may have been affected by contamination (for example, as a result of its previous use and that of the surrounding land or development that potentially may cause contamination), sufficient information should be provided with the planning application to satisfy the requirements of the NPPF for dealing with land contamination. This should take the form of a Preliminary Risk Assessment (including a desk top study, conceptual model and initial assessment of risk) and provide assurance that the risk to the water environment is fully understood and can be addressed through appropriate measures.

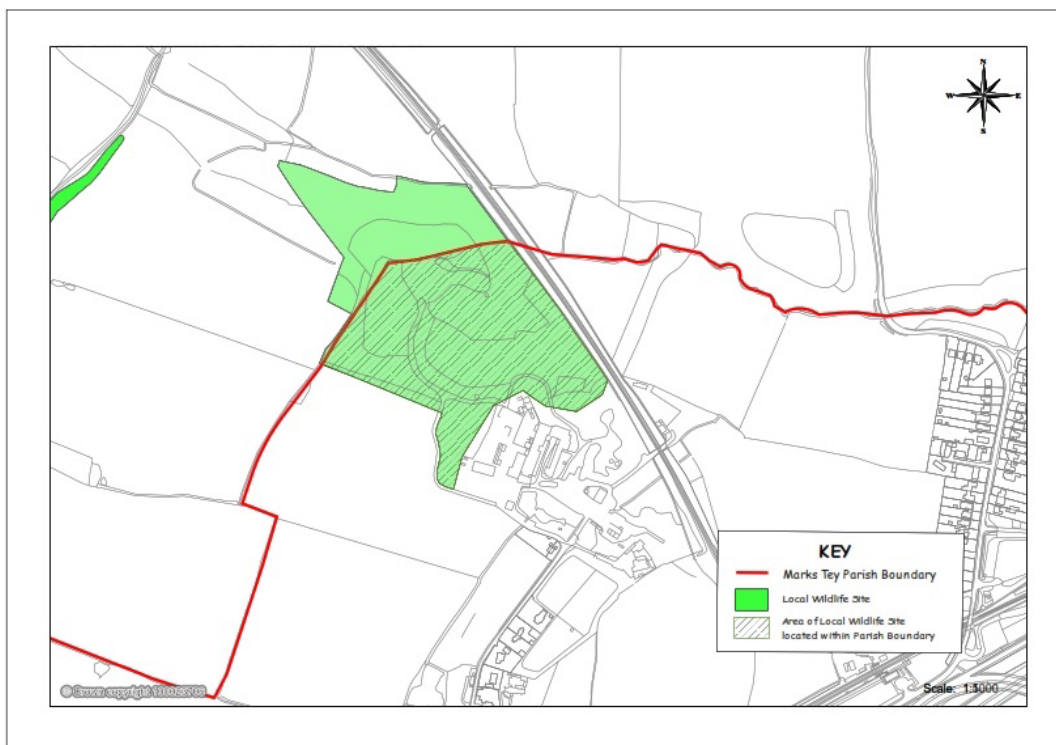
Map 6.8 a Parish Wildlife Site at Little Tey (also a Colchester Borough Local Wildlife Site)



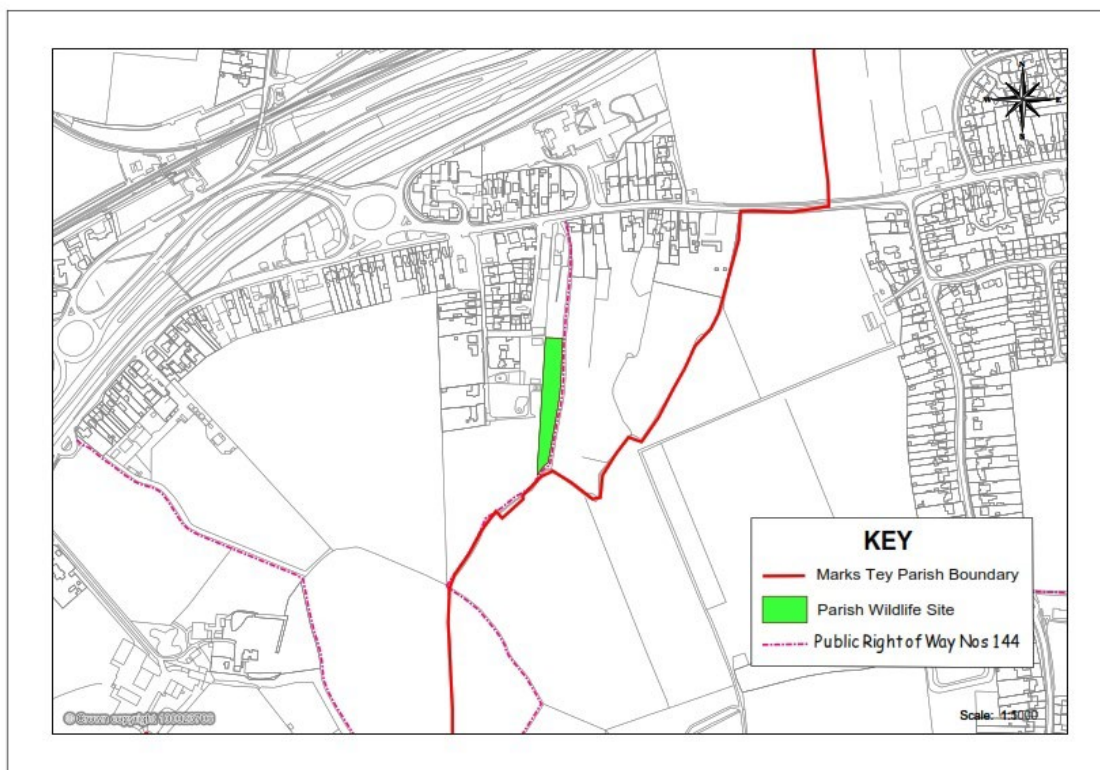
Map 6.8 b Parish Wildlife Site at Granger's Lane



Map 6.8 c Parish Wildlife Site at Marks Tey Brick Pit (part of Colchester Borough Local Wildlife Site)



Map 6.8 d Parish Wildlife Site. Woodland off Old London Road



6.15 Policy MT12- Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)

6.15.1 Under the Conservation of Habitats and Species Regulations 2017 (commonly referred to as the Habitat Regulations) a Habitat Regulations Assessment (HRA) is required for land use plans and for planning applications, which are likely to have significant effects on a Habitat Site.

6.15.2 The Essex Coast is rich and diverse and has many European protected habitat sites (the Colne Estuary, the Blackwater Estuary, the Abberton Reservoir Estuary, the Essex Estuaries, and Stour and Orwell Estuaries). There are a number of Local Plans in preparation in Essex which seek to deliver a significant number of homes over the coming 15-20 years. These new homes have a potential to bring new visitors to sensitive coast areas, resulting in potential impacts on protected sites both individually and in combination through recreational disturbance. As a consequence, Natural England in September 2017 advised that 11 Districts/Boroughs Councils across Essex should jointly prepare an Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). The strategy sets a strategic approach to identifying the scale of recreational disturbance to Special Protection Areas, Special Areas of Conservation and Ramsar sites along the Essex Coast and proposes measures to mitigate impacts.

6.15.3 The Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) was adopted by the Borough Council in 2019 and a Supplementary Planning Document was adopted in August 2020 and covers the whole area of Marks Tey Parish. The RAMS comprises a package of strategic mitigation measures necessary to avoid the likely significant effects on the Essex Coast from the 'in-combination' impacts of residential development that is anticipated across Essex and particularly from recreational disturbance. All new planning consents for housing in the Neighbourhood Area will be required to pay the tariff in line with the RAMS and its supporting Supplementary Planning Document.

6.15.4 Although the preference of the Essex Authorities is for developers to make this financial contribution, the RAMS does allow for developers to instead carry out a project-level HRA and apply recreational disturbance avoidance and mitigation measures directly e.g., through provision of well-designed open space/green infrastructure. Thus, policy MT12 makes provision for this.

Policy Intent

6.15.5 The intent of Policy MT12 is to ensure that any additional dwellings coming forward in Marks Tey Parish make appropriate provision to avoid and/or mitigate recreational disturbance impacts on habitat sites either through direct financial contributions or exceptionally by direct measures.

POLICY MT₁₂- ESSEX COAST RECREATIONAL DISTURBANCE AVOIDANCE AND MITIGATION STRATEGY (RAMS)

All residential development within the zones of influence of Habitat Sites will be required to make a financial contribution towards mitigation measures, as detailed in the Essex Coast RAMS, to avoid adverse in-combination recreational disturbance effects on Habitat Sites. In circumstances where the preferred approach of a developer contribution is not secured, residential development within the zones of influence will need to deliver all necessary measures (including strategic measures) in accordance with a project-level Habitats Regulations Assessment setting out how any recreational disturbance impacts will be avoided and/or mitigated in compliance with the Habitats Regulations Assessment and Habitats Directive.

6.16 Objective: Noise, air and light pollution will be effectively managed.

6.16.1 The transport infrastructure corridors that run through the parish have noise, air and light pollution impacts. These impacts are primarily experienced by residents when they are outside of the residential areas and at the shops or walking along the roads such as the A120 Coggeshall Road.

6.16.2 There are a number of Air Quality Management Areas (AQMA⁶) within Colchester but none in the Marks Tey NP area. However, there are three air quality monitoring points located on London Road (the A12) in the parish along the roadside and there are three air quality monitoring points located on the A120 in the parish. They are used to monitor nitrogen dioxide levels. Colchester Borough Council publishes air quality annual status reports and the most recent one published at the time of writing was in June 2019. This reports that in 2018, the borough recorded exceedances of the NO₂ annual mean objective within three existing AQMAs at twelve sites in the borough. The nitrogen dioxide levels in Marks Tey parish did not exceed the annual mean air quality objective of 40µg/m³. Importantly however, Highways England readings taken in 2017/18 show that one of their monitoring sites at London Road in Marks Tey does record levels of air pollution around 40 µg/m³ and are the highest levels of air pollution compared to other monitoring stations on the A12 between Marks Tey and Chelmsford.

6.16.3 Should the A120 (and A12) realignments take place as planned by the County Council and National Highways, it is possible that the environment along the A120 will improve as a result of traffic movement reduction (particularly a reduction in HGV movements) in the section that runs through Marks Tey Village. However, it may increase along the A12 depending on which improvement route is chosen. For the benefits of this to be fully realised it is essential that environmental enhancement measures are implemented along the A120 including those listed in the supporting text to MT03

⁶ Quality Management Areas (AQMA) are declared when there is an exceedance or likely exceedance of an air quality objective.

6.16.4 Whilst there are no specific planning policies proposed here, this objective is met through Policy MT03 and Policy MT12 above.

HOUSING

Objective: New housing will include variety and choice and will meet existing local needs (in terms of type and tenure)

6.17 Policy MT13 – Housing mix and housing choice

Context and rationale:

Rural Community Profile for Marks Tey

6.17.1 The Rural Community Profile⁷ for Marks Tey Parish brings together quantitative data for the plan area. The data is collected around the themes of social and cultural, equity and prosperity, economy, housing and the built environment, transport and connectivity, services, environmental and governance

6.17.2 Data relevant to housing needs is:

- There is a high proportion of married households
- There has been a decrease in population between the period 2008 and 2011
- There is higher than average proportion of economically active residents (those working or unemployed)
- There is a higher than average proportion of people in employment between ages 16 to 74
- 51% of dwellings are detached compared to national average of 22.3% (and Essex average of 30.4%) whereas only 2.9% of the dwellings are terraced compared to 24.5% nationally and 21.3% in Essex
- The vast majority of housing (80.6%) is owner occupied

Marks Tey Estate Agent Survey 2017

6.17.3 A survey of estate agents undertaken in July 2017 by the Marks Tey NP steering group which involved face to face interviews with Boydens, Elms Price and Haart found that

In terms of:
<ul style="list-style-type: none">• the demand for housing in Marks Tey and Colchester as a whole...
<i>There is significant demand for housing of all types, whether it is for 1 bed flats, 3 bed detached or bigger.</i>
<ul style="list-style-type: none">• what type of housing was being sought in both areas...
<i>The type of home sold is determined by price and mortgage availability. People are willing to purchase 1 bed home with the view of trading up to a bigger property when their circumstances allow. Flats and smaller 2 or 3 bed houses were popular in Colchester town with 3 or 4 bed houses popular outside the town centre</i>

⁷ Published by Rural Community Council of Essex (RCCE), OCSI and ACRE in 2013.

<ul style="list-style-type: none"> • where the demand was coming from...
<p><i>Housing demand was split between those who lived in the area already and those who were coming into the Borough from outside. Boyden's put the split as 60% local and 40% outside for purchases whereas Elms Price and Haart put the split at 50% each. The eastern side of London such as Romford was mentioned as a place that many of the outside people coming into the borough were coming from. The drivers for the demand include schooling, travel links to London and house prices.</i></p>
<ul style="list-style-type: none"> • why people were coming to Colchester or Marks Tey...
<p><i>The estate agents felt that there was demand in Marks Tey just as much as Colchester although the most desired areas were Lexden and Stanway due to the catchment area of the local schools.</i></p> <p><i>People were "forced/drawn" out of London to Colchester as there are new homes being built within budget of London workers or those selling London homes.</i></p>
<ul style="list-style-type: none"> • were people wishing to buy or rent...
<p><i>Most of the demand for housing involved people wishing to purchase but there were areas around the university and the hospital where renting was popular due to the nature of the local employment, short term or fixed term contracts. The further away from these areas the renting demand was less although it was mentioned by all 3 estate agents that people would consider renting around some of the local schools so that their children could attend the school with the view of purchasing in the near term in that area or near that area. These rentals were not envisaged to be long term.</i></p>
<ul style="list-style-type: none"> • time on the Market...
<p><i>Haart and Elms Price put a few weeks on the time needed to sell a home, provided people were "realistic" on the value.</i></p>

Marks Tey NP questionnaire 2017

6.17.4 In January 2017, a 16-page householder questionnaire was sent out to all homes in the parish. Questions 12 to 17 of the questionnaire covered housing:

6.17.5 The survey received over 300 responses and proportionally there was a higher response rate from the over 55 age group (see survey). Key results from the survey were:

- There was agreement for a need for a range of property types (1- and 2-bedroom properties, 2- and 3-bedroom properties, 3- and 4-bedroom properties, bungalows, terraced properties, semi-detached properties, detached and retirement properties) but not for flats and apartments or 4 + bedroom properties.
- There was overall agreement that new properties should have a minimum garden size and that flats and apartments should have access to a shared garden space in addition to parking.
- The majority of respondents lived in 3-to-4-bedroom houses and 20% lived in bungalows

- Just under 20% said they would be looking to move in the next 5 years and 15% in the years following this.
- Of those looking to move, over 50% were looking for 1-2 bedroom properties, 30% for a 3-4 bedroom property. Over 40% were looking for a bungalow and just under 40% would look for a house.
- Ten per cent of respondents said they had family who had moved away from the parish because they were unable to find suitable accommodation

6.17.6 Existing dwelling stock mix, January 2017 survey results and the July 2017 estate agent survey provide a clear indication that there is a need to increase the number of houses in the plan area and that these should meet a variety of needs.

Borough-wide housing needs

6.17.7 Information on housing needs at a borough level is reported in the Strategic Housing Market Assessment published in December 2015 by consultants Planning and Development on the behalf of four local authority areas: Colchester Borough Council, Chelmsford City Council, Tendring District Council and Braintree District Council. This report works on the premise of a housing market area covering the geographical extent of all four local authority areas. The work concludes that there is an overall annual housing requirement of 920 in Colchester Borough during the period 2013 to 2037 and that 30% of these are needed as affordable homes. In terms of size, Table S.17 in the Executive Summary sets out the following annual housing requirements for new housing in Colchester borough during the period 2013 to 2037.

Table 6.10: Annual requirement for all new housing in Colchester, Source: Executive Summary of the Braintree, Chelmsford, Colchester and Tendring Council's Housing Market Area, Planning and Development December 2015

	No of bedrooms			
	1	2	3	4
Market Housing	28	166	294	154
Shared Ownership	9	3	0	0
Affordable rent/social rent	81	86	62	37
Total	118	255	356	191

6.17.8 A logical conclusion from the various sources of evidence on housing needs in Marks Tey is that there is need for additional housing across all tenures. In terms of size, the predominant need is for 3- and 4-bedroom homes but within the affordable housing sector the predominant need is for additional 1- and 2-bedroom homes.

Innovative housing

6.17.9 There are examples of innovative housing in Marks Tey, for example Stanefield, built according to the Radburn approach (separation of pedestrian and vehicular movement) and Roxborough Close (see below under self-build). Innovative examples of housing design should be encouraged and expanded to include flexible and adaptable housing to meet future needs.

6.17.10 This includes homes that can be expanded or subdivided to suit changing needs but also homes that are built from the outset to be accessible and adaptable. Part M of the Building Regulations addresses access to and the use of buildings. The M4 (2) standard ensures that new dwellings are accessible and adaptable. To satisfy this standard, reasonable provision must be made for people to gain access to the dwelling and use the dwelling and its facilities. This provision must be sufficient to meet the needs of occupants with differing needs, including some older people and disabled people. The dwelling should allow adaptation to meet changing needs of the occupants over time. The M4(2) standard is not compulsory part of building regulations but can be required via a Local Plan policy where the evidence is in place to support such a need.

Meeting the demand for self and custom build homes

6.17.11 Paragraph 62 of the 2021 NPPF states that the needs of people wishing to commission or build their own homes should be assessed and considered in planning policies. As noted in the NPPF, under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Self and custom-build properties could provide market or affordable housing.

6.17.12 Colchester Borough maintain a self-build register. As at October 2019, borough officers report there were 188 individuals on the register and one group. In the submitted Local Plan, Policies SP7 - Development and Delivery of New Garden Communities in North Essex and SP9 – Colchester/Braintree Borders Garden Community establishes the principle of development including self and custom build homes. In part 2 of the submitted Local Plan, Policy DM10 Housing Density states the local planning authority will support proposals for self build or custom built homes.

6.17.13 Self and custom build housing is about people bringing forward homes they want to live in, having an input in the design and layout so that it is suitable for their needs. Custom build housing is a more consumer-friendly form of self-build where the developer provides serviced plots. Marks Tey parish already has a tradition of custom and self-build properties. In 1997, five bungalows were completed in Roxborough Close in Marks Tey parish which had been designed for and built by people with disabilities. The Walter Segal construction⁸ method was used.

⁸ The Walter Segal self build approach to construction is uniquely organised so that anyone who can use basic tools such as a saw, hammer, drill/driver, tape measure, etc. can build a house

Policy Intent:

6.17.14 The purpose of this policy is to ensure that all residential development proposals are designed to meet identified local needs. Schemes of more than 3 units should include a mix of sizes. Schemes larger than this should include an element of smaller homes so as to ensure the provision of a wider choice and mix of homes in the parish.

6.17.15 The policy requires larger schemes to include serviced plots providing opportunities for self build or custom build. For the purpose of this policy a larger scheme includes schemes of 30 dwellings or more.

POLICY MT₁₃ HOUSING MIX AND HOUSING CHOICE

New residential development proposals will be expected to provide a choice in terms of housing mix and tenure and the overall mix should reflect latest evidence on existing local needs. Special regard should be had for those looking for smaller properties which would be suitable for first time buyers as well as the growing older generation.

In order to achieve thriving and viable neighbourhoods, there should not be an overconcentration of any one type of housing in any one scheme and affordable housing should be designed as integral to the development as a whole.

Unless evidence is presented demonstrating no demand in the parish for self-build or custom build plots, larger schemes will be expected to include serviced plots providing opportunities for self-build or custom build. Where plots are made available and marketed at a reasonable price but not sold after one year, this requirement will lapse.

Innovative ways of providing housing solutions will be welcomed, particularly housing which allows for expansion and subdivision as needs change as well as housing which is built to the accessible and adaptable dwellings (M4(2) standard).

BUSINESS AND EMPLOYMENT

Objective: Businesses will continue to thrive in the parish

6.18.1 Marks Tey offers excellent road and rail connections (present and proposed schemes) for new business development and could easily be developed as hub location for new university, hospital, retail distribution centre, civil administration or emergency services facilities. This is supported by the high speed internet infrastructure on the A12. The NP is supportive of all existing businesses across the parish. As reflected in policies MT14 and MT15 below, the NP is, in principle, supportive of new business development along the A12 corridor. Business facilities alongside major trunk roads reduces noise, light and air pollution from roads affecting housing areas. New businesses would benefit from any new housing development nearby, offering local working and less commuting traffic.

6.19 Policy MT14 – London Road centre

Context and rationale

6.19.1 The London Road parade of shops is identified in the adopted Local Plan as a Neighbourhood Centre. Policy DP7 – Local Centres and Individual Shops safeguards the retail function of neighbourhood centres. This means that proposals leading to the loss of retail units in the London Road Parade will be resisted under existing policies. The shops here are much valued by Marks Tey residents as well as residents of neighbouring areas such as Aldham. The shop footfall benefits from passing A12 traffic, in particular because of the split junction (southbound traffic can conveniently leave the A12, stop at the shops, and re-join the A12 further down). This also means that traffic congestion around the shops can present a real health and safety hazard and it is important that vehicle dominance is reduced overall whilst parking provision is improved in a way which also improves pedestrian safety and accessibility. The re-routing of the A12 and/or the A120 may well have impact on the viability of the shops and the community would therefore support proposals that retain convenient access to Marks Tey shops from any new junction.

6.19.2 The area of London Road in front of and adjacent to the shops is generally of poor environmental quality and in need of improvement in terms of streetscape, landscape quality, parking, and access to the shops themselves. It is a significantly important area as it is one of the two main approaches to the village. Anybody approaching the village from the North will do so from the A12 or the London Road from Copford, both via the Prince of Wales roundabout. By either route, one is met by a blank brick wall with advertising and the noise and roar from the A12. This is offset to some extent by the cul-de-sac of housing created by a truncated piece of the London Road when the roundabout was created.

6.19.3 Once in front of the shops, there is a straight linear road that also serves as an acceleration lane to join the A12 south, with limited kerbside parking on the shop side. This parking is augmented with 12 public parking spaces on the car park to the former Food Store premises. The other side on the road has waiting restrictions which are largely ignored by HGVs visiting the food outlets and shops, and the ever-present A12 in a cutting to the side. The side of the A12 is well landscaped although much of this may

be lost with any expansion of the A12 as is currently planned. It is also littered with rubbish from passing motorists and the HGVs.

6.19.4 Access to this area is mainly vehicular, with pedestrian access from the bulk of the village by the small footbridge over the wide A12. The viability of the area comes largely via vehicles and its immediate access to junction 25 of the A12.

6.19.5 The Parish Council would very much like to see imaginative proposals that seek to:

- increase cross A12 pedestrian and cycling communications;
- increased contact between the shops, the station and the village;
- increased parking provision for the shops preferably in a discrete form;
- increase in the viability of the area possibly with housing associated with more retail; and
- improvements to the streetscape with quality physical improvements and softening with landscaping and trees.

6.19.6 In the above context, there has been some discussion of the idea of a 'green bridge', a widened, landscaped platform crossing the A12 from the shops. We will seek to secure this green bridge when the detail of the A12 strategic road improvements come forward. See Community Action 8 in Appendix 1 of this plan.

6.19.7 The NP group have looked at all the different land uses in and around the London Road centre. Appendix 2 to this NP shows the results of this assessment. This work has resulted in the drawing up of a map showing the variety of different land uses that are considered to make up the village centre uses in this part of Marks Tey parish. To reflect more accurately the variety of different village centre uses that Marks Tey residents may use when visiting this area, this boundary extends beyond the boundary defined in the Local Plan as the London Road Parade. This boundary is appropriate considering the changes made to the Use Classes Order⁹ that introduced the new Use Class E which now provides one use class for shop use, financial and professional services, café/restaurants, office use and other commercial uses often associated with town centres.

Policy Intent

6.19.8 London Road parade is already protected by the adopted Local Plan. The purpose of this policy is to:

- i. encourage new uses at the London Road Centre where these uses will help strengthen the commercial viability of the London Road Centre, thereby securing the provision of essential services (such as the post office) to parish residents.
- ii. Encourage improvements to the accessibility of the London Road Centre shops particularly for pedestrians and cyclists. The pedestrian environment should be made safer and more

⁹ Through the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020

welcoming. In addition, we wish to increase the amount of off-street car parking that is available for customers to use.

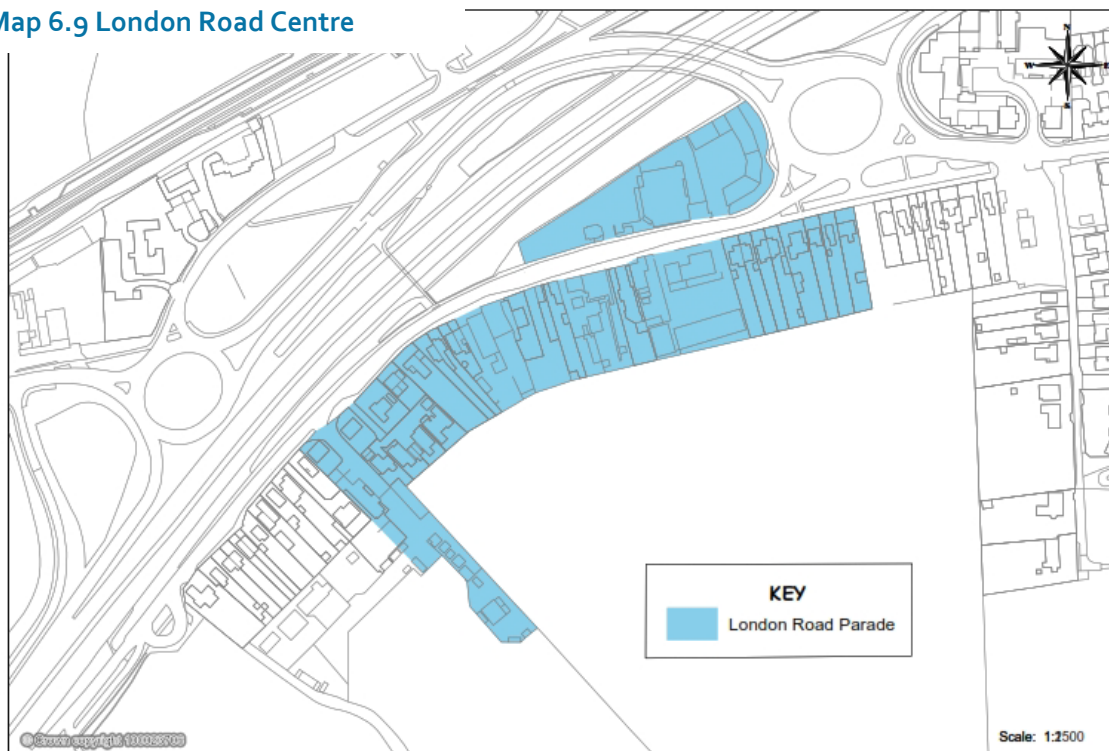
POLICY MT₁₄ – LONDON ROAD CENTRE

To be supported, development proposals coming forward in the London Road Centre (as shown on Map 6.9) must:

- maintain or enhance the range of local shops, services and community facilities;
- utilise opportunities to enhance the street scene environment;
- provide for customer car parking where this is needed by the proposed scheme; and
- maintain or enhance residential amenity for existing and future residents (particularly in relation to car parking, noise and hours of operation)

Proposals which enhance the street scene environment for pedestrians for example through continuous footpaths, tree & shrub planting, new cycle facilities and street lighting will be particularly welcomed.

Map 6.9 London Road Centre



6.20 Policy MT15 Anderson employment site and former By-Pass Nurseries site

Context and rationale

6.20.1 The Anderson Employment site is identified as an employment zone in the adopted Local Plan (see Site Allocations DPD). The site allocations document comments that the following is required as part of any further development or extension of the site:

- Contributions to assist with any junction improvements required by Highways Agency and Essex County Council.
- Improvements / contributions towards public transport, cycling and walking links
- A Travel Plan
- Contributions to increase capacity of Copford Sewage Treatment Works.
- Retention of hedgerows
- Incorporation of SuDS scheme

6.20.2 Policy DP5 in the Development Policies DPD also applies to the Anderson's Employment site. Policy DP5 safeguards the land use on the site as an employment site. Emerging Policy SS11: Marks Tey in Section 2 of the Local Plan allocates the Anderson Employment site as a Local Economic Area. Emerging Policy SG4: Local Economic Areas safeguards the Anderson Employment site primarily for B class uses to provide, protect and enhance employment provision.

6.20.3 The Neighbourhood Plan supports the approach taken in the adopted and emerging Local Plan. As identified in the masterplanning emerging framework plan, there are specific benefits which new development at the Anderson Employment Site could bring for the parish; it provides the opportunity to deliver a much-needed pedestrian connection between the Parish Hall, Marks Tey station and the west of Marks Tey via the Dobbies Lane railway footbridge. If this site is redeveloped, it should allow the provision of a footway from the railway bridge at Dobbies Lane to the Parish Hall as detailed in Neighbourhood Plan Policy MT02.

6.20.4 The new footway connection is consistent with proposals set out in the Out Design masterplanning support document. This connection:

- would encourage active travel for residents and potential employees;
- should include a wide footpath and ideally a segregated cycle facility;
- should incorporate generous tree and shrub planting to connect the site into the surrounding landscape; and
- any new development should front onto and overlook the route to provide active surveillance.

6.20.5 The Parish Council will work with adjacent landowners to secure the remaining section needed to deliver the route to Dobbies Lane.

6.20.6 The existing site is being used by two or three companies including SIG Insulations.

6.20.7 The NP group is concerned with respect to the current substandard access to the A12 from the Old London Road. Highways England (now National Highways) shared these concerns. The NP would

not support any development proposals which would lead to increases in the use of the access from Old London Road to the A120. The NP therefore supports the allocation of additional employment uses at Anderson's employment site once the improvements to the A12 have taken place. The A12 Chelmsford to A120 widening schemes is a current project identified by National Highways and planned for commencement in 2023 – 24 and completion by 2027 – 28.

Policy Intent

6.20.8 The purpose of this policy is to highlight the development potential at the Anderson Employment site and to encourage new employment uses to come forward.

6.20.9 To reflect the capacity and deliverability of employment development at this site, the NP brings forward the Local Plan allocation to cover the existing Anderson Employment site as defined on Map 6.10.

6.20.10 Where required to make development viable, the NP allows a limited amount of residential development to come forward but only where this does not prejudice the primary function of the employment site. Any scheme must incorporate a wide footpath and ideally a segregated cycle facility providing access through the site from Marks Tey Parish Hall to west of Marks Tey

Former By-Pass Nurseries site:

6.20.11 The NP also safeguards the former By-Pass Nurseries site as a valued employment site. The site of the former By-Pass Nurseries is set within open countryside. In contrast to the adjacent Anderson employment site, it has an agricultural feel to it. The current lawful use on most of the site is as a sui generis nursery site. A smaller section of it has permission for B8 storage. Due to highways constraints and residential amenity issues, this is not considered an appropriate location for increased HGV transport movements. However, the NP supports the principle of employment uses here.

POLICY MT15 – ANDERSON EMPLOYMENT SITE AND FORMER BY-PASS NURSERIES SITE

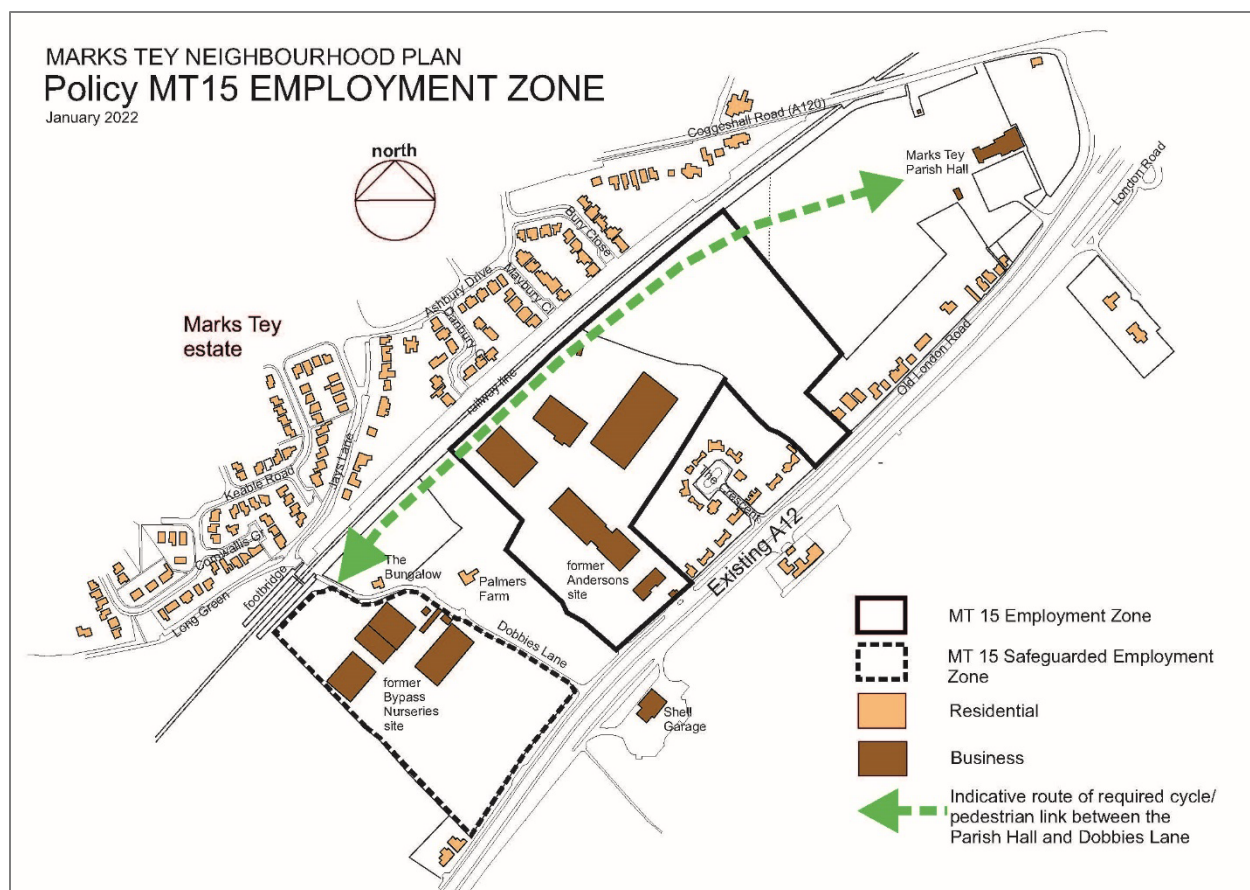
The Anderson Employment site shown on Map 6.10 is allocated for employment uses. Development is anticipated to come forward in 2028.

The following site-specific requirements apply:

- all schemes must maintain or enhance residential amenity for neighbouring houses or for future occupiers of any new residential development;
- all schemes must incorporate a new pedestrian and cycle way connection providing a safe and attractive route from Marks Tey Parish Hall through to Dobbies Lane;
- access to and from the site is via an improved direct access on to the A12 and once the planned improvements to the A12 by National Highways have been implemented and the adjacent existing road has been detrunked; and
- provision of a work-place travel plan in line with Essex County Council guidance

Subject to any scheme not prejudicing the primary function of the site as employment sites, limited residential development will be allowed where this is needed to make redevelopment of this site viable.

The adjacent former By-Pass Nurseries site shown on Map 6.10 is safeguarded for employment use subject to those uses being consistent with the existing edge of settlement rural location. All schemes must maintain or enhance residential amenity and landscape character.



Map 6.10 - Policy MT15 – Anderson employment site and former by-pass nurseries site

7.0 COMMUNITY PROJECTS

7.1 The neighbourhood plan work highlighted a number of issues, opportunities and challenges which could not be addressed through planning policies in the neighbourhood plan because they fell outside of the scope of a planning policy or because they fell outside the scope of a neighbourhood plan. One of the aspects which the NP steering group initially wanted to address through the NP was to steer the direction of development through the actual allocation of development sites to come forward during the plan period. However, we still don't know the routes of the A12 and A120 and without this certainty it would be premature to undertake this work.

7.2 Nine community actions are identified in Appendix 1 to establish areas of work which the Parish Council wishes to commit to as a way of complementing the NP vision, themes, objectives and policies.

Community Action 1 – A120 Improvements.

We will continue to campaign for a 205 plenty campaign on the A120 (Coggeshall Road) which runs through the village.

We will work with stakeholders and seek the implementation of environmental measures which would help make the A120 into a Quality Street for all.

Related policy link: MT03

Community Action 2 – Parish-wide street scene, pedestrian accessibility and environmental improvements.

We will work with stakeholders to seek improvements to the street scene, pedestrian accessibility and other environmental improvements parish-wide including the measures set out in Tables 6.1 and 6.2 of this plan.

Related policy link: MT01 and MT03

Community Action 3 – London Road Centre Improvements.

We will work with stakeholders including the landowners, county and borough councils and tenants to bring about shop front improvements, street scene improvements and increased off-street parking provision particularly seeking if it is possible to link this with station related car parking.

We will seek management arrangements to control HGV parking.

Related policy link: MT14

Community Action 4 – Marks Tey Station Better provision and management of parking.

We will seek increases in off street parking to serve our train station particularly in relation to Community Action 3.

We will work alongside stakeholders to develop a strategic long-term plan for the efficient provision of formal and managed station-related car parking as well as more informal station-related car parking.

Related policy link: MT01 and MT14

Community Action 5 – Marks Tey Station. Passenger accessibility to and through the station.

We will explore with other agencies to see if pedestrian access across North Lane rail bridge could be improved by working with RailTrack initiatives to enable disabled access through the station.

Related policy link: MT01

Community Action 6 – Reinstatement of Potts Green.

We will seek the reinstatement of Potts Green as a publicly accessible open space.

Related policy link: MT10 & MT07

Community Action 7 – Non designated heritage assets and the Borough’s Local List

We will work with the borough and seek the inclusion of our locally important heritage assets onto the Borough Local List.

Related policy link: MT07

Community Action 8 – A12 and A120 strategic road improvements

The Parish Council will seek a partnership commitment with the National Highways and Essex County Council to significantly reduce traffic and congestion in the village while pursuing the A12 and A120 strategic improvements

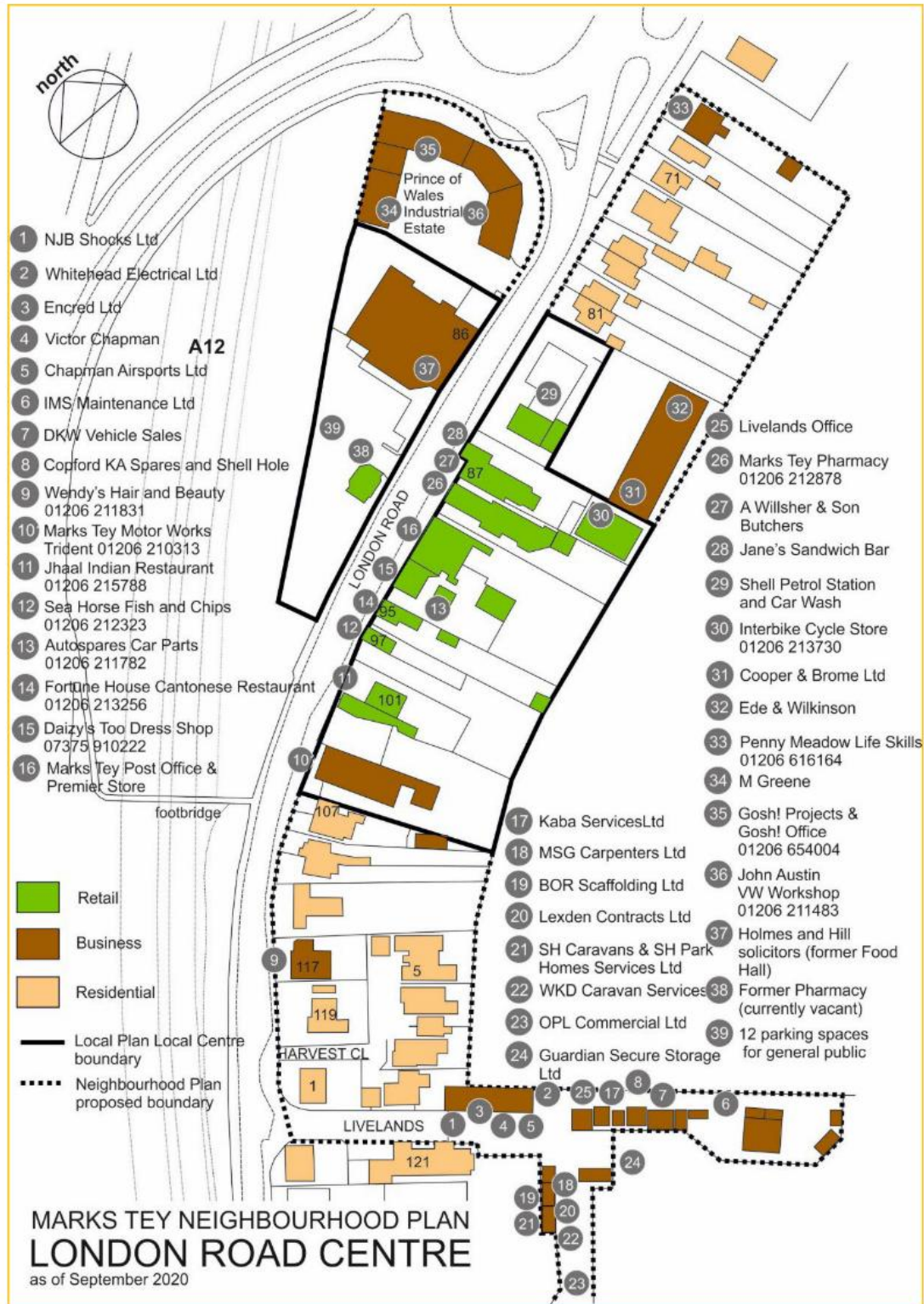
Related policy link: MT07

Community Action 9 – A new pedestrian and cycle route from the parish hall recreation ground to Dobbies Lane

Alongside Policy MT15 of this plan, the Parish Council will work with landowners and stakeholders to secure the delivery of the pedestrian/cycle route from the parish hall recreation ground to Dobbies Lane.

Related policy link: MT15

APPENDIX TWO – LONDON ROAD CENTRE



APPENDIX THREE – MARKS TEY NON-DESIGNATED HERITAGE ASSETS (AS IDENTIFIED IN POLICY MTO7)

1. White Essex weather boarded old farm cottages 91 to 93 Coggeshall Road



Location: 91 to 93 Coggeshall Road, shown as number 1 on Map 4.4 in this plan.

Description: Weather-boarded with slate roof semi-detached cottages. The building is marked on the 1843 tithe map of Marks Tey and of probable early 19th century date. The asset was made part of Colchester's Local List in August 2020.

Significance: Of local historic interest and association. It is a good example of a small workers cottage, once common on the Essex heaths but now rare.

2. The Old Thatched Cottage 85 Coggeshall Road



Location: 85 Coggeshall Road, shown as number 2 on Map 4.4 in this plan.

Description: Small timber-framed and thatched building, one-and-a half-storey with dormer windows. This asset was made part of Colchester's Local List in August 2020 and is considered as a potential candidate for national designation.

Significance: Of local historic interest. A surviving timber-framed building. It has been extended to the west in the 20th century but the style, form and construction of the building is easily identifiable.

3. 25 Coggeshall Road, Marks Tey



Location: 25 Coggeshall Road, shown as number 3 of Map 4.4 in this plan.

Description: Red brick bungalow dated to the early 1930s, built with bricks and roof tiles manufactured by Colliers Brickworks and with documentary evidence (1933) recording the building was designed by an Essex architect Edward Fincham. The asset was made part of Colchester's Local List in August 2020.

Significance: A building of local historic and association that is reasonably unaltered and the style, form and construction of the building is easily identifiable.

4. Hammer Farmhouse, Doggetts Lane, Potts Green, Marks Tey



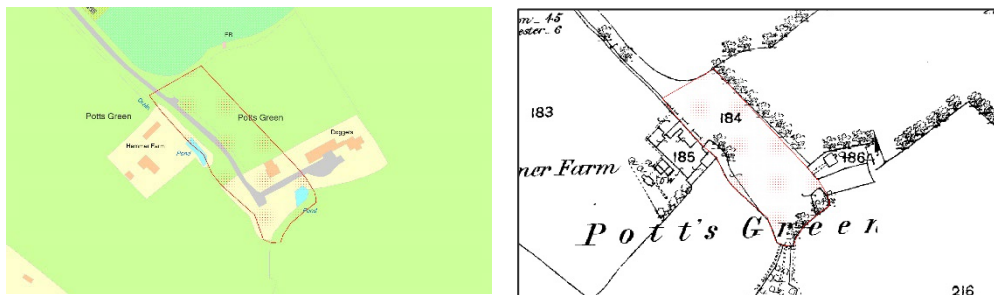
Location: Hammer Farmhouse, Doggetts Lane, Potts Green. Shown as number 1 on Map 4.5 in this plan.

Description: Hammer Farmhouse is depicted on the 1843 Tithe Map as Doggetts (but this has changed to Hammer Farm by the First edition OS County Series of 1874-1887). The current two-storey dwelling is rendered on the ground floor and weather-boarded on the first, with a hipped, tiled roof. During renovations a well was discovered under the kitchen floor.

As at October 2021, this asset is not on the Colchester's Local List. The last assessment undertaken by Colchester Borough was in August 2020 and concluded that further information is required to assess this building.

Significance: Of local historic interest. It is a vernacular house contributing to the character of Potts Green. The building is a part of a historic farmstead which is recorded as a monument (MCC9213) on the Historic Environment Record (HER) database and can be viewed here:
<https://colchesterheritage.co.uk/Monument/MCC9213>

5. Site of former Potts Green



Location: Potts Green, Marks Tey. Shown as “site of former village green” on Map 4.5 in this plan.

Description: Historic green shown on the 1777 Chapman & Andre Map (labelled as Pots Green), on the south side of and set back from London Road. The green is roughly rectangular in shape, c.o.5ha. in area. Doggets Hammer Farm (Grade II Listed; NLHE on. 1266767), is located on the green edge, dating from the 16th century.

The asset was made part of Colchester’s Local List in August 2020.

Significance: Of local historic interest. The green is probably medieval (or early post-medieval) in origin, and the form of the green is easily identifiable in the landscape. The site of the former village green (at Potts Green) is recorded as a monument (as a historic landscape feature: Monument number MCC9116) on the Historic Environment Record (HER) database and can be viewed here: <https://colchesterheritage.co.uk/Monument/MCC9116>

6. Church Farm House and outbuildings



Location: Church Farm, Church Lane, Marks Tey. Shown as Shown as number 1 on Map 4.6 of this plan.

Description: Two-storey yellow brick dwelling, hipped, slate roof. Two canted (probably Edwardian) windows on the front (east) façade either side of a door with flat-roofed porch supported on two columns. Late 19th century, first appearing on the 1897-1904 OS 1:1250 County Series. The asset was made part of Colchester’s Local List in August 2020.

Significance: Of local historic interest. Although altered with a conservatory and extension, the façade of the building is very attractive and the roof is unaltered and the style, form and construction of the building is easily identifiable.

The farmstead of which it is a part, is recorded as a monument on the Historic Environment Record (HER) database (Monument MCC9210) and can be viewed here:

<https://colchesterheritage.co.uk/Monument/MCC9210>

7. Railway station (original building waiting room and section of original canopy)



Location: Marks Tey Railway Station, Marks Tey. Shown as number 2 on Map 4.6 of this plan.

Description: The original station at Marks Tey opened in 1843 as one of those on the Eastern Counties Railway (later the Great Eastern Railway) and the branch line (to the north) to Sudbury was built in 1849 (it was known as Marks Tey Junction until 1889). The opening of the Colne Valley and Halstead Railway off the Sudbury branch in 1860 and the extension of the branch beyond Sudbury via the Stour Valley Railway in 1865 to Cambridge added importance to Marks Tey as a junction, allowing through-trains from Colchester. The Sudbury to Cambridge link was closed in 1967 saw the end of through running.

The main station building was on the south 'up' side (platform 1), with a small waiting room on platform 2 (still present). Platform 1 had a canopy supported on cast iron pillars and part of the canopy still survives.

The signal box, located at the north end of platform 2, on the 'down' side, no longer survives. The track layout has been substantially reduced/rationalised. Likewise, the turntable (also on the 'down' side) no longer survives. The goods shed still survives, although altered. The asset was made part of Colchester's Local List in August 2020.

Significance: Of local historic interest and association. Platform 1 canopy and platforms 1 & 2 waiting rooms are surviving railway heritage assets.

8. Old Rectory Court, Station Road



Location: The Old Rectory, Rectory Court, Station Road, Marks Tey. Shown as number 1 on Map 4.7 in this plan.

Description: Former rectory built as the parsonage in the first half of the 18th century by William Bree, Vicar of Marks Tey 1722-1753. It was extended and converted into apartments in the 20th century. The asset was made part of Colchester's Local List in August 2020

Significance: Of local historic interest and association. Although it has been altered and extended to the rear, the building is largely unaltered and the style, form and construction of the building is easily identifiable.

The Old Cottages, Old London Road



Location: 180, 182 and 188 Old London Road, Marks Tey. Shown as number 2 on Map 4.7 of this plan.

Description: One-and-a half-storey timber-framed dwelling/s with dormer windows and peg-tile roof. The asset was made part of Colchester's Local List in August 2020 and is considered a potential candidate for national designation.

Significance: Of local historic interest. A row of surviving timber-framed building. Although the windows have been replaced (the original fenestration could be restored), the style, form and construction of the building is easily identifiable.

9. Former Methodist Church, London Road



Location: London Road, Marks Tey. Shown as number 4 on Map 4.7

Description: Methodist church constructed in 1902-3, gothic style, yellow brick with red brick detailing, slate roof. The asset was made part of Colchester's Local List in August 2020

Significance: Of local historic interest and association. It is a good example of its type, largely unaltered and the style, form and construction of the building is easily identifiable and has local historical association.

10. Wynscroft, Number 1 London Road (previously known as Butcher's Cottage)



Location: No. 1 London Road. Denoted with purple dot (monument) on Map 4.7 in this plan.

Description: One-and-a-half-storey timber-framed dwelling with dormer windows and thatched roof; the west end is hipped the east end is gabled. The building is clearly marked on the 1843 tithe map of

Marks Tey. The asset was made part of Colchester's Local List in August 2020 and is considered a potential candidate for national designation.

Significance: Of local historic interest. It is a good timber-framed building and the style, form and construction of the building is easily identifiable (although there is a modern extension of the east end). The farmstead of which it is a part, is recorded as a monument on the Historic Environment Record (HER) database (Monument MCC9208) and can be viewed here:
<https://colchesterheritage.co.uk/Monument/MCC9208>

WEST MERSEA

Your Neighbourhood Plan



REFERENDUM
NEIGHBOURHOOD PLAN
WEST MERSEA TOWN COUNCIL
JANUARY 2022



West Mersea
2017-2033

Planning for Mersea's future

FOREWORD

A public meeting was held at Mersea Centre (The MICA) on the 1st September 2016 in response to the Colchester Borough proposition that 350 houses be built in West Mersea under their emerging Local Plan. The meeting was called by West Mersea Town Council and chaired by the Mayor, Cllr Carl Powling, and over 500 people tried to attend although many were unable to get into the building.

From this meeting the Neighbourhood Planning Group emerged. The Town Council obtained a grant through which the Planning Group were able to employ a co-ordinator. The first open meeting was held in the Council Offices on 28th September 2016. Following an RCCE training course the first formal meeting was on 25th October.

Sub-Groups were formed to cover specific subjects and the make-up of these, and the Steering Committee, changed over time, as indeed did the chairmanship.

We acknowledge with thanks the many local people who have played their part in the production of the **West Mersea Neighbourhood Plan** and the great support from Islanders Islanders in completing Questionnaires, attending open meetings and adding their input.

Chairman	Cllr. Carl Powling	Cllr Peter Banks	Peter Clements MBE
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Co-ordinator	Debbie Gooch	Robin Wykes,	Cllr. Peter Banks
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Original Members of the Steering Group

Cllr. Dave Bragg	Alan Brook	David Cooper	Cllr. (CBC) Robert Davidson
John Dyson	Veronique Eckstein	Cllr. Chris Glover (East Mersea PC)	Richard Haward
Cllr Bob Jenkins	Paul Knappett	Cllr Paula Moore	Prof. Marcus Pembrey
Richard O'Hanlon-Smith	Faith Tippett	Cllr. Sophie Weaver	

Sub-Groups

Health & Wellbeing	Prof. Marcus Pembrey	Peter Clements	Faith Tippett	
Housing	Peter Banks	Carl Powling	Robin Wykes	Sandra Howard
Business	Alan Brook	Richard O'Hanlon Smith	Carl Powling	

Crime & Safety	Bob Jenkins		
Education & Environment	Veronique Eckstein	Peter Banks	Paul Knappett
Transport	Alan Brook	Peter Clements	
Open Spaces	David Cooper		
Tourism & Caravan Parks	Paul Knappett	David Cooper	Peter Banks
Landscape & Heritage	Peter Banks	David Cooper	Alan Brook
Photographic Survey	Alan Brook		

Logo Design	Will Weaver
Cover illustrations	Lee Tridini
Photographs	Alan Brook





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1

INTRODUCTION

- 1.1** The Localism Act 2011 introduced new rights and powers to allow local communities to prepare Neighbourhood Development Plans, which establish general planning policies for the development and use of land in the neighbourhood. These Neighbourhood Development Plans, when properly made become part of the legal planning framework for the designated area.
- 1.2** A Neighbourhood Development Plan (or “Neighbourhood Plan”) is a community-led planning framework for guiding the future development, regeneration and conservation of an area. It is about the use and development of land and contains a vision statement, aims, planning policies, proposals for improving the area or providing new facilities, or allocation of key sites for specific kinds of development. Because of this, neighbourhood plans are necessarily quite technical documents and the wording of planning policies contained within them will be used, in this case by Colchester Borough Council, to decide whether planning applications should be approved.
- 1.3** Town and Parish councils are encouraged to produce their own Neighbourhood Plans enabling local people to have a say as to how their neighbourhood grows and develops. In a designated “neighbourhood area” which contains all or part of the administrative area of a town or parish council, it is that town or parish council which is responsible for neighbourhood planning. Neighbourhood Plans cannot contradict the main government planning policies or the strategic policies in the adopted Local Development Plan (or “Local Plan”) for the area. For example, they cannot propose less development than is planned for in the adopted Local Plan. They also have to have regard to the content of emerging local plans, especially when those plans are at an advanced stage in their preparation.
- 1.4** This is the referendum version of the Neighbourhood Plan which, if successful at referendum, will cover the period up to 2033.
- 1.5** The Neighbourhood Plan Regulations require a neighbourhood plan to:
- be appropriate, having regard to National Planning Policy;
 - contribute to achieving sustainable development;
 - be in general conformity with strategic policies in the development plan for the local area; and
 - be compatible with EU obligations and Human Rights requirements.

A separate “Basic Conditions Statement” has been produced and identifies how the Neighbourhood Plan satisfies these requirements.

How the Plan was prepared

- 1.6** The Neighbourhood Plan has been prepared in accordance with the requirements of the Government’s Neighbourhood Planning Regulations and, in particular, has involved considerable local community engagement to gather evidence for the content of the Plan.
- 1.7** In response to the Colchester Borough proposition that 350 houses be built in West Mersea under their emerging Local Plan, a public meeting was held at Mersea Centre (The MICA) on the 1 September 2016. The meeting was called by West Mersea Town Council and chaired by the Mayor, Cllr Carl Powling, and over 500 people tried to attend although many were unable to get into the building. From this meeting the Neighbourhood Planning Group emerged, and Sub-Groups were formed to cover specific subjects. The make-up of these, and the Steering Committee, changed over time, as indeed did the chairmanship.
- 1.8** The West Mersea Steering Group was placed in a somewhat unusual position in that not only did the Colchester Borough emerging Local Plan require 350 houses to be built in West Mersea, (which was volubly objected to at the public meeting), but it specified the sites. There were to be 200 houses at MER18 (Brierley Paddocks) and 150 at MER02 (Dawes Lane), thus denying West Mersea Town any choice in site selection.
- 1.9** In September 2016 an application was made by the Town Council to Colchester Borough Council to designate a Neighbourhood Area for the whole of the Town Council’s area. Following consultation, the Neighbourhood Area, as identified on Map 1, was designated in November 2016.



Map 1 - Neighbourhood Area

- 1.10** Following designation, the Neighbourhood Planning Group and Sub-Groups undertook a significant amount of background research to identify a baseline for the establishment of planning policies in this Plan. This research forms the evidence that supports the Plan and is available on the West Mersea Neighbourhood Plan website at <https://www.merseamatters.uk/> Whilst East Mersea Parish Council declined to become part of the West Mersea Neighbourhood Plan, it was agreed to be of great importance the island be considered as a whole; so an agreement of understanding and cooperation was later signed and there has been a representative on the Planning Group ever since.
- 1.11** During 2017 and early 2018 the Planning Group worked toward developing a policy framework to guide and meet the strategic policies of the emerging Local Plan and all other development or community needs identified by local people. This was achieved through engaging and consulting with the community via local media coverage, briefing sessions at many venues including island organisations, the school,

- 1.11** During 2017 and early 2018 the Planning Group worked toward developing a policy framework to guide and meet the strategic policies of the emerging Local Plan and all other development or community needs identified by local people. This was achieved through engaging and consulting with the community via local media coverage, briefing sessions at many venues including island organisations, the school,

and gatherings at public houses. There were three surveys undertaken in 2018: a housing and general needs survey to the 3,400 addresses in West Mersea, a survey of future aspirations of all registered or known businesses in the town, and a survey of sporting needs and assessments of the future to all the sporting organisations. The results of these surveys and public engagements were analysed to gain a clear understanding of both the community's and business's aspirations.

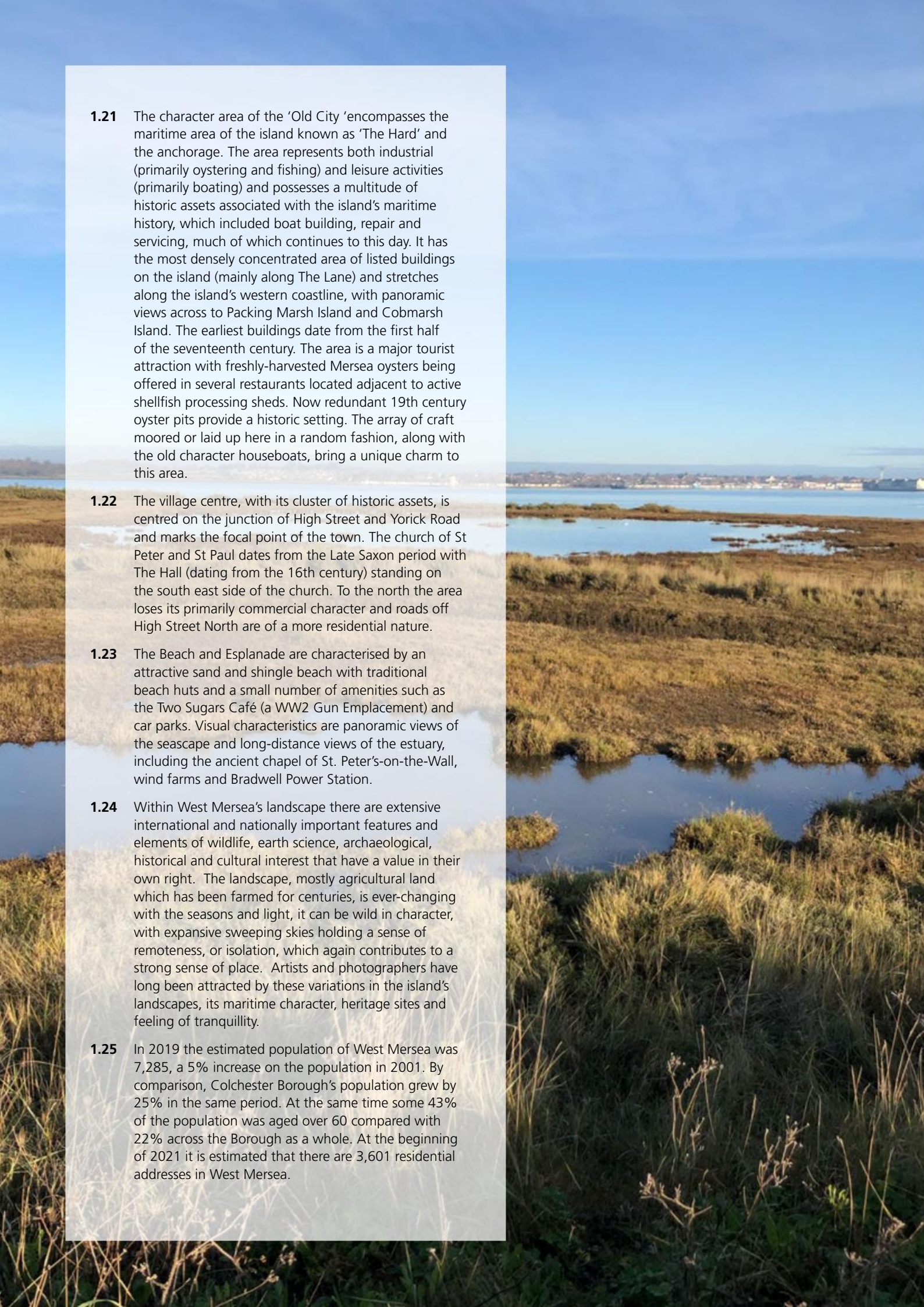
- 1.12** On 26 June 2018 the Planning Group held a public consultation session at Mersea Centre (The MICA.) The aim of the session was for the Sub-committees to confirm that they had understood the community's aspirations for the future of West Mersea and produced policy considerations which they would support. Visitors were encouraged to openly discuss all the proposals and where appropriate leave their comments on "post-it" notes as a record for the neighbourhood plan evidence base. Each Sub-committee then drew up a set of policy considerations which were discussed in turn and in depth by the Planning Group and from this, the final draft policies were produced.
- 1.13** In addition, there were four surveys carried out in 2018: a housing and a general needs surveys, each sent to the 3,400 addresses in West Mersea, a survey of future aspirations of all registered or known businesses in the town, and a survey of sporting needs and assessments of the future for all the sporting organisations. The results of these surveys and public engagements were analysed to gain a clear understanding of both the community's and businesses' aspirations. Sub-committees, as above, were set up to consider each specific subject.
- 1.14** The community's response confirmed that the Planning Group has a unique and difficult situation matching the need to meet the aspirations of the community versus overloading the already stretched infrastructure, whilst at the same time conforming to the emerging Colchester Local Plan. If one adds to this a further 200 houses alongside the annual housing infill, the expanding caravan parks and increasing visitor numbers, the brief can at best be described as challenging.
- 1.15** In 2019 a further grant was obtained from Locality and Places4People Planning Consultancy was engaged to oversee the final preparation of the Plan and guide the Steering Group through the consultation and examination stages.
- 1.16** In October 2020 consultation commenced on the "Pre-Submission" Draft Neighbourhood Plan. The consultation period was initially planned to end on 11 December but, due to the ongoing restrictions of the COVID-19 pandemic, the consultation period was extended to 4 January 2021, a total of just over 10 weeks. Following the completion of the "pre-submission" consultation, comments received were considered and necessary amendments to the Plan were made ahead of it being submitted to Colchester Borough Council. The Plan was then subject to a further period of consultation by the Borough Council ahead of its the examination by an independent Neighbourhood

Plan Examiner. The Examiner considered the content of the Plan and its planning policies against a set of "Basic Conditions" recommending amendments required to meet these conditions. Subject to the inclusion of those amendments, the Examiner recommended that the Plan is subject to a local referendum. If more than 50% that vote are in favour of the Plan at the referendum, it will be approved and become part of the local planning policy framework for the determination of planning applications in West Mersea.

- 1.17** In addition to the planning policies, community actions are included in the Plan. Community actions do not form part of the "statutory" Neighbourhood Plan but are included to identify other areas of improvement and change that residents have identified during the preparation of the Plan. The planning policies appear in boxes numbered WM1, WM2 etc while separate boxes contain the non-statutory community actions.

About West Mersea

- 1.18** Within the Borough there are many villages and locations which enjoy beautiful, rural and coastal landscapes and many can boast a proud heritage, but only Mersea is an island with a tidal causeway which regularly floods and isolates it from the mainland. As an island Mersea has unique and distinguishing features which create a strong sense of place, whilst the rarity of some of its features, relative to other parts of the Borough, contribute to the highest landscape value.
- 1.19** On approaching the island, across the distinctive landmark of the ancient Strood causeway, there is a distinct landscape structure which gives the feeling of homecoming and wellbeing for the residents and something special for visitors to experience. The senses are stimulated by the smell of the land and the changing view of the estuarine marsh/mudflats, both of which change with the rise and fall of the tide. This high value view is framed by a landscape with an absence of detracting visible features and a topography that slopes down from a high point/ridge just to the north of the settlement towards the coastline, which is a designated SSSI.
- 1.20** The main Colchester road, from the Strood, follows old field boundaries until it reaches the Parish Church. From Queen's Corner, houses and shops evolved either side of the road as far as the Church. This explains the spread of the shopping area, which has continued to serve the village growth well. In recent years more shops have been added in this central area, together with a Community Centre, Library and Museum. In the centre is the War Memorial, sheltering under a vast Lime tree set in a triangular green. From the Parish Church the Coast Road runs down past the natural freshwater spring of St. Peter's Well, to Hove Creek, with its assorted jumble of houseboats, then along to 'The Hard' and 'The Old City'. Here, 'The Old Victory' public house and weather-boarded fishermen's cottages formed a small community, with a ditch, charmingly known as 'The Bumby', which carried waste down to the sea from cottage privies.

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- 1.21** The character area of the 'Old City' encompasses the maritime area of the island known as 'The Hard' and the anchorage. The area represents both industrial (primarily oystering and fishing) and leisure activities (primarily boating) and possesses a multitude of historic assets associated with the island's maritime history, which included boat building, repair and servicing, much of which continues to this day. It has the most densely concentrated area of listed buildings on the island (mainly along The Lane) and stretches along the island's western coastline, with panoramic views across to Packing Marsh Island and Cobmarsh Island. The earliest buildings date from the first half of the seventeenth century. The area is a major tourist attraction with freshly-harvested Mersea oysters being offered in several restaurants located adjacent to active shellfish processing sheds. Now redundant 19th century oyster pits provide a historic setting. The array of craft moored or laid up here in a random fashion, along with the old character houseboats, bring a unique charm to this area.
- 1.22** The village centre, with its cluster of historic assets, is centred on the junction of High Street and Yorick Road and marks the focal point of the town. The church of St Peter and St Paul dates from the Late Saxon period with The Hall (dating from the 16th century) standing on the south east side of the church. To the north the area loses its primarily commercial character and roads off High Street North are of a more residential nature.
- 1.23** The Beach and Esplanade are characterised by an attractive sand and shingle beach with traditional beach huts and a small number of amenities such as the Two Sugars Café (a WW2 Gun Emplacement) and car parks. Visual characteristics are panoramic views of the seascape and long-distance views of the estuary, including the ancient chapel of St. Peter's-on-the-Wall, wind farms and Bradwell Power Station.
- 1.24** Within West Mersea's landscape there are extensive international and nationally important features and elements of wildlife, earth science, archaeological, historical and cultural interest that have a value in their own right. The landscape, mostly agricultural land which has been farmed for centuries, is ever-changing with the seasons and light, it can be wild in character, with expansive sweeping skies holding a sense of remoteness, or isolation, which again contributes to a strong sense of place. Artists and photographers have long been attracted by these variations in the island's landscapes, its maritime character, heritage sites and feeling of tranquillity.
- 1.25** In 2019 the estimated population of West Mersea was 7,285, a 5% increase on the population in 2001. By comparison, Colchester Borough's population grew by 25% in the same period. At the same time some 43% of the population was aged over 60 compared with 22% across the Borough as a whole. At the beginning of 2021 it is estimated that there are 3,601 residential addresses in West Mersea.

2

PLANNING POLICY CONTEXT

- 2.1** The Neighbourhood Plan must be "in general conformity with strategic policies in the development plan for the local area and contribute to sustainable development." For West Mersea, this means the National Planning Policy Framework, and the Colchester Local Plan, the Essex Minerals Local Plan (2014) and the Essex and Southend-on-Sea Waste Local Plan (2017) as explained below.

National Planning Policy Framework

- 2.2** The National Planning Policy Framework (NPPF) sets out the Government's high-level planning framework which must be taken into account in the preparation of development plan documents and when deciding planning applications. This Neighbourhood Plan was originally prepared within the context of the February 2019 NPPF. After the Plan had been submitted, the Government published a Revised NPPF (July 2021). The latest NPPF was therefore used to guide the examination process and inform modifications where appropriate. The Framework sets out a presumption in favour of sustainable development.

Paragraph 11 states:

"Plans and decisions should apply a presumption in favour of sustainable development."

For plan-making this means that:

- a) *all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*
- b) *strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*
 - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

Local Development Plan

- 2.3** At the time of the preparation of this Neighbourhood Plan the following Local Plan documents relevant to the area were in place:
- Colchester Core Strategy (2008)
 - Development Policies DPD (2010)
 - Site Allocations DPD (2010)
 - Focused Review of the Core Strategy (2008) and Development Policies DPD (2010) (July 2014)
- 2.4** Work commenced on the preparation of the new Colchester Borough Local Plan 2017-2033 in 2014 and at the time of the preparation of the Neighbourhood Plan it had been submitted to the Government for examination by a Planning Inspector. The submitted Local Plan includes a Shared Strategy Section 1 (with Braintree and Tendring District Councils) and a Section 2 which includes Colchester Borough specific policies and allocations.
- 2.5** Section 1 of the Colchester Borough Local Plan was formally adopted on 1st February 2021. Following hearing sessions in April 2021, the Inspector recommended main modifications to the Section 2 Local Plan. These modifications were consulted on in a six-week period in October and November 2021.

Colchester Core Strategy

- 2.6** For West Mersea, the Core Strategy contains strategic policies and that states the town "is a relatively self-contained coastal community offering quality tourism and recreation opportunities. The West Mersea waterfront will be conserved for its historic maritime character and distinctive maritime-related local businesses. There are some limited development opportunities in West Mersea and approximately 280 new homes will be developed during the plan period, including over 200 homes that have already been approved or completed. An additional 173sqm of net retail floorspace will also be sought to service the residents of Mersea Island. Key facilities to be delivered in West Mersea include allotments and a new health centre."
- 2.7** The town is categorised as a District Settlement in Policy SD1 - Settlement Hierarchy.

Development Policies DPD

- 2.8** The Development Management Policies document provides broad and generally non-location specific policies by which planning applications will be considered. Given that it's ten years since the policies were adopted, some will now be out of date and superseded by the NPPF.

Site Allocations DPD

- 2.9** This local plan document was also adopted in 2010 and identifies sites for development in the period to 2021. It identified sites for employment and housing development in West Mersea which have since been implemented.

Focused Review of the Core Strategy (2008) and Development Policies DPD (2010)

- 2.10** The introduction of the NPPF in 2012 meant that some of the adopted Local Plan policies had become out of date and required a review to make them compliant. The Focused Review of certain policies achieved this and, combined with the remaining policies of the previously adopted local plan documents, remains in place as the adopted local plan.

Adopted Section 1 Colchester Local Plan

- 2.11** The shared Section 1 Colchester Local Plan covers strategic matters with cross-boundary impacts in North Essex. The formal adoption of the Section 1 Local Plan has the effect of replacing, in part, a number of the strategic policies contained within the Core Strategy. The current Colchester Local Plan will be replaced, in full, on the formal adoption of Section 2 of the Local Plan.
- 2.12** The Neighbourhood Plan has been prepared to be in general conformity with the strategic planning policies in Section One, while Section Two also contains a number of policies and proposals for West Mersea which are referred to in the appropriate sections in this Neighbourhood Plan. Policy SG8 of the Emerging Section 2 Local Plan sets out the Strategic Policies that Neighbourhood Plans are required to be compliant with. Appendix 1 illustrates the Local Plan Policies Maps that cover West Mersea. The policies and proposals of the Neighbourhood Plan have regard to the content and status of the emerging Local Plan appropriate to the stage at which the preparation of that Plan has reached.

- 2.13** The Borough Council has also adopted a number of Supplementary Planning Documents and other planning guidance. These will, to a greater or lesser extent, have some relevance to planning in West Mersea. Their content, along with the adopted policies in both the adopted and emerging Local Plan, have been taken into account in preparing the Neighbourhood Plan.

The Essex Minerals Local Plan (2014)

- 2.14** The Essex Minerals Local Plan (MLP) identifies sites and locations for mineral development within Essex up to 2029 and introduces policies to manage this type of development. There are no mineral extraction sites or other forms of mineral infrastructure either currently operating or allocated within West Mersea. However, there are deposits of sand and gravel which are subject to a Minerals Safeguarding policy within the MLP. Regard should be had to the requirements of Policy S8 of the MLP when 5ha or more of a proposed development falls within a Minerals Safeguarding Area.

Essex and Southend-on-Sea Waste Local Plan 2017

- 2.15** The Essex and Southend-on-Sea Waste Local Plan (WLP) sets out how Essex and Southend-on-Sea aim to manage waste up to 2032 and introduces policies to guide waste management. It seeks to deal with waste more sustainably by guiding the development of waste management facilities, encouraging recycling and reducing reliance on landfill.

3

VISION AND OBJECTIVES

The West Mersea Vision

To maintain and enrich West Mersea as a vibrant and cohesive community ensuring new development will be both sustainable and improve life for ourselves without prejudicing lives for future generations. Support the local economy, provide high quality accommodation for all in our community while respecting the individual character of the town and protecting our natural environment.

Objectives

Housing

- 1 - To ensure that new housing meets the needs of West Mersea.
- 2 - To ensure new housing is available, appropriate and accessible to people of all ages and circumstances in order to maintain a balanced, cohesive and diverse population.

Open Space, Sport and Recreation

- 3 - To preserve and promote open spaces and recreation.
- 4 - To provide a balance between the different types of open space.
- 5 - To make parks and open spaces accessible to a wider range of people.
- 6 - To provide for more attractive communal areas for informal and formal recreation.

Traffic and Transport

- 7 - To ensure that any proposed development provides footpath and cycleway links to the town, coastal and recreational areas to encourage residents to walk and cycle easing congestion, pollution and parking problems.

Business

- 8 - To preserve the long-term viability of the harbour area for maritime, commercial and leisure activities.
- 9 - To support the sustainable development of satisfactory, long-term employment on the island for Mersea residents.

Infrastructure and Services

- 10 - To support maintenance and improvement of Water, Gas, Electricity, Broadband, Mobile Telephone, Waste Disposal and Recycling services, to provide

satisfactory utility infrastructure, emphasising Mersea Island's unique situation.

- 11 - To maintain the town centre's character and focal point for commerce and the community with its cafés, Community Centre and historical heritage.

Natural Environment and Landscape

- 12 - To preserve and enhance existing wildlife corridors and ensure that any new development meets the NPPF requirements.
- 13 - To protect and enhance the international, nationally and locally designated habitats in their own rights and from the impact of new development.
- 14 - To protect and enhance the unique landscape of the island from inappropriate development.

Tourism

- 15 - To ensure where tourism is encouraged it respects the character of the rural countryside, coastal character and natural habitat.
- 16 - To support existing and new tourist facilities and leisure developments which benefit the island's economy and employment and are not contrary to the well-being of the island's residents.

Heritage

- 17 - To conserve and enhance the town's many heritage assets and ensuring that any new development serves to make a positive contribution to the existing historic environment.

Development Design

- 18 - To preserve the Town Centre character, the Strood Causeway and Packing Marsh Island
- 19 - To minimise the impact of new development on the environment.



4

PLANNING STRATEGY

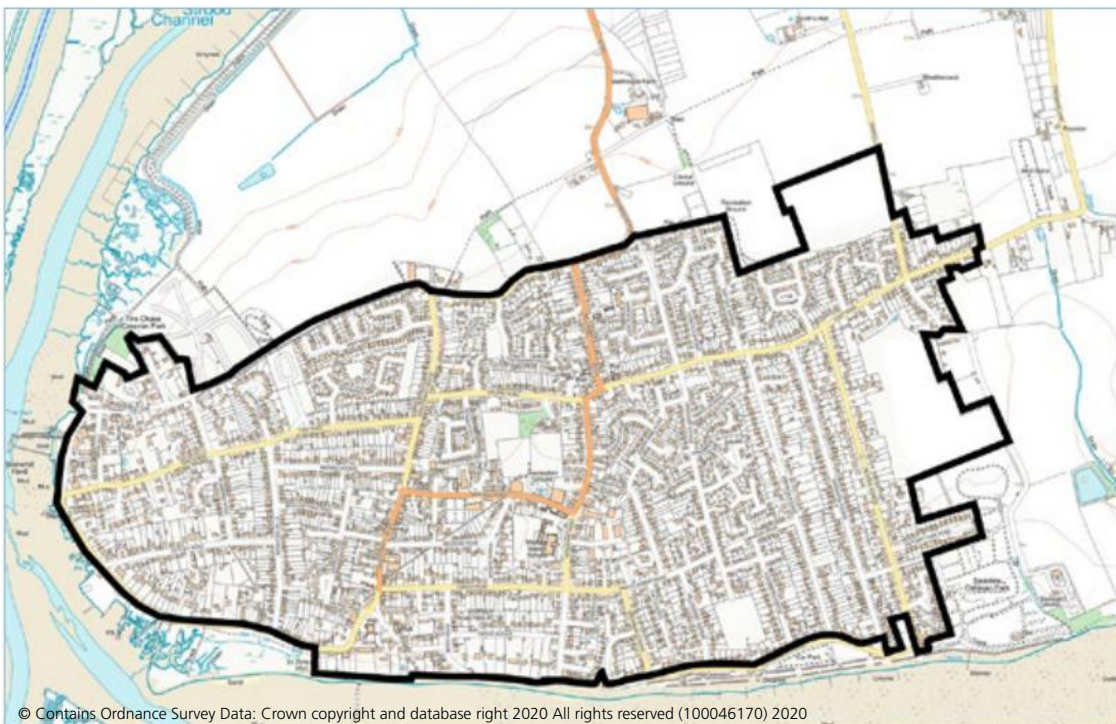
- 4.1** As noted above, the planning policy framework for Colchester is currently evolving from the adopted Local Plan to an emerging Local Plan for the period to 2033 (the emerging Local Plan). Until such a time as the emerging Local Plan is fully adopted, the existing Local Plan policies remain in force, albeit that the emerging Local Plan should be taken into account in making planning decisions, given its advanced stage.

The West Mersea Planning Strategy

- 4.2** The emerging Local Plan designates West Mersea as a “Sustainable Settlement” given the level of services, facilities and jobs in the town. However, it also recognises that the town is heavily constrained by its coastal boundaries and the associated wildlife and landscape designations that come with an estuarine location. The strategy of the emerging Local Plan is to channel some growth to the most sustainable settlements appropriate to their size, local landscape character, local constraints, identified need and the availability of infrastructure.
- 4.3** The Neighbourhood Plan supports an appropriate level of growth in accordance with the approach in Policy SG1 of the emerging Local Plan, where such growth will not have an unacceptable impact on the historic and natural environment and the capacity of

essential infrastructure.

- 4.4** A Settlement Boundary, illustrated on Map 2, is defined for the town and conforms with that in the emerging Local Plan. In order to manage the potential impacts of growth, new development will be focused within the Settlement Boundary. This will ensure that the undeveloped rural countryside is preserved and remains largely undeveloped. Policy OV2 of the Colchester Local Plan limits development outside settlement boundaries to activities that either require a rural location or help sustain a rural community and local economy and which help protect the rural character of the areas.
- 4.5** There may be situations where it is necessary for development to take place outside the Settlement Boundary, but such development will be limited to that which is essential for the operation of existing rural businesses, agriculture, horticulture, forestry, outdoor recreation and other uses appropriate to the locality that need to be located in the countryside. For the purposes of policy WM1 this would include development required by a utility company to fulfill their statutory obligations to their customers. However, this approach is not intended to restrict the conversion of existing agricultural buildings to residential uses, where any proposals meet government regulations and local planning policies for such conversions.



Map 2 - Settlement Boundary



Policy WM 1 - Planning Strategy

The Neighbourhood Plan area will accommodate development commensurate with West Mersea's designation as a Sustainable Settlement in the emerging Colchester Local Plan 2017 - 2033.

The focus for any new development will be within the Settlement Boundary, as defined on the Policies Map.

The land lying beyond the settlement boundary will be treated as countryside for the purposes of planning policy. Proposals for development within this area will be assessed against the criteria set out in Local Plan Policy OV2 and any other relevant policies in this Neighbourhood Plan.

5

HOUSING

Housing Objectives

- 1 - To ensure that new housing meets the need of West Mersea
- 2 - To ensure new housing is available, appropriate and accessible to people of all ages and circumstances in order to maintain a balanced and diverse population

Housing Growth

5.1 The Neighbourhood Plan makes provision for new housing in accordance with the content of the emerging Local Plan provision for at least 14,720 new homes across the whole borough between 2017 and 2033. Approximately half of this provision were already in the pipeline at the time the emerging Local Plan was

prepared. Policy SG2 and its associated table identifies that allocations for 200 additional homes are made for West Mersea. These allocations were determined by the Borough Council following a careful consideration of sites in their Strategic Housing and Employment Land Availability Assessment.

5.2 The Neighbourhood Plan does not seek to undermine the level of housing growth proposed in the emerging Local Plan, rather it adds greater certainty as to what matters to the local community when considering the type and location of new homes. These allocations were determined by the Borough Council following a careful consideration of sites in their Strategic Housing and Employment Land Availability Assessment.

5.3 Of particular relevance is emerging Local Plan Policy SS12a, as reproduced below, which identifies two large sites for housing development, at Dawes Lane and at Brierley Paddocks.

Emerging Local Plan - Policy SS12a: West Mersea

In addition to the infrastructure and mitigation requirements identified in policy PP1, development will be supported on land within the areas identified on the policies map which contributes towards expanding Mersea Island Primary School, provides suitable landscaping to screen the development to minimise any negative impact on the surrounding landscape and protect the open rural character of land within the Coastal Protection Belt, and meets the requirements for each site indicated below. Housing on both sites should address local needs which will be detailed in the Neighbourhood Plan but are likely to include starter homes and single storey dwellings.

Dawes Lane

Development will be supported which provides:

- (i) 100 new dwellings of a mix and type of housing to be compatible with surrounding development;
- (ii) Public Open Space, including sports pitches;
- (iii) Children's play area/land for a sports pavilion if identified in the Neighbourhood Plan;
- (iv) A single site access off Dawes Lane.

Brierley Paddocks

Development will be supported which provides:

- (i) 100 new dwellings of a mix and type of housing to be compatible with surrounding development; A satisfactory vehicular access;
- (ii) New public open space; and
- (iii) Community facilities if identified in the Neighbourhood Plan.

There are three existing designated Local Economic Areas in Mersea as shown on the policies map that will continue to be safeguarded for this use. Any future development proposals at these sites will be required to comply with policies SG4.

This policy should be read in conjunction with the generic Neighbourhood Planning Policy SG8 and the West Mersea Neighbourhood Plan, once adopted.

5.4 Having regard to both the content and the advanced stage of the emerging Local Plan, the Neighbourhood Plan acknowledges that the housing growth in West Mersea to 2033 will amount to around 200 new homes by 2033. It also recognises that the Borough Council undertook a robust and appropriate assessment of potential sites before coming to the decision to allocate the sites at Dawes Lane and Brierley Paddocks for development.

5.5 Planning permission was granted for a net increase of 100 dwellings at Brierley Paddocks in May 2020 and in February 2021 construction commenced on site. The site is therefore not allocated in the Neighbourhood Plan and the housing requirement subsequently reduced to around 100 dwellings. While Policy SS12a of the emerging Local Plan identifies two sites to deliver this growth, the Neighbourhood Plan does not rule out additional housing being developed as long as the site is located within the defined Settlement Boundary and can be satisfactorily accommodated on the site without having a detrimental impact on:

- the amenity of nearby residents,
- existing infrastructure including highways, and
- the natural and historic environment.

Such sites might take the form of infill plots between existing properties or the redevelopment of sites as long as they're located within the Settlement Boundary. Due to the unplanned nature of such sites, it is not possible to identify how many additional homes might come forward through this approach. At 1 April 2019 there were 20 dwellings with planning permission but yet to be completed in West Mersea according to the Borough Council Housing Land Supply report. All of these dwellings were on sites with a maximum of three house per site. It is not unreasonable to expect such a trend to continue over the lifetime of this Plan, albeit that the number could diminish as opportunities for infill and windfall sites are depleted.

5.6 The emerging Local Plan recognises that the Neighbourhood Plan has the opportunity to add more detail to the planning policies for the Dawes Lane and Brierley Paddocks sites to reflect locally identified needs and circumstances. However, given the advanced status of the Brierley Paddocks site, the Neighbourhood Plan has focused on the local characteristics and location of the Dawes Lane site as well as the wishes of the community in identifying more detailed requirements, as set out in the following paragraphs and Policy WM 3.

Policy WM 2 - Housing Development

Policy WM3 sets out the detailed requirements for the development of the land at Dawes Lane, which is allocated for housing in the Local Plan, and for which outline planning permission has been granted. This, together with other land that is being developed, satisfies the Local Plan requirement for 200 new homes in the period up to 2033.

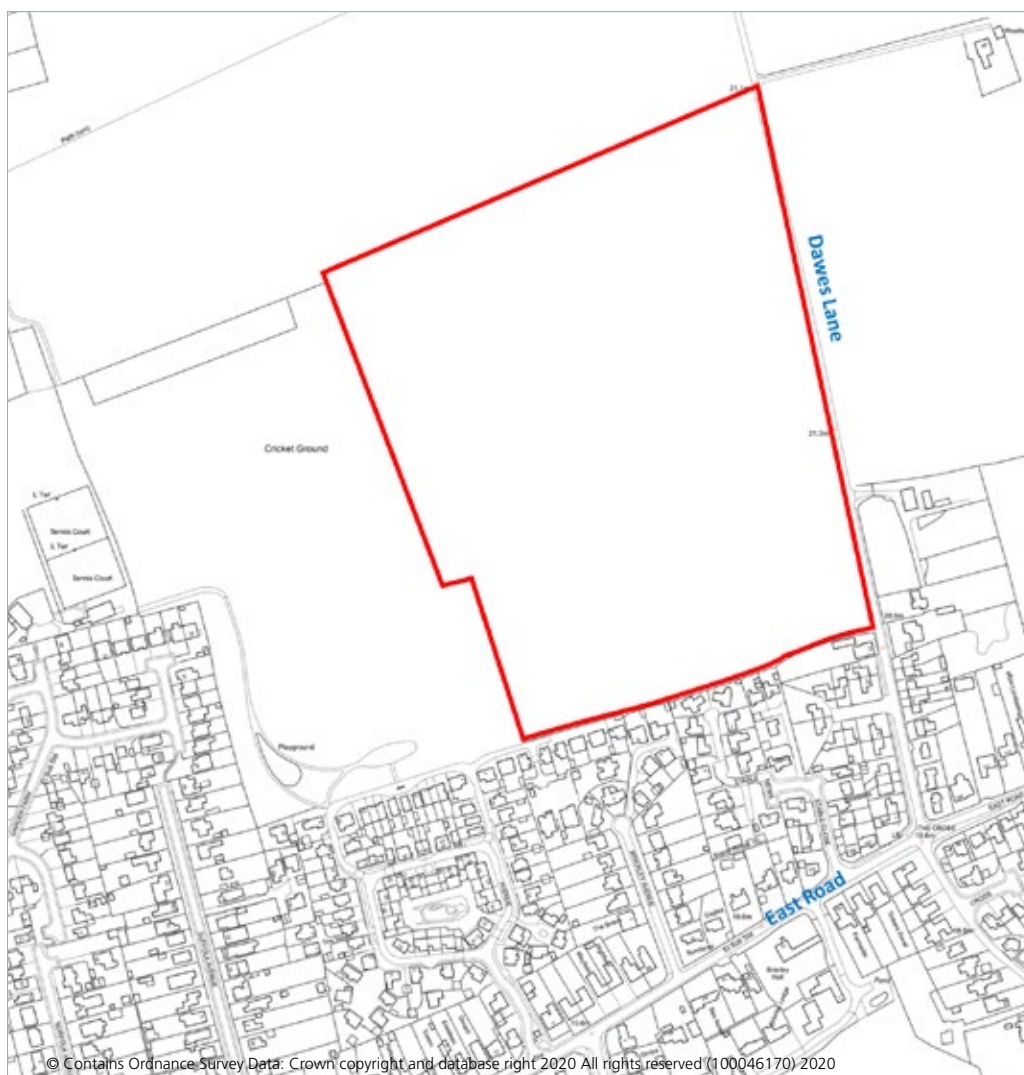
In addition, brownfield "windfall" sites and infill plots within the Settlement Boundary that come forward during the plan period and are not identified in the Plan will be supported where they comply with the relevant policies in the Local Plan and Neighbourhood Plan.

Land at Dawes Lane

5.7 The site, totalling 10.2 hectares of which 5.2 hectares is open space to the north of the development, together with a small amenity area to the south, is illustrated on Map 3, and located on the north-eastern edge of the town adjoining recent development at Barrow Mews and Stable Mews. To the west are the town's main sports facilities while there is no defined northern boundary meaning that any development is going to create a hard, urban edge abutting the surrounding open countryside.

5.8 In June 2020 Colchester Borough Council resolved to approve an outline planning application for 100 dwellings and land for community uses, public open space and landscaping in accordance with the allocation in the emerging Local Plan. The resolution to approve was subject to the applicants entering into a Section 106 Planning Agreement and, at the time of the publication of this Draft Neighbourhood Plan, the decision had yet to be issued.

5.9 Given the resolution to approve the planning application, the Neighbourhood Plan cannot go against this decision. However, as the details of the development have yet to be approved, the Neighbourhood Plan does provide additional guidance as to the nature and form that the development should take.



Map 3 - Land at Dawes Lane

5.10 The following potential impacts have been

identified that will need to be addressed in considering how the site will be developed:

- i visual impact of development on longer range views towards West Mersea from the north.
- ii reducing impact of new housing on existing properties to the south.
- iii providing safe and convenient pedestrian and cycle links to services and facilities in the town.
- iv ensuring that the housing is of a size and form to meet the identified needs of current and future residents.

5.11 The Borough Council's Urban Design Consultant, in commenting on the planning application, noted that:

- Placemaking: the Design & Access Statement and the Indicative Layout provide little indication of how the development would build-in a sense of place, with character. This could in part be addressed by attention being paid to the more specific issues below.
- SuDS strategy: a more integrated approach,

in line with the Essex SuDS Design Guide and the SuDS Manual C753. These

both point to the need to provide a management train and keep water on the surface as close as possible to where it falls. A single large retention basin at the edge of the site is generally considered to be poor practice.

- Connectivity: The elongated retention basin on the southern boundary serves to disconnect the site from existing residential areas to the south
- Manual for Streets: highways design should seek to benefit from the flexibility allowed for in Manual for Streets which has been adopted by Essex County Highways Authority. Strict reliance on DB32 geometry with fixed junction radii and carriageway/footpath widths is anathema to character.
- Mixed Use: the site is designated for residential use however dwellings could facilitate home-working with minor design modifications.

5.12 With the above in mind, the following development principles will need to be addressed by development proposals for the site:

- i A new woodland barrier is required to form the northern boundary of the site and to form a meaningful screen of the site from the open countryside to the north.

- ii Bungalows should be built along the northern extent of the developable area to help mitigate the impact of the residential element of the development on the open countryside and long-range views from the north.
- iii Across the whole southern boundary of the site a natural bund/green barrier, reflecting that of the Wellhouse Green development to the west, is to be provided to minimise impact on residential amenity to the south and, if required, to incorporate sustainable drainage facilities.
- iv Vehicular access should only be provided from Dawes Lane and there should be no vehicle access from the existing housing to the south.
- v There will be a need to ensure that safe and convenient pedestrian and cycle links are provided between the site and East Road, without requiring pedestrians to walk in the road, and to the children's play area on Wellhouse Estate.
- vi A footpath link, which is not on the public highway, connecting to the bridleway to the north of the site should be provided in order to facilitate recreational trips into the countryside and mitigate potential recreational disturbance on designated habitats elsewhere on the island.

Policy WM 3 - Land at Dawes Lane

Development of land at Dawes Lane, including the provision of 5.2 hectares of open space and as identified in Map 3 and on the Policies Map, should be undertaken in accordance with the conditions attached to outline planning consent (ref 200351), unless that consent is superseded by a later approval. In considering the detail of how the site will be developed, the matters below should be taken into account:

Development Principles:

- i) Developers should demonstrate, via a Landscape Character Assessment, that mitigation measures will be put in place to protect the rural and coastal landscape and ensure that highly valued views and vistas, as identified on the Policies Map, are maintained.
- ii) A woodland strip sufficient to provide a natural screen to mitigate the visual impact of the development and provide a windbreak shall be provided across the whole northern boundary of the site. Bungalows should be built along the northern extent of the developable area to help mitigate the impact of the development on the open countryside and long-range views from the north.
- iii) Across the whole southern boundary of the site a natural bund/green barrier, reflecting that of the Wellhouse Green development to the west, is to be provided to minimise impact on residential amenity to the south and, if required, to incorporate sustainable drainage facilities.

Housing:

- iv) The development should provide for a mixture of two and three bedroom houses and bungalows, as identified in the WMNHP Housing Needs Survey, unless it can be demonstrated that the latest publicly available housing needs information for the Plan area identify a need for a different mix.

Access:

- v) A single site vehicular access shall be provided from Dawes Lane.
- vi) Direct pedestrian and cycle access shall be provided between the development and East Road, without requiring pedestrians to walk in the road, and to the children's play area on Wellhouse Estate.
- vii) Provision should be made to provide an off-site link, without requiring pedestrians to walk in the road, between the site to the bridleway to the north in order to offset and mitigate any potential recreational disturbance on protected habitats elsewhere.

Affordable Housing

5.13 The policies in the emerging Local Plan provide an up-to-date policy approach to the delivery of affordable housing in West Mersea and have been informed by the Strategic Housing Market Assessment. As such, 30% of new dwellings (including conversions) on housing developments of more than 10 dwellings should be provided as affordable housing (normally on site). At a local level, the West Mersea Housing Survey, undertaken as part of the Neighbourhood Plan preparation, identified that of those people likely to move in the future, 50% were looking for two-bedroomed dwellings.

5.16 Granting planning permission on an exceptional basis for affordable housing on land next to but outside the defined Settlement Boundary, is one way to provide affordable housing which will continue to meet local needs, through small-scale schemes on "rural exception sites" outside the Settlement Boundary where housing would not normally be permitted. In order to deliver affordable housing through "exception sites" the following are required:

- a need for affordable housing has to be established, and
- a willing landowner has to come forward who is prepared to sell land at a price significantly below the market value for housing land, and

Policy WM 4 - Affordable Housing in Housing Developments

In line with Policy DM8 of the emerging Colchester Local Plan, 30% of new dwellings (including conversions) housing developments of 10 or more dwellings (major developments) in urban areas, and above five units in designated rural areas should be provided as affordable housing (normally on site) in accordance with the definition in the NPPF. Around 10% of the affordable housing provision shall be reserved for first time buyers, in line with current national policy on the matter.

For sites where an alternative level of affordable housing is proposed below the target, proposals will need to be supported by evidence in the form of a viability appraisal.

In exceptional circumstances, where high development costs undermine the viability of housing delivery, developers will be expected to demonstrate an alternative affordable housing provision.

Development will be required to integrate affordable housing and market housing, with a consistent standard of quality design and public spaces, to create mixed and sustainable communities. The affordable housing provision should proportionately reflect the mix of market units unless otherwise specified by the Local Planning Authority. In schemes over 15 units the affordable housing should be provided in more than one single parcel. Elsewhere the affordable housing mix on any site should normally be "pepper potted" throughout the scheme in groups, the size and location of which should be discussed and agreed with the Local Planning Authority.

5.14 The West Mersea Housing Needs Assessment identified a need for affordable home ownership. The NPPF definition for affordable homes includes starter homes, which are currently defined in the Housing and Planning act 2016. They are homes that are:

- available for purchase by 'qualifying first-time buyers' only, defined as people who don't already own a home and who are aged 23-40;
- to be sold at a discount of at least 20% of their market value, and always for less than the price cap (£250,000 outside London).

5.15 At the time of the preparation of the Neighbourhood Plan, the Government were consulting on the "First Homes" initiative. The consultation stated that "First Homes will be sold with a minimum discount of 30 per cent off the market price, but local areas will be able to set a larger discount to ensure the homes are affordable to local people." Should the First Homes initiative translate into Government planning policy before planning consent is granted at Dawes Lane and Brierley Paddocks, the development would need to conform to such policy.

- a registered social landlord (housing association) needs to come forward, which is willing to work with the Town Council and Borough Council to fund and manage a scheme.

5.17 Where a "rural exception" site is proposed for development, it must be demonstrated that there is an identified local need, and that the site is suitable to meet that local need. In exceptional circumstances, it may be appropriate to permit an element of open market housing to facilitate the delivery of the affordable housing. This is in accordance with paragraph 77 of the NPPF which states that local authorities should consider whether this approach would help to provide additional affordable housing. The exceptional circumstances, where a small number of market homes will be permitted could include, for example, where there is insufficient government grant available, and it is demonstrated, through financial appraisal, that the open market housing is essential to enable the delivery of the affordable housing. In these cases, the applicant would need to demonstrate, to the satisfaction of the Borough Council, that the inclusion of open market housing is the minimum necessary to

enable the delivery of the affordable housing and is not being developed to generate uplift in land values for the landowner. This could be demonstrated through the provision of affordability/profitability modelling data. Where an element of open market housing is proposed as part of an affordable housing exception site, it should be sympathetic to the form and character of the settlement and in accordance with local needs. Local needs can vary, and it could be that smaller market homes are required to meet the needs of first-time buyers or people wishing to downsize to a smaller home. This would need to be established at the time in consultation with the Borough Council's Housing Service.

House Sizes

5.18 The Housing Needs Survey identified a need for one and two bedroomed properties in West Mersea. The most recent reliable data about house sizes is contained in the 2011 Census. It identifies that the town has a good proportion of smaller homes when compared with other parishes across Colchester Borough (not including Colchester itself). However, as average household sizes continue to fall so the demand for smaller properties will increase. The 2011 Census identified that over 50% of houses with four or more bedrooms were only occupied by two people. The construction of additional smaller properties, where room sizes meet modern needs for those downsizing, might help to free up larger properties for those families that wish to remain on the island but are faced with a lack of available properties.

Policy WM 5 - Affordable Housing on Exception Sites

Proposals for the development of small-scale affordable housing schemes on rural exception sites outside but adjoining the Settlement Boundary, where housing would not normally be permitted by other policies, will be supported where there is a proven local need and provided that the housing:

- i. remains affordable in perpetuity; and
- ii. is for people that are in housing need because they are unable to buy or rent properties in West Mersea at open-market prices; and
- iii. is offered, in the first instance, to people with a demonstrated local connection, as defined by the Colchester Choice Based Lettings Scheme. Where there is no need, a property should then be offered to those with a demonstrated need for affordable housing in neighbouring villages.

These restrictions should be delivered through a legal agreement attached to the planning consent for the housing. Applications for such development will be considered in relation to the appearance and character of the surrounding area, the potential impact on residential amenity and highway safety.

To be acceptable, proposals should demonstrate that a local need exists which cannot be met by applying normal planning policy for the provision of affordable homes in association with market housing.

Any application for affordable housing in respect of this policy should be accompanied by a detailed assessment of need and the accommodation proposed should contribute to meeting this proven need.

A small number of market homes will be permitted where it can be demonstrated:

- a) that no other means of funding the construction of the affordable homes is available; and
- b) the market housing is subsidiary to the affordable housing element of the proposal and the amount of market housing required is, as demonstrated through a viability assessment, the minimum required to deliver the affordable housing.

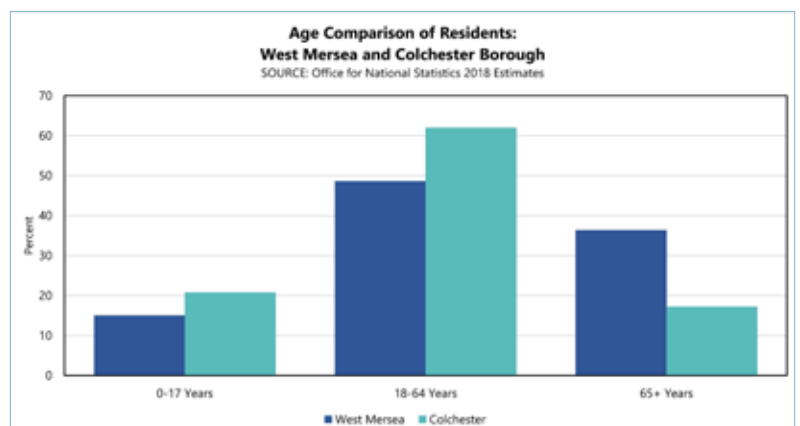
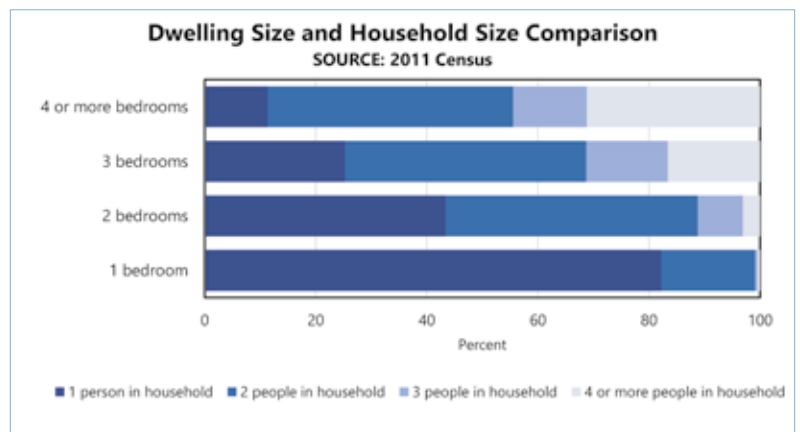
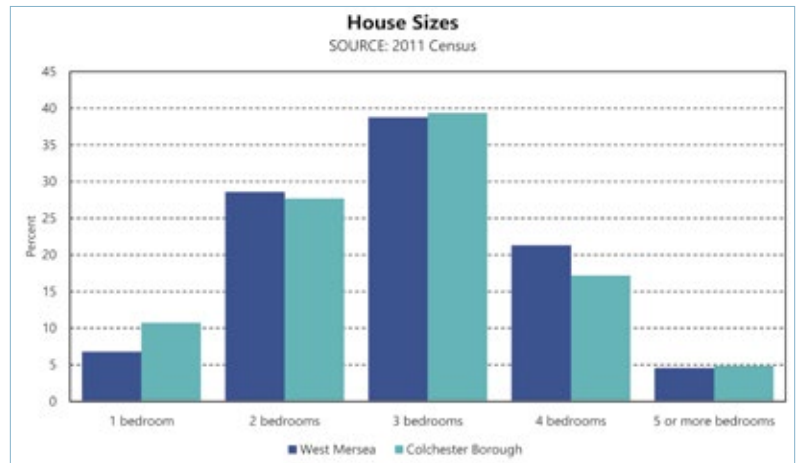
Where sites for affordable housing outside the settlement boundary are brought forward with an element of market housing, both housing tenures should be built to the same design standards and contribute towards the character of the area

Policy WM 6 - Housing Mix

In all housing developments of ten or more homes, there shall be an emphasis on providing a higher proportion of one and two bedroomed houses and bungalows within the scheme, unless it can be demonstrated that the particular circumstances relating to the tenure of the housing dictate otherwise or where such provision is demonstrated to not be in accordance with the latest available housing needs information for the Plan Area.

5.19 A distinct characteristic of the town is the number of bungalows and chalet dwellings. However, over recent years the stock of this type of dwelling has gradually been eroded as permissions have been granted to extend the dwellings upwards. The impact of this is two-fold, firstly by eroding the highly sort after stock of bungalows, in particular and, secondly, the detrimental impact on the character of the area within which the plot sits. The town has a significantly higher proportion of elderly residents when compared with the Borough as a whole, as illustrated in the figure. With this statistic in mind, it is essential to retain accessible dwellings, such as bungalows, to meet the need of an ageing population.

5.20 In some circumstances, adding another floor on top of a bungalow may not require planning permission, with the prior approval of the Local Planning Authority required to be obtained instead. However, where planning permission is required, proposals for the conversion of bungalows or 1½ storey dwellings to two or more storey will generally be resisted unless it can be demonstrated by the applicant that the proposal would not have a detrimental impact on the character of the area by resulting in a taller dwelling in area that is otherwise predominantly single or 1½ storey dwellings.



Policy WM 7 - Loss of bungalows and chalet dwellings

Planning applications that would result in the conversion of single storey or 1½ storey dwellings to two or more storey dwellings will not be supported unless it can be demonstrated that the proposal would not have a detrimental impact on the character of the vicinity and the amenity of nearby residents by way of overlooking and loss of light.

Housing Space Standards

5.21 In March 2015, the government introduced a 'Nationally Described Space Standard', which sets out detailed minimum standards for the design of housing which are an optional "add-on" for local planning authorities to consider introducing through their local plans. Policy DM12 of the emerging Local Plan states that the Borough Council will have regard to the Space Standard when considering proposals for new residential development.

The current standard requires that:

- the dwelling provides at least the gross internal floor area and built-in storage area set out in the table below;
- a dwelling with two or more bedspaces has at least one double (or twin) bedroom;
- in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m² and is at least 2.15m wide;
- in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m²;
- one double (or twin bedroom) is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide;
- any area with a headroom of less than 1.5m is not counted within the Gross Internal Area unless used

solely for storage (if the area under the stairs is to be used for storage, assume a general floor area of 1m² within the Gross Internal Area);

- any other area that is used solely for storage and has a headroom of 900 - 1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all;
- a built-in wardrobe counts towards the Gross Internal Area and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72m² in a double bedroom and 0.36m² in a single bedroom counts towards the built-in storage requirement; and
- the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area.

5.22 Externally, it is also important that homes meet modern day requirements for the storage of wheelie bins and cycles. Without sufficient and appropriate space reserved for these uses, the consequence can be added clutter and a deterrent in the use of cycles as a mode of travel.

A summary table is provided below.

Number of bedrooms (b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
		Square metres			
1b	1p	39 (37)*			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Where a one bedroom, one person dwelling has a shower room instead of a bathroom, the floor area may be reduced from 39 square metres to 37 square metres, as shown bracketed

Policy WM 8 - Measures for New Housing Development

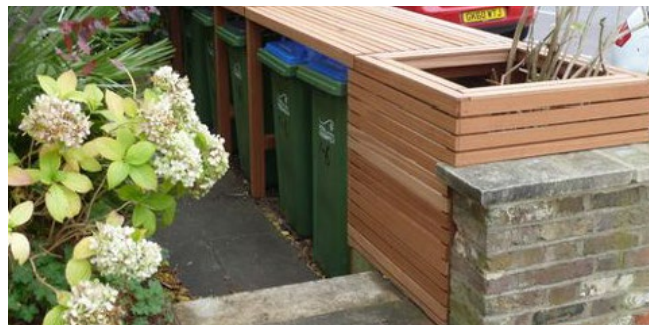
Where necessary and practicable, new dwellings will be required to provide adequate provision for the covered storage of wheelie bins and cycles and should meet the current adopted parking standards as set out in the most recent local Parking Standards.

Houseboats

- 5.23** A distinct characteristic of the shoreline along Coast Road is the presence of houseboats. Such dwellings are only suitable for the needs and housing expectations of a small sector of the population, but they contribute to the diversity of the town and a different style of living. The area where the houseboats are currently located is within the West Mersea Conservation Area and wholly within the Essex Estuaries Special Area of Conservation and Blackwater Estuary Special Protection Area. Development proposals on the seaward side of Coast Road will need to have regard to the need to protect and enhance the protected habitats and traditional maritime character of the designated areas.
- 5.24** The West Mersea Neighbourhood Plan definition of a houseboat is:

A house 'boat' by definition is a seagoing vessel or boat that was designed to go to sea under its own propulsion using sail or power or both. The design, function and form should be of an original seagoing vessel or boat having a decked structure. Subsequent sympathetic modifications or conversion to a suitable residential 'house' boat use may follow. Thereby preserving the existing traditional and historical maritime use of the West Mersea foreshore of existing houseboats berths situated only in channels running within the unique habitat of the restricted and highly protected salt marsh areas. Maximum Length of vessel 30 metres, maximum width 7 metres and maximum of two levels/storeys in height including one level below deck.

- 5.25** The provision of new moorings for houseboats in coastal areas of West Mersea would have a detrimental impact on the landscape and internationally important habitats and will, therefore, not be supported. There may, however, be instances where sites last used as a houseboat mooring might be acceptable where it can be demonstrated that the re-instatement of an existing houseboat would avoid



impact on the character and setting of the conservation area and, most importantly, would not have an unacceptable impact on the internationally protected areas and protected species therein. Information to support a Habitats Regulations Assessment and, where appropriate, an Appropriate Assessment will be required to be submitted alongside all proposals within these areas as the installation of new boats could potentially physically damage the salt-marsh and also reduce water quality if they do not have adequate on-site sewage/pump out systems in place.

- 5.26** Map 4 illustrates the area where, subject to the criteria in Policy WM 9, proposals for new houseboats may be supported. The general character of the houseboat area should be maintained since this adds to the vibrancy of the community. However, the houseboats should not have a negative impact upon the natural environment and should respect the unique habitat within which they are situated. The area should be kept clear of waste materials and storage solutions should be found to make the area tidier and more sympathetic towards the nature conservation requirements. Proposals will need to maintain the open feel of a foreshore community and continue to allow excellent views across the marshes for, not only, houseboat owners but also the nearby residents and visitors to the water.



Map 4 - Houseboats

Policy WM 9 - Houseboats

Proposals for new moorings for permanent residential houseboats will not be permitted in coastal areas including Coast Road because of their landscape and environmental impact on the internationally designated habitats.

Proposals to replace an existing houseboat or fill a vacant site that is identified on Map 4 as being a recently used site maybe supported, subject to an installation method statement being submitted which avoids impacts to saltmarsh habitats and which satisfy all other policy criteria.

In considering proposals for houseboats and associated development, the following matters will be taken into account:

- i. the proposal should maintain the general character of the houseboat area;
- ii. houseboat proposals should not have a detrimental impact upon the natural environment but should respect the unique habitat within which they are situated;
- iii. the storage of waste and any associated domestic paraphernalia would not have a harmful effect on the character or setting of the surrounding area.
- iv. the open views across the marshes are not significantly harmed as a result of the proposal

Proposals for houseboat projects (replacement boats, ancillary jetties and any structures) will be required include sufficient information to undertake a Habitats Regulations Assessment and, where necessary, an Appropriate Assessment. Proposals should demonstrate that they have, or are capable of providing, adequate on-site sewage/pump-out systems in order to mitigate potential damage to the salt marsh and a reduction of water quality.

Applications for infrastructure to support existing houseboats including jetties, sheds, platforms and fences and for replacement houseboats or houseboat alterations considered to result in material alterations will be considered on the basis of their scale and impact on surrounding amenity, environment and landscape.



6

OPEN SPACES, SPORT AND RECREATION

Objectives

- 3 - To preserve and promote open spaces and recreation
- 4 - To provide a balance between the different types of open space
- 5 - To make parks and open spaces accessible to a wider range of people
- 6 - To provide for more attractive communal areas for informal and formal recreation

Protection of Existing Open Space, Sport and Recreation Sites

6.1 Opportunities for participating in exercise are important to the health of residents and reducing pressures on the health service. The Neighbourhood Plan can play an important role in making sure that there are sufficient and adequate services in West Mersea to meet the needs of current and future residents. As the population of the town grows there is likely to be a demand for further facilities and Policy WM 3 makes provision for the extension of The Glebe to enable this. However, it should be noted that the 0 -19 demographic age group is falling. The Office for National Statistics figure for

2018 is 1,241 whereas the 2011 census it was 1329. Conversely, the 60 and over age group has gone up to 43% of the population from 39.9%. It is also important to safeguard what we already have, including formal sports facilities such as play pitches and indoor sports facilities.

6.2 As part of the preparation of the Neighbourhood Plan, an Open Space, Sport and Recreation Study has been prepared and is available to view on the Neighbourhood Plan website. The Study identifies a range of open space types according to their function. The Neighbourhood Plan protects existing open space, sport and recreation sites, enabling them to be enhanced where there will be no significant detrimental impact on the locality, including the amenity of nearby residents. The Plan also protects facilities from being lost unless it can be adequately demonstrated that the facility is surplus to requirements or that new facilities of an equal or better size, quality and accessibility is being provided.

6.3 Appendix 2 provides a brief description of the Open Space, Sports and Recreation areas including projected additions from the recently commenced Brierley Paddocks housing development and Dawes Lane (Policy WM3) in the Plan Area, including location maps of the sites. The full report can be found on the Neighbourhood Plan website.

Policy WM 10 - Open Space, Sport and Recreation Sites

Proposals for the provision, enhancement and/or expansion of sport or recreation open space or facilities, including allotments, will be permitted subject to compliance with other Policies in the Development Plan.

Existing open space, sport and recreation sites are identified on the Policies Map, Appendix 2 and are detailed in the West Mersea Open Space, Sport and Recreation Study.

Development which will result in the loss of existing open space, sport or recreation sites or facilities, including allotments will not be allowed unless:

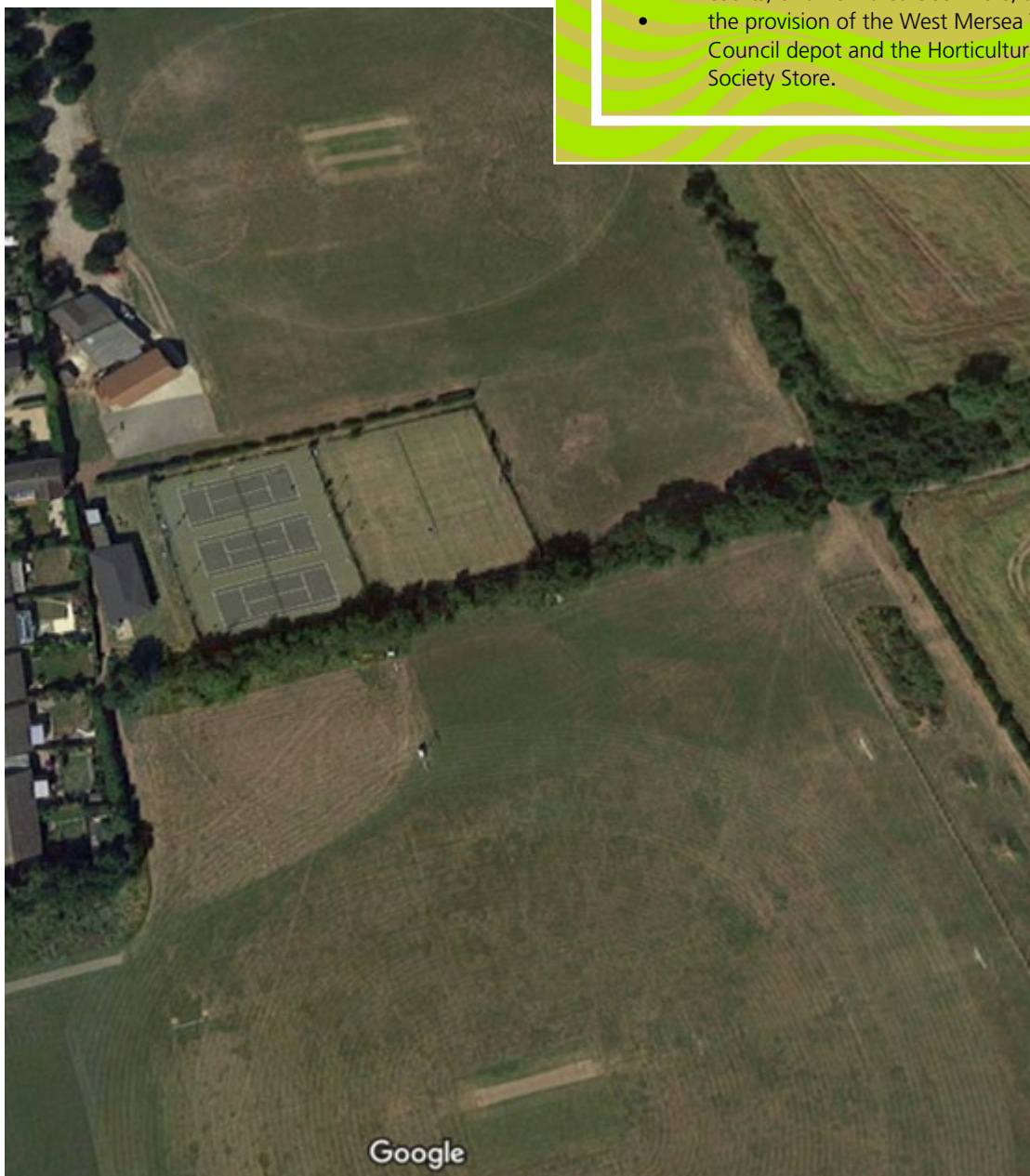
- a. it can be demonstrated that the space or facility is surplus to requirement against the local planning authority's standards for the particular location, and the proposed loss will not result in a likely shortfall during the plan period; or
- b. replacement for the space or facilities lost is made available, of at least equivalent quantity and quality, and in an equally accessible location to meet the needs of users of the existing space or facility.

Any replacement provision should take account of the needs of West Mersea and the current standards of open space and sports facility provision adopted by the local planning authority.

Clubhouses, pavilions, car parking and ancillary facilities must be of a high standard of design and internal layout. The location of such facilities must be well related and sensitive to the topography, character and uses of the surrounding area, particularly when located in or close to residential areas. Proposals which give rise to intrusive floodlighting will not be permitted.

The Glebe Sports Grounds

- 6.4** The Glebe provides a comprehensive facility for formal sports and is home to rugby, football, cricket and tennis clubs. The proposed extension of The Glebe provides an opportunity to improve and expand facilities in order to address current and projected needs and to deliver improved facilities. Policy WM11 identifies the initiatives that will be supported.



Policy WM 11 - The Glebe Sports Grounds

In association with the addition of further open space provided by Policy WM3, opportunities will be taken at The Glebe for:

- the reorganisation of the formal sports facilities;
- the creation of additional parking;
- the provision of a MUGA with artificial surface, protective fencing and floodlighting;
- upgrades to the existing pavilion, or a new pavilion and sports & community room;
- an area for a Croquet pitch, either as joint area use on the grass tennis courts, or a new area elsewhere; and
- the provision of the West Mersea Town Council depot and the Horticultural Society Store.

7

TRAFFIC AND TRANSPORT

Objective

- 7 - To ensure that any proposed development provides footpath and cycleway links to the town, coastal and recreational areas to encourage residents to walk and cycle, easing congestion, pollution and parking problems.

- 7.1** Like most towns and villages, West Mersea is heavily reliant on the car to get around, although the 2011 Census identified that 13.5% of households didn't have access to a car. The island is an important destination for tourism, thus creating additional car journeys to access holiday accommodation or visitor facilities.
- 7.2** It is important that future development seeks to enable easy movement by non-car modes such as walking, cycling and buses so that access to services and facilities is made easier and that the impact of journeys generated by population and tourism growth can be managed. Where new development takes place, opportunities should be taken to ensure that safe access to the site by foot and cycle can be achieved, in particular to provide links to services and facilities in the town.
- 7.3** There are regular bus services from the island to Colchester and it is essential that these are maintained and improved through the lifetime of the Neighbourhood Plan. Given the age profile of the town,

it will be essential that public transport is accessible for those who need it. Improved information at bus stops, including real-time information systems can greatly enhance the user experience and encourage greater use of the service.

- 7.4** The Residents' Survey undertaken as part of the preparation of the Neighbourhood Plan identified a number of locations where respondents found it difficult to cross the road. The following were the locations most highlighted:

Location	% age of respondents identifying this location
Queens Corner	52.4%
Barfield Road - Tesco Corner	41.9%
High Street / Post Office	29.6%
High Street / Church Road Corner	29.1%
Coast Road / Monkey Steps	26.1%
Barfield Road - School / Coop	25.9%
Yorick Road / High Street	24.7%

- 7.5** Around the town, initiatives to improve the ability to safely walk and cycle are essential if residents and visitors alike are to be encouraged to reduce the use of cars. The Neighbourhood Plan has identified strategic routes and improvements both on the routes and links to them will be sought through developer contributions, where appropriate, or investment through County Council highways investment programmes. The list of initiatives is included as Appendix 3 of the Neighbourhood Plan.



Policy WM 12 - Development Access

All new developments should seek to ensure accessibility for sustainable modes of transport. Proposals should, where appropriate:

- i Give priority to the movement of people walking and cycling;
- ii Create safe, secure, convenient and attractive layouts which minimise conflicts between traffic, cyclists and pedestrians;
- iii Provide links to and where necessary improve the surrounding walking, cycling and public transport networks;
- iv Provide high quality public transport facilities;
- v Incorporate charging facilities for electric and other ultra-low emission vehicles, including one charging point per off-road parking space for new dwellings;
- vi Ensure accessibility for those with impaired mobility;
- vii Accommodate the safe and efficient delivery of goods and services; and
- viii ensure that the needs of equestrian recreation are taken into account where necessary and practicable.

Access to all development should be created in a manner which maintains the right and safe passage of all highway users. Where development requires a new road or road access it should be designed to give high priority to the needs of pedestrians and cyclists.

Where new access is created, or an existing access is widened through an existing hedgerow, a new hedgerow of native species shall be planted on the splay returns into the site to maintain the appearance and continuity of hedgerows in the vicinity.

Proposals that improve traffic flow and/or avoid increased congestion on existing roads and junctions will be supported and development will only be allowed where there is physical and environmental capacity to accommodate the type and amount of traffic generated in a safe manner. Development that generates significant amounts of movement will require a Transport Statement or Transport Assessment in line with the thresholds set in the latest Essex County Council development management policies relating to highways. Where lower than standard trip rates are proposed development will be expected to demonstrate through a package of sustainable transport measures that the proposed trip rates can be achieved. A masterplan approach to assess cumulative impacts may be required in complex locations with closely related and located developments.

- 7.6** The provision of a cycle route to Colchester, originally proposed by West Mersea Town Council, and now subject to a petition to Essex County Council and Colchester Borough Council, would be supported and encouraged.



8

BUSINESS

Objectives

- 8 - To preserve the long-term viability of the harbour for maritime, commercial and leisure activities
- 9 - To support the sustainable development of satisfactory, long-term employment on the island for Mersea residents.

- 8.1 West Mersea plays an important role in the economy of Mersea Island as a whole and the wider area. At the time of the 2011 Census, 44% of the population were in employment although one-third of these were in part-time employment.
- 8.2 The main "industries" of employment of residents, as defined by the Census, were:
 - Wholesale and retail trade and motor vehicle repairs 17.1%
 - Construction 12.2%

- Health and social work 11.2%
- Education 10.4%

Almost 50% of those in employment in 2011 travelled in excess of 10 kilometres to get to work while 15% worked mainly from home.

- 8.3 The provision of opportunities to work in the town is an important factor that will contribute to the sustainability of West Mersea. There are currently four significant locations for work, namely Waldegraves Farm Business Park, The Boat Yards on Coast Road, Rushmere Close and Haycocks Lane. The retention of these sites for employment uses will be supported and proposals for employment related development will be supported provided there is no detrimental impact on the local landscape character, the amenity of local residents and that traffic generated by the proposal would not have an unacceptable impact on the local road network.
- 8.4 Given the need to maintain opportunities for employment, the loss of employment premises will be resisted unless it can be demonstrated that specific criteria, as identified in Policy WM 13 can be met.

Policy WM 13 - Retention of existing employment centres

The retention and intensification of employment premises at:

- i Waldegraves Farm Business Park,
- ii The Boat Yards, Coast Road,
- iii Rushmere Close, and
- iv Haycocks Lane,

as identified on the Policies Map, will be supported provided proposals do not have a detrimental impact on the local landscape character, the amenity of residents and would not generate unacceptable levels of vehicular traffic on local roads.

Proposals for non-employment uses will only be permitted where:

- a there is a sufficient supply of alternative and suitable employment land available to meet local employment requirements; or
- b evidence can be provided that genuine attempts have been made to sell / let the site in its current use, and that no suitable and viable alternative employment uses can be found or are likely to be found in the foreseeable future; or
- c the existing use has created over-riding environmental problems (e.g. noise, odours or traffic) and permitting an alternative use would be a substantial environmental benefit that would outweigh the loss of an employment site; or
- d. an alternative use or mix of uses would assist in urban regeneration and offer greater community or sustainability benefits that would outweigh the loss of the employment; or
- e. the proposal is for an employment related support facility such as employment training / education, workplace crèche or café.

- 8.5** Opportunities to provide new prospects for employment, especially by those starting out, will be encouraged. Although there is a significant proportion of the workforce working from home, as small businesses expand there may be a demand for workspaces to accommodate them. One such approach to enabling the formation and expansion of small business is through the provision of “co-operative workspaces” where facilities such as office space, meeting rooms and IT can be located. Proposals for such facilities in the town will be encouraged, especially in locations accessible by good quality walking and cycling networks.

Policy WM 14 - Co-operative workspaces

Proposals to provide a co-operative working space, by way of a communal ‘seedbed centre’, offering centralised office services & meeting rooms will be supported where it can be demonstrated that there will be no detrimental impact on

- i the character of the area; and
- ii residential amenity; and
- iii the highways network

Community Aspiration 1

Initiatives for joint ventures which provide benefits of networking and reduced costs will be supported.

Marine Related Businesses

- 8.6** Fishing and oyster businesses, as well as sailing and boating activities on Mersea Island are especially important to the local economy as well as the character of Coast Road. However, the Coast Road environment is especially fragile given the variety of international designations covering the area, the important contribution the area makes to the tourist economy and the threat of sea level rise resulting from climate change. Locally, Coast Road is also a designated Conservation Area, placing further restrictions on the design and impact of any proposals.
- 8.7** The Neighbourhood Plan supports the retention of the fishing and oyster industry at West Mersea as well as activities that support sailing and boating activities where there will not be an unacceptable impact on the internationally designated sites, are appropriate in terms of the flood risk and would not result in a significant and detrimental increase in vehicular traffic on the island.

Policy WM 15 - Marine Services

Proposals that support the retention of the fishing and oyster industries, sailing and boating activities around Coast Road, the waterside and harbour, as identified on the Policies Map, will be supported where they:

- i. can demonstrate no likely significant effects on adjacent European sites or where impacts can be appropriately mitigated; and
- ii. will deliver or sustain social and economic benefits considered important to the wellbeing of the coastal communities; and
- iii. will not generate a significant increase in traffic; and
- iv. represent an appropriate use with regards to flood risk.

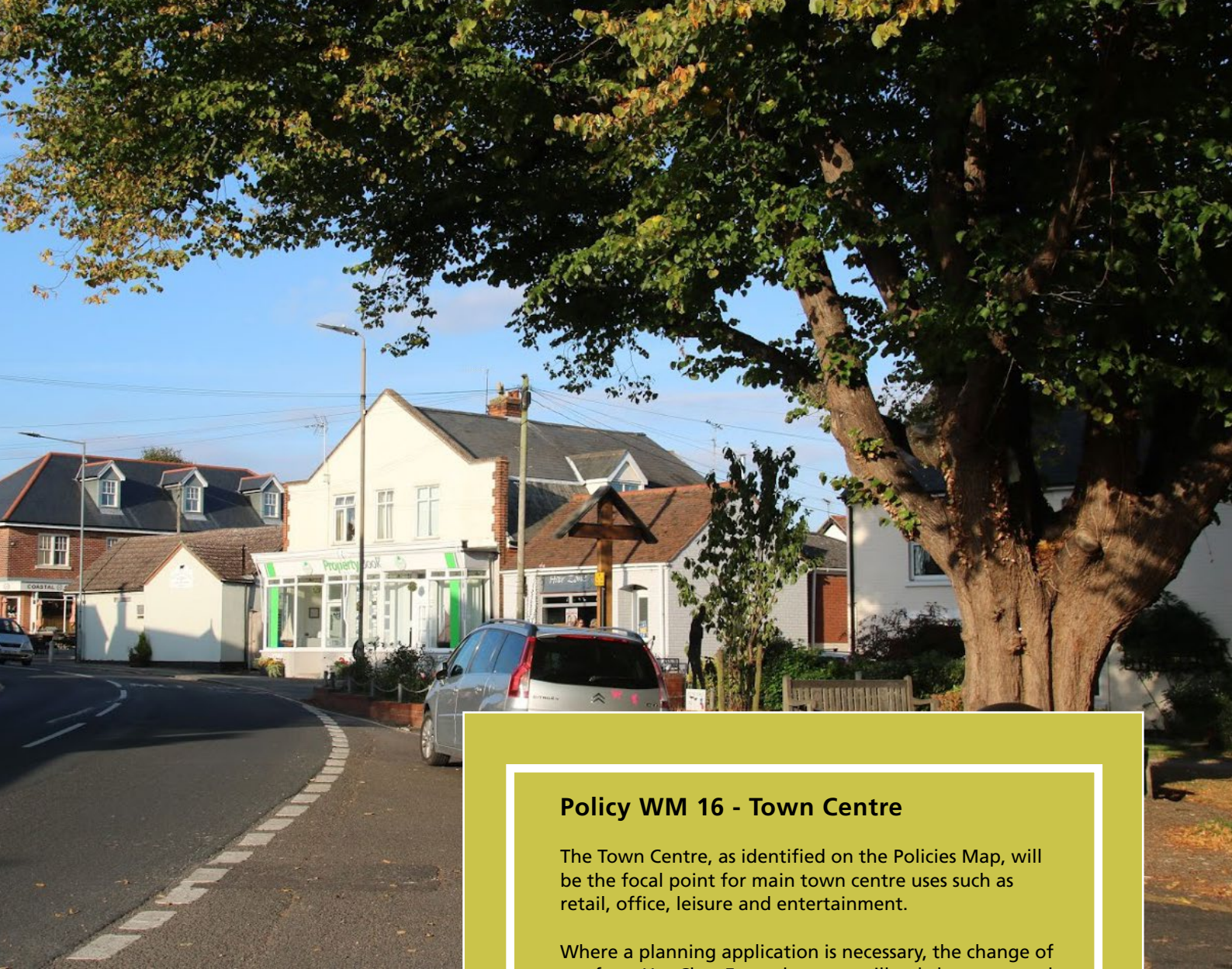
Town Centre

- 8.8** The retail economy continues to be under strict pressure as new forms of trading such as online shopping continues to evolve. There is currently a nucleus of shops and other town centre type businesses along Kingsland Road, Barfield Road, High Street, Yorick Road and Church Road and designated as a District Centre in the emerging Local Plan, which notes that:

“The centre’s retail offer is somewhat dispersed but relatively distinct owing to the diversity of independent retailers. It has a substantial walk-in catchment and is reasonably well served by bus.

Overall, the retail evidence confirms that West Mersea is a vital and viable centre within the limitations of its small scale and localised nature. The mix of uses and the high level of occupancy would suggest that it serves an important role in the retail hierarchy.”

- 8.9** In September 2020 the Government abolished the retail “use class” and merged those uses in to a wider encompassing Class E - Commercial, Business and Service. The change of use of shops to other uses in this class no longer requires express planning consent. Furthermore, property in any of these uses can change to residential use, up to a maximum of 1500 sq. m. (subject to certain criteria) provided that the prior approval of the Local Authority has been obtained first. However, proposals for the loss of commercial, business or service uses where planning permission is required, will not be supported unless it can be demonstrated that it will not have a detrimental impact on the vitality and viability of the Town Centre.



Policy WM 16 - Town Centre

The Town Centre, as identified on the Policies Map, will be the focal point for main town centre uses such as retail, office, leisure and entertainment.

Where a planning application is necessary, the change of use from Use Class E to other uses will only be supported where it can be satisfactorily demonstrated that the vitality and viability of the defined Town Centre will not be harmed and where:

- a. the proposal will not remove existing or potential beneficial use of upper floors; and
- b. the proposal will not adversely affect the amenity of the surrounding area by virtue of noise, litter, congestion on pavements, or disturbance arising from late night opening.

Proposals to expand an existing retail, service, community, financial/ businesses or leisure use will be considered favourably, subject to account being taken of other relevant policies in this Plan, including the need to demonstrate that they will not adversely affect residential amenity, particularly in terms of car parking, noise and hours of operation. Proposals should take every opportunity to promote sustainable travel behaviour where feasible.



9

INFRASTRUCTURE AND SERVICES

Objectives

- 10 -** To support maintenance and improvement of Water, Gas, Electricity, Broadband, Mobile Telephone, Waste Disposal and Recycling services, to provide satisfactory utility infrastructure, emphasising Mersea Island's unique situation.
- 11 -** To maintain the town centre's character and focal point for commerce and the community with its cafés, Community Centre and historical heritage.

Health

- 9.1** The key policy is to protect, maintain and improve Medical services and Social cohesion in West Mersea including encouraging individuals and groups to cooperate and assist each other, no matter what their circumstances. Maintaining and improving social inclusion, for example by actively dealing with loneliness, has been shown to reduce emergency and unplanned hospital admissions. Social mobility requires opportunities for individuals and groups to achieve their full potential in education and business.
- 9.2** The current West Mersea Surgery was built in 1978 and now, with the population increased by 37.8%, it is far too small for current needs even with the additional NHS-leased clinic in Barfield Road. In addition, the General Hospital, together with the Military Hospital which also served Mersea, in the centre of Colchester town, have closed down, and the hospital is now 2 miles to the North of the Town Centre, as is A & E, whereas Mersea Island lies 9 miles to the South necessitating journeys traversing a highly congested town bottleneck. Therefore a visit even to A & E is an hour via two buses and by car 35/40 minutes. It is sometimes necessary for the local lifeboat to be launched to transfer a patient to the mainland. The Air Ambulance is a regular visitor for emergencies, emphasising the reliance on public subscription to voluntary services.
- 9.3** There have been three attempts over the past fifteen years to replace the Medical Centre and all have failed for one reason or another. However, this remains a requirement of the adopted Local Plan to 2021 and will continue to be pursued. The Neighbourhood Plan recognises that there is little chance of the construction

of a new surgery in the centre of the Town and that land on the periphery, provided that is on the bus route, would be perfectly satisfactory.

- 9.4** There is also a need for a Daycare Centre attached to the Medical Practice for patients returning home from a stay in hospital who currently have to rely on after-care from the medical and social services. In some cases, where cover of sufficient intensity is not available, the stay in hospital is prolonged. A local Daycare Centre would conform to the NHS policy of integrated care systems that insure the vision of care closer to home. Further housing development in West Mersea has a potential impact upon the health services and facilities that are provided both on the island and across the wider area.
- 9.5** The Colchester Infrastructure Development Plan (2017) notes that a new Health Centre Hub is required in West Mersea to absorb proposed growth. The same document suggested that it would also involve relocation of existing West Mersea Surgery and that the total space requirement would be 600m² Gross Internal Area.
- 9.6** Land at Brierley Paddocks is reserved for health services as part of a condition in planning approval (Application reference 192136) and is the favoured location for the new Health Centre Hub.

Policy WM 17 - New Health Facilities

Proposals that increase the capacity of medical facilities within the Neighbourhood Plan Area will be supported where:

- i they are accessible by a range of modes of travel;
- ii the hours of operation would not have a detrimental impact on the amenity of residents in the vicinity of the site through, in particular, noise and traffic movements.

Land at Brierley Paddocks is reserved for health facilities as part of the outline planning consent for the site (Application reference 192136).

- 9.7** Healthy living can be promoted through the careful design of new development including its accessibility by foot or cycle. The potential impact of development on health and health services needs to be assessed to ensure that adequate services continue to be provided for the community as a whole. Policy DM1 of the Colchester Local Plan requires all development to be designed to help promote healthy lifestyles and avoid causing adverse impacts on public health. Under certain circumstances, as specified in the Local Plan, Health Impact Assessments will be required identifying the potential health consequences of a proposal on the population.
- 9.8** The Medical Practice is looking to establish an Adult Daycare facility within the new Medical Hub. Given the age profile of residents on the Island, this facility is strongly supported.

Community Aspiration 2

The Town Council will support Mersea Island Medical Practice in their negotiations to include a Daycare Centre within the new Medical Centre.

Policy WM 18 - Education Infrastructure Capacity

Proposals that generate additional school age children should demonstrate that there is sufficient capacity in all levels of the education system to support the development or that such capacity will be delivered to accommodate the need.

Where necessary, developer contributions will be required towards the construction and (where appropriate) land to secure new school places required as a result of the development.

Education

- 9.9** In October 2019 Mersea Primary School had 391 on the school roll. Forecasts published by the County Council in January 2019 suggest that the school will reach capacity in 2024/25, it is presumed as a result of the growth planned in the emerging Local Plan. There may, therefore, need to increase the capacity of the Primary School to accommodate the forecast numbers if they cannot be managed in other ways, such as changing the admissions policy.
- 9.10** With no secondary education provision on the Island, children have to be bused either to Tiptree or Colchester. Additional housing development is likely to increase the demand for services over the coming years. And the Colchester Infrastructure Development Plan (2017) noted that to accommodate growth in Tiptree and Mersea, an additional form of entry at Thurstable School, Tiptree is required.

Community Support Group, Clubs, Organisations and Societies

- 9.11** Mersea has many organisations which perform very important role on the Island in providing both physical and social activities for all age groups. The organisations provide the social cohesion of Island from the younger age group to the retired and more elderly age groups.
- 9.12** West Mersea Town Council lists on their web site at www.westmersea.org some 102 Groups and organisation that meet at a various venues around the village
- 9.13** Mersea has a number of volunteers that run the various emergency service for the Island which are critical to support the residents and visitors. These groups are also very important to the Island at times when the tide covers the Strood and evacuation for medical reason is required. Also when the fire brigade have been unable to access the Island from the mainland.

Fire Service: There is a fire station and a team of retained firemen who have to live and work within 3 minutes of the station in Barfield Road.

Royal National Lifeboat Institution: There is a lifeboat station at the eastern end of Coast Road which is all run by volunteers who both man the station, launch the lifeboat and crew the lifeboat, normally about 20 individuals.

HM Coastguard: There is a team of volunteers who have a vehicle and are stationed at Rushmere Close industrial area. They are called out by Dover Coastguard to respond to any incidents in the local area.

Mersea Island Community First Responders: a team of volunteers who are called via the East of England Ambulance Service to respond to a medical emergency.



Objectives

- 12 -** To protect and enhance wildlife corridors and ensure that any new development meets the NPPF requirements.
- 13 -** To protect and enhance the international, nationally and locally designated habitats in their own rights and from the impact of new development.
- 14 -** To protect and enhance the unique landscape of the island from inappropriate development.

Protected Habitats

- 10.1** West Mersea is located in an area of the highest significance in terms of the natural environment. All of the coastline is covered by international, European and national wildlife designations. A key purpose of these designations is to protect breeding and non-breeding birds and coastal habitats. The coast is designated under the Habitats Regulations as part of the European Natura 2000 network. These are Special Protection Areas, Special Areas of Conservation and Ramsar sites.
- 10.2** The Borough Council has the duty, by virtue of being defined as a 'competent authority' under the Habitats Regulations, to ensure that planning application decisions comply with the Habitats Regulations. If the requirements of the Habitats Regulations are not met and impacts on Habitats sites are not mitigated, then development must not be permitted. The published Habitats Regulations Assessment (HRA) for the emerging Local Plan has identified recreational disturbance as an issue for all of the Essex coastal SPAs, SACs and Ramsar sites. Mitigation measures are therefore necessary to avoid these likely significant effects in-combination with other plans and projects.
- 10.3** The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) was adopted as a Supplementary Planning Document by the Borough Council in 2019 and a Supplementary Planning Document was adopted in August 2020. It seeks to deliver the mitigation necessary to avoid the likely significant effects from the 'in-combination' impacts of residential development that is anticipated across Essex; thus protecting the Habitats sites on the Essex coast from adverse effect on site integrity. The RAMS approach is fair and seeks to mitigate the additional

recreational pressure in a way that ensures that those responsible for it, pay to mitigate it at a level consistent with the level of potential harm. As such, the Supplementary Planning Document sets out a tariff per new dwelling of £122.30 which is index linked with a base date of 2019. All new planning consents for housing in the Neighbourhood Area will be required to pay this tariff. In addition to payment of the RAMS tariff, all development sites over 100 dwellings or sites within 800m of habitats sites, should include provision of well-designed open space/green infrastructure, proportionate to its scale, to avoid likely significant effects from recreational disturbance alone. Such provisions can help minimise any predicted increase in recreational pressure to habitats sites by containing the majority of recreation within and around the development site, away from habitats sites. New Suitable Accessible Natural Greenspace (SANG) should include: high-quality, informal, semi-natural areas; a circular dog walking route of 2.7 km; dedicated 'dogs-off-lead' areas; signage/information leaflets to householders to promote these areas for recreation; dog waste bins; and a commitment to the long term maintenance and management of these provisions.

**Policy WM 19 - Essex Coast
Recreational Disturbance
Avoidance and Mitigation
Strategy**

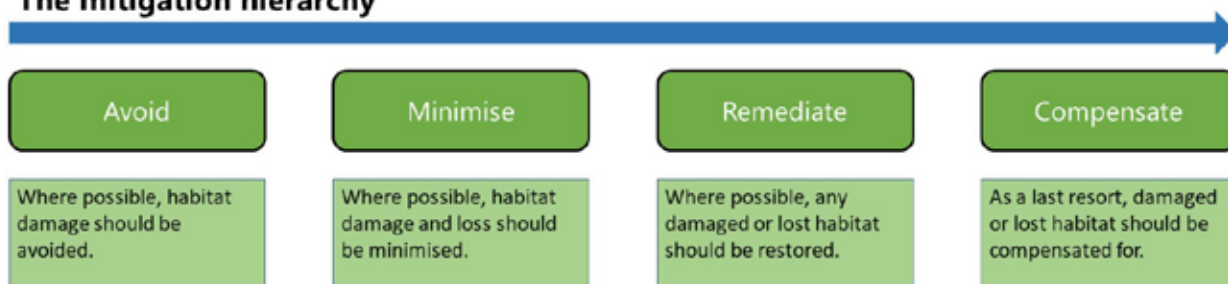
All residential development within the zones of influence of habitats sites will be required to make a financial contribution towards mitigation measures, as detailed in the Essex Coast RAMS, to avoid adverse in-combination recreational disturbance effects on habitats sites.

10.4 Not only is it essential to protect the existing international habitats, but we have a duty to both protect and create, where feasible, other habitats on the Island. This means minimising the loss of trees, hedgerows, ponds, watercourses, meadows etc. In addition, the creation of new features will especially be sought in order to improve the quality of habitats and species on the Island. Proposals should especially demonstrate how they meet the “mitigation hierarchy” illustrated below.

10.5 Green infrastructure is a network of multi-functional high quality green spaces and other environmental features, (such as footpaths, play parks, village greens, street trees) which together delivers multiple environmental, social and economic benefits, through:

- contributing to the quality and distinctiveness of the local environment and landscape character;
- creating a ‘green wedge’ and buffer;
- providing opportunities for physical activity, improving health and well-being and generally adding to quality of life;
- adapting and mitigating against a changing climate through the management and enhancement of existing habitats and the creation of new ones to assist with species migration, to provide shade during higher temperatures, reduce air pollution and for flood mitigation; and
- encouraging a modal shift from car to walking and cycling by linking publicly accessible green space wherever possible to form walking and cycling routes.

The mitigation hierarchy



Policy WM 20 - Biodiversity

Development proposals will demonstrate how they meet the biodiversity mitigation hierarchy of Avoid, Minimise, Remediate and Compensate. Proposals will avoid the loss of, or substantial harm to, important trees, hedgerows and other natural features, including ponds and watercourses.

Where such losses or harm are unavoidable:

- the benefits of the development proposal must be demonstrated clearly to outweigh any impacts; and
- suitable mitigation measures, that may include equivalent or better replacement of the lost features, will be required.

It is expected that the mitigation proposals will form an integral part of the design concept and layout of any development scheme, and that development will be landscape-led and appropriate in relation to its setting, context and ongoing management.

Development proposals will be supported where they provide a net gain in biodiversity through, the following:

- Enhancement of the existing features on the site; or
- The creation of additional habitats on the site including, where feasible, bat boxes and swift boxes; or
- The linking of existing habitats to create links between ecological networks and where possible, with adjoining features.

New developments should integrate with the current green infrastructure network, seeking to improve the connectivity between wildlife areas and green spaces through measures such as improving and extending the existing footpath and cycleway network, allowing greater access to housing and retail facilities, green spaces, public open spaces and the countryside.

Community Aspiration 3

The Town Council will ensure open space and coastline receive legal protection and designations are respected in full.

Landscape Character

- 10.5** The landscape of the island, outside the built-up area of West Mersea, is summarised in the Colchester Landscape Appraisal (2005) as:
- Flat, low-lying predominantly arable farmland;
 - Mixture of small, medium and large arable fields with hedged field boundaries (gappy in places);
 - Small fields generally located in close proximity to small farmsteads;
 - Network of drainage ditches traversing the island;
 - Lack of woodland cover, however several mature trees present in hedgerow field boundaries;
 - Views of sea restricted by domed landform of the island.
- 10.6** The Appraisal also noted that there are open views of Langenhoe Coastal Farmland visible on the skyline to the north of the island while views of open sea are restricted by the dome shaped landform of the island.
- 10.7** At the time, the Appraisal noted that the key planning and land management issues were:
- Pressure from expansion of the settlement edges or West Mersea and around East Mersea;
 - Potential for the introduction of visually intrusive agricultural buildings within the coastal farmland landscape, which would be visible from several surrounding character areas;
 - Vulnerable to sea-level rise and the potential effects of global warming;
 - Pressure on minor roads, especially during peak tourist periods;
 - Visually intrusive caravan parks along the edges of Mersea Island;
 - Continuing loss of hedges and field boundary vegetation.

These issues remain some 15 years since the Appraisal was prepared and have been taken account of in preparing the Neighbourhood Plan

- 10.8** A separate Appraisal of Important Views has been prepared in support of the Neighbourhood Plan which notes the key features of the important views from public areas in the Plan Area and which are identified on the Policies Map.

Policy WM 21 - Mitigating Landscape Impact

Proposals will, as appropriate to the development:

- limit the impacts, visual intrusion and adverse impact on the generally undisturbed character of the landscape outside the Settlement Boundary;
- conserve the open nature of the coastal farmland;
- retain important landscape characteristics including trees and ancient hedgerows and other prominent topographical features; and
- ensure that there is no detrimental impact on the key features of important views, including those identified on the Policies Map.

Coastal Protection

- 10.9** The emerging Local Plan acknowledges the importance of the coastal area of the Borough as an extremely rich, diverse and irreplaceable natural asset in terms of its natural and cultural features. As well as the international and European designations referred to above, the Colne and Blackwater Estuaries are also protected as part of the larger Colne, Blackwater, Roach and Crouch Marine Conservation Zone. Policy ENV2 of the emerging Local Plan notes that an integrated approach to coastal management will be promoted and specifies the matters that will be taken into account where development is proposed within the defined Coastal Protection Belt, which covers the whole of Mersea Island including sea and rivers around it.





Objectives

- 15 -** To ensure where tourism is encouraged it respects the character of the rural countryside, coastal character and natural habitat.
- 16 -** To support existing and new tourist facilities and leisure developments which benefit the island's economy and employment and are not contrary to the well-being of the island's residents.

11.1 Mersea Island is divided into two parishes – East and West Mersea. From a tourism perspective, each community enhances what the other has to offer and are complementary to each other. Whilst this Neighbourhood Plan is specifically in respect of West Mersea, East Mersea is equally impacted by tourism planning policies. There is an Agreement of Understanding and Cooperation between West Mersea Town Council and East Mersea Parish Council in respect of tourism issues. (See Appendix 4)

11.2 Tourism plays an important role in the economy of the Island and West Mersea in particular. West Mersea's population quoted in the 2011 census was 7,326. Tourism increases this number in varying degrees across this year. Depending on the time of the year mid to long term visitors occupying the 2,787 types of accommodation, as detailed below, can increase this number to over 13,000. Add day visitors and the number can easily rise to 20,000 exceeding the capacity of the island's 1000 public car parking spaces and any other suitable permitted roadside parking.

11.3 There are a number of facilities catering solely for visitors, whether they are day visitors or staying in holiday accommodation. The current provision is illustrated in the table below. The demand is primarily seasonal although some holiday homes are occupied for much of the year. Demand for additional facilities could have an impact on the character of the Island as well as potentially causing harm to the international, European and national wildlife designations. There needs to be a careful balance between meeting the needs of residents, improving the sustainability of the local economy and ensuring that the wildlife designations and historic built environment is not compromised. In particular, there are a number of large mobile home

sites around the coast of the Island, adjoining or in close proximity to the international, European and national wildlife sites. Without careful management of development on the mobile home sites, there could be significant recreational disturbance on the protected designations.

Current levels of tourist accommodation

Type of Accommodation	Quantity
Static Caravans and lodges	1,905
Touring and camping pitches	613
Bed and Breakfast	5
Self-catering cottages	11
Holiday lets/second homes (2011 census)	251
Houseboat lets	2
Total units	2,787

There are some 600 Beach Huts on the Mersea Beach front which, it is believed, are sometimes used illegally for overnight stays.





Caravan Parks

11.4 There are six caravan/holiday parks on Mersea Island; Firs Chase Caravan Park, Waldegraves Holiday Park, West Mersea Holiday Park (Seaview Caravan Park), Coopers Beach Holiday Park, Away Resorts Mersea Island Holiday Park (Cosways) and Fen Farm Caravan Site, catering for static and touring caravans and holiday lodges/chalets. For the sake of consistency of approach, the Borough Council is encouraged to take a consistent policy approach to the planning of caravan parks across Mersea Island.

11.5 Touring caravan sites, including camping also form part of the visitor economy of the Island and provide spin-offs through use of shops, pubs, restaurants and other facilities in the town. However, sites are generally located outside the Settlement Boundary and therefore have an impact on the countryside within which they sit. The potential for recreational disturbance on the international, European and national wildlife designations is also present and further increases in the number of pitches will not be supported unless matched by a reduction in static caravans or holiday lodges/chalets. However, it should be noted that touring caravans have far less impact on the Island's infrastructure, particularly medical facilities, than do long-term visitors in static caravans and holiday lodges/chalets.

11.6 While planning policies can manage tourism related development, it is important that the visitor economy is managed to ensure that the benefits it brings to the island are not at the cost of the historic and natural environment and residents day-to-day lives. The Town Council can play an important role in this and will take the lead in producing a Tourism Mitigation Strategy in conjunction with the local tourism representatives which will:

- ensure that visitors to the Island feel welcome and enjoy all the attractions it has to offer.
- support sustainable tourism and leisure developments that benefit local businesses because they contribute to the Island's economy and employment.
- support further development of existing tourist facilities and the creation of new facilities and attractions only which conform to the policies of the Neighbourhood Plan.
- ensure where tourism is encouraged it respects the character of the rural countryside, coastal landscape and natural habitat in accordance with the policies of the Neighbourhood Plan.
- ensure that in all we aspire to achieve through tourism, the wellbeing of the Island's resident communities remain at the forefront of the Neighbourhood Plan Policies.
- support the provision of a Water Bailiff to assist with the management of leisure facilities both on the Waterfront and the Esplanade beaches, on and off the water.

Policy WM 22 - Caravan Parks

In addition to account being taken of other relevant policies in this Plan, where planning applications are made for the further development of existing caravan sites, as identified on the Policies Map, they will only be supported where they can provide adequate wastewater treatment and sewerage infrastructure capacity to serve the caravan park, protect the EU designated coastal bathing water quality and meet all other statutory requirements, including those under the Habitats Regulations, as set out in Local Plan Policy SS12c.

Proposals will be limited by planning condition or legal agreement restricting them to holiday use only and/or certain periods of the year in order to prevent permanent or long-term occupation.

The removal of touring caravan/camping sites to be replaced with static caravan sites will not be supported.

Proposals for additional sites should be supported by a site-specific Flood Risk Assessment and Flood Management and Evacuation Plan. Proposals for additional caravans in flood zone 3 will not generally be supported due to the increased risk to people and property from coastal flooding.

Coastal Footpath

- 11.7** A 13½ mile footpath around the island is popular with ramblers while many walk various sections of it from West Mersea. The ongoing replacement due to erosion and enhancement of the path is a high priority in order to provide opportunities for residents and visitors managed opportunities for access to the countryside without detriment to the natural environment. Future enhancements should also consider, where possible, whether upgrades to a bridleway are feasible and practical.

Policy WM 23 - The Coastal Footpath

Proposals that enable and contribute to the maintenance and enhancement of the Coastal Footpath around the Island, as identified on the Policies Map, will be supported.

Community Aspiration 4

Produce a mitigation strategy, conforming to Local Plan policies, to protect the residents' well-being and amenities, the environment and natural habitat from the adverse effects of growing visitor numbers, staff, suppliers and customers/clients.

12

HERITAGE

Objective

- 17 -** To conserve and enhance the Town's many heritage assets and ensuring that any new development serves to make a positive contribution to the existing historic environment.

12.1 As well as the Coast Road Conservation Area, there are a number of important buildings across the town that are "listed" as being of architectural and historic interest. There are currently 37 Listed Buildings in West Mersea parish, as detailed in Appendix 4. The Church is Listed Grade I and the remainder are Grade II. In addition, there are five scheduled monuments and the parish is rich in archaeological finds and records with more being discovered on a regular basis. In addition, the Borough Council added the following to the Colchester Borough Local List of Heritage Assets in August 2020:

- Road signpost at junction of Colchester Road and Mill Road
- Road signpost at junction of High Street and Barfield Road
- White Hart Hotel
- Water Tower, Upland Road
- WWII Searchlight Implication, Victoria Esplanade

The Colchester Historic Environment Record provides details and Colchester Borough Council's Historic Environment Officers should be consulted at the earliest possible stages of preparing a planning application. It is also recommended that the Mersea Museum is consulted as it holds extensive information about local finds.



Policy WM 24 - Heritage Assets

To ensure the conservation and enhancement of West Mersea's heritage assets, including scheduled monuments listed buildings, listed buildings, non-designated assets, below ground archaeological deposits and the Coast Road Conservation Area, proposals must:

- i. preserve or enhance the significance of the heritage assets, their setting and the wider built environment, including the character and appearance of the Coast Road conservation area identified on the Policies Map;
- ii. retain buildings or spaces, the loss of which would cause harm to the character or appearance of the conservation area;
- iii. be of an appropriate scale, form, height, massing, alignment and detailed design which respects the area's character, appearance and setting and;
- iv. demonstrate a clear understanding of the significance of the asset and wider context in which the heritage asset sits, alongside an assessment of the potential impact of the development on the heritage asset and its context;

Where a planning proposal affects a heritage asset, it must be accompanied by a heritage statement identifying, as a minimum, the significance of the asset, and an assessment of the impact of the proposal on heritage assets.

The level of detail of the heritage statement should be proportionate to the importance of the asset, the works proposed and sufficient to understand the potential impact of the proposal on its significance and/or wider setting and/or wider substantial benefit. It should demonstrate that the Historic Environment Record has been consulted.

Where appropriate development proposals should demonstrate that they have taken into account the potential impact on above and below ground archaeological deposits and identify mitigation strategies to ensure that evidence which could contribute to the understanding of human activity and past environments is not lost.

Proposals that would contribute appropriately to the restoration, reuse or enhancement of a heritage asset or the West Mersea Conservation Area will be supported in principle.

- 12.2** There are a number of buildings and features in the parish that are of local significance and which, while not yet formally designated as 'Local Heritage Assets', make a significant contribution to the historic environment and character of West Mersea and may be worthy of being protected as Local Heritage Assets. Work undertaken during the preparation of the Neighbourhood Plan has identified 30 potential heritage assets that are of local significance and that should be considered for inclusion in the "Local List", which the Town Council will pursue with the Borough Council.

Community Aspiration 5

West Mersea Town Council will monitor and safeguard qualifying Heritage Assets that the West Mersea community considers of significant importance for inclusion on the Colchester Local List.

Policy WM 25 - Local Heritage Assets

The retention and protection of local heritage assets, as designated by Colchester Borough Council, including below ground archaeological features, must be appropriately secured.

Proposals for any works that would lead to the loss of, or substantial harm to, a local heritage asset will be resisted unless exceptional circumstances are demonstrated. Proposals should be supported by an appropriate analysis of the significance of the asset to enable a balanced judgement to be made having regard to the scale of any harm or loss and the heritage significance of the asset.

Proposals for any works that would affect local heritage assets should be designed sensitively, with careful regard to the historical and architectural interest and setting, including important views towards and from the asset.

All development will be required to be designed appropriately, taking account of local styles, materials and detail.

13

DEVELOPMENT DESIGN

Objectives

- 18 - To preserve the Town Centre character, the Strood Causeway and Packing Marsh Island.
- 19 - To minimise the impact of new development on the environment

Light Pollution

- 13.1** Artificial lighting, including street lights, floodlighting of buildings, while increasing security, can also impact upon residential amenity, the character and appearance of an area and the environment. West Mersea generates relatively little light pollution when compared with larger settlements nearby and it is important that we keep it that way. Aspects such as poor design, location or the expulsion of unnecessarily high levels of light can also have a harmful impact. Paragraph 180 (c) of the NPPF states that planning policies and decisions should *“limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation”*.

Policy WM 26 - Minimising Light Pollution

Outdoor lighting systems should have a minimum impact on the environment, minimising light pollution and adverse effects on wildlife subject to highway safety, the needs of particular individuals or groups, and security. Schemes should reduce the consumption of energy by promoting efficient outdoor lighting technologies and reducing glare.

Design Considerations

- 13.2** The detail of new development can, without careful consideration, have a significant impact on the character of an area and existing residents living there. As noted in the emerging Local Plan, development must positively contribute to the public realm, preserving or enhancing the sense of place, including historic

interest, landscape, townscape, streetscape, character areas, route hierarchy, roofscapes, key views, gateways, nodes, edges, landmarks, green links and spaces.

- 13.3** It is also essential that the sustainability of development, its location and the materials used is given the highest consideration at the design stage. Sustainable development aims to ensure a better quality of life for everyone, now and in the future. The principles of sustainable development should form the basis for individual decisions which people take regularly about where to live, and work, shop, where to travel, how to dispose of waste, and how to use energy and other natural resources efficiently.

- 13.4** There are certain broad requirements which all development should meet if it is to be acceptable in terms of the impact on:

- the landscape, natural environment and cultural heritage;
- quality of design;
- sustainable use of resources;
- amenity;
- highway safety; and
- infrastructure.

- 13.5** Colchester Borough Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. The purpose of the planning system is to contribute to the achievement of sustainable development as defined in the Framework. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives. Being an island only connected to the mainland by The Strood, Mersea Island is especially susceptible to the consequences of climate change as witnessed by more frequent flooding of The Strood and Coast Road and the consequent knock-on transport issues and delays and coastal erosion. In worse case scenarios, traffic queues at the time of flooding has been known to stretch as far as Abberton Hill, some 2½ miles away, and take between 2 and 3 hours to clear.

- 13.6** All development within the plan area should use Sustainable Drainage Systems (SuDS) to manage rainfall runoff from the site. These techniques should encompass the four pillars of SuDS, addressing water quantity, water quality, biodiversity and amenity. In order to achieve these results, the use of above ground SuDS should be promoted. Where possible these features should be multifunctional, not only

providing flood risk mitigation but also enhancing green infrastructure within the plan area.

of multiple smaller developments does not have a significant increase downstream flood risk.

13.7 All drainage strategies for major development within the plan area should be based on the Essex Sustainable Drainage Design Guide. It is recommended that developers engage in pre-applications discussions with the Lead Local Flood Authority (LLFA) to ensure that any recommendations can be incorporated into site design as early into the planning process as possible. While the LLFA is not currently a statutory consultee on minor application it is still recommended that the principles of the Essex SuDs Design Guide are implemented on smaller sites to ensure that the cumulative effect

13.8 Although not directly linked with the planning process it should be ensured that any new development within the Plan area complies with the Land Drainage Act and an application is made to the LLFA for ordinary water consent before making any changes to existing ordinary watercourses.

13.9 When planning applications are submitted to the Borough Council they should, as a matter of course, demonstrate how they meet the considerations of Policy WM 27.

Policy WM 27 - Design Considerations

Proposals for new development must reflect the local characteristics and circumstances in the Neighbourhood Plan area and create and contribute to a high quality, safe and sustainable environment.

Planning applications will be supported where, as appropriate to the proposal, they:

- a. recognise and address the key features, characteristics, landscape/building character, local distinctiveness and special qualities of the area (including The Coast) and/or building as identified in the Built Character Assessment and, where necessary, prepare a landscape character appraisal to demonstrate this;
- b. maintain or create a sense of place and/or local character avoiding, where possible, cul-de-sac developments;
- c. take mitigation measures into account, do not affect adversely the amenities of adjacent areas by reason of overlooking, overshadowing, loss of light, other pollution, or volume or type of vehicular activity generated; and/or residential amenity;
- d. not locate sensitive development where its users and nearby residents would be significantly and adversely affected by noise, smell, vibration, or other forms of pollution from existing sources, unless adequate and appropriate mitigation can be implemented;
- e. produce designs that respect the character, scale and density of the locality;
- f. are designed to remove the threat or perceived threat of crime and improve community safety;
- g. wherever possible ensure that development faces on to existing roads, retaining the rural character and creates cross streets or new back streets in keeping with the settlement's hierarchy of routes;
- h. through the incorporation of Sustainable Drainage Systems, do not result in water run-off that would add-to or create surface water flooding;
- i. include suitable ducting capable of accepting fibre to enable superfast broadband.

Policy WM 28 - Sustainable Construction Practices

Proposals that incorporate current best practice in energy conservation will be supported where such measures are designed to be integral to the building design and minimise any detrimental impact on the building or its surroundings. Development proposals should demonstrate how they:

- a. maximise the benefits of solar gain in site layouts and orientation of buildings;
- b. incorporate best practice in energy conservation and be designed to achieve maximum achievable energy efficiency;
- c. avoid fossil fuel-based heating systems; and
- d. incorporate sustainable design and construction measures and energy efficiency measures including, where feasible, ground/air source heat pumps, solar panels and grey/rainwater harvesting and recycling.

13.10 Many energy-saving initiatives can be installed on homes within permitted development rights (ie – planning permission is not required) but there may be occasions where schemes that do require planning permission could have a potential adverse impact on the character of the area and the amenity of nearby residents.

Flooding

13.11 Being an island Mersea is especially susceptible to rising sea levels and high tides already flood The Strood and cause flooding along Coast Road and at its junction with The Lane, where a purpose-built portable Flood Barrier can be installed when necessary. The NPPF and supporting Planning Practice Guidance require individual Flood Risk Assessments to be prepared in certain circumstances to assess flood risk at the site-specific level. Site specific Flood Risk Assessments must therefore be submitted with planning applications for development proposals on sites of 1 hectare (ha) or more in Flood Zone 1 or for all development proposals in Flood Zone 2 or 3.

13.12 Over the course of time, ditches and ponds are likely to have been lost to property infill, hard landscaping and ditch infill. Surface water drainage is a problem in many parts of the town as illustrated on the extract from the Government's Long-Term Flood Risk information map. New development will be required, where appropriate, to make provision for the attenuation and recycling of surface water and rainwater in order to reduce the potential for making the situation worse.



14

MONITORING AND DELIVERY

14.1 The Town Council will review, in the form of a report to the Annual Council Meeting, the policies laid out in this Plan in order to check whether they are being applied as intended and whether overall the Plan is as effective as intended.



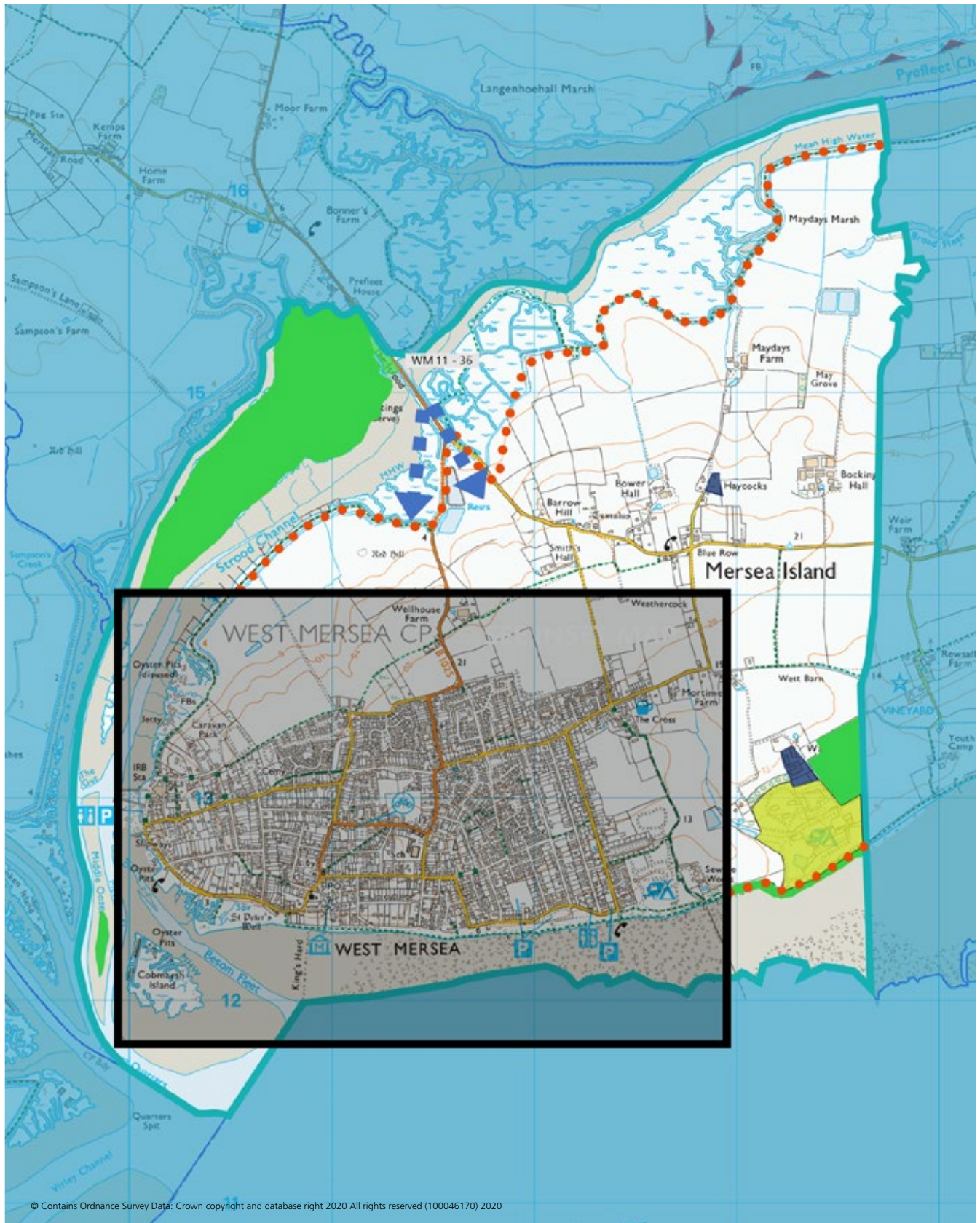
POLICIES MAP AND INSET MAPS KEY

Policies Map and Inset Maps Key

	Settlement Boundary (WM 1, WM 2, WM 5)
	Dawes Lane Housing Allocation (WM 2, WM 3)
	Employment Sites (WM 14)
	Coast Road Marine Services Area (WM 15)
	Town Centre Sites (WM 16)
	Proposed Open Space (WM 3)
	Important Open Space (WM 10)
	Coastal Footpath (WM 23)
	Important Views (WM 3, WM 27)
	Conservation Area
	Land reserved for new Health Facilities (WM 17)
	Touring Caravan Facilities (WM 22)
	Houseboats Area (WM9)
	Plan Area Boundary



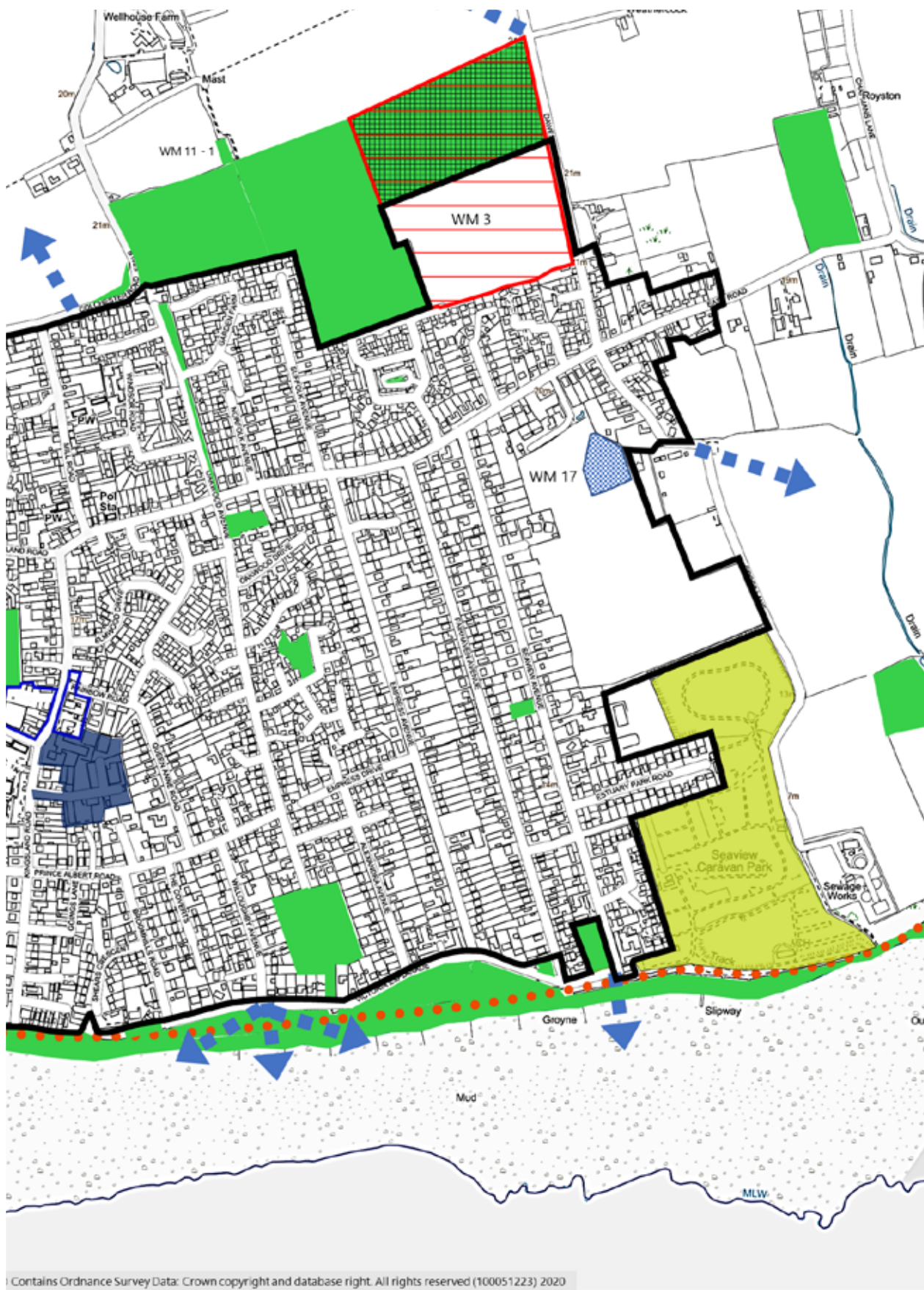
POLICIES MAP







INSET MAP EAST





GLOSSARY

Affordable housing: The NPPF defines Affordable Housing as “housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:” Definitions are set out for a) affordable housing for rent; b) starter homes; c) discounted market sales housing; and d) other affordable routes to home ownership.

Archaeological interest: There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.

Biodiversity: Describes the range and variety of living organisms within an ecosystem. It can include all living organisms, plants, animals, fungi and bacteria and is often used to indicate the richness or number of species in an area. Such an area can be defined at different levels across the globe or be limited to a local area such as a parish.

Buildings of local significance: Locally important building valued for its contribution to the local scene or for local historical situations but not meriting listed status.

Conservation (for heritage policy): The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

Community Infrastructure Levy: A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area.

Development Plan: This includes adopted Local Plans and Neighbourhood Plans as defined in section 38 of the Planning and Compulsory Purchase Act 2004.

Green infrastructure: A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.

Habitat: The natural home of an animal or plant often designated as an area of nature conservation interest.

Heritage asset: A term that includes designated heritage assets (e.g. listed buildings, world heritage sites, conservation areas, scheduled monuments, protected wreck sites, registered parks and gardens and battlefields) and non-designated assets identified by the local planning authority. Non-designated heritage assets include sites of archaeological interest, buildings, structures or features of local heritage interest listed by, or fulfilling criteria for listing by, the local planning authority.

Historic environment: All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

Infrastructure: The basic physical and organisational structures and facilities (e.g. buildings, roads and power supplies) necessary for development to take place.

Local planning authority: The public authority whose duty it is to carry out specific planning functions for a particular area which, in this case, is Colchester Borough Council.

Local Plan: The plan for the future development of the local area, drawn up by the local planning authority in consultation with the community.

Marine Conservation Zone: These are areas that protect a range of nationally important, rare or threatened habitats and species.

Neighbourhood Plans: A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area (made under the Planning and Compulsory Purchase Act 2004).

Open space: All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

RAMSAR sites: An area identified by international agreement on endangered habitats

Renewable and low carbon energy: Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).

Rural exception sites for affordable housing: Sites for affordable housing development in rural locations where market housing would not normally be acceptable because of planning policy constraints. Homes can be brought forward on these sites only if there is a proven unmet local need for affordable housing and a legal planning agreement is in place to ensure that the homes will always remain affordable, will be for people in housing need and prioritised for those with a strong local connection to the parish.

Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Settlement Boundary: Settlement boundaries are recognised and generally accepted as an essential tool for the management of development, principally to prevent the encroachment of development into the countryside.

Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting.

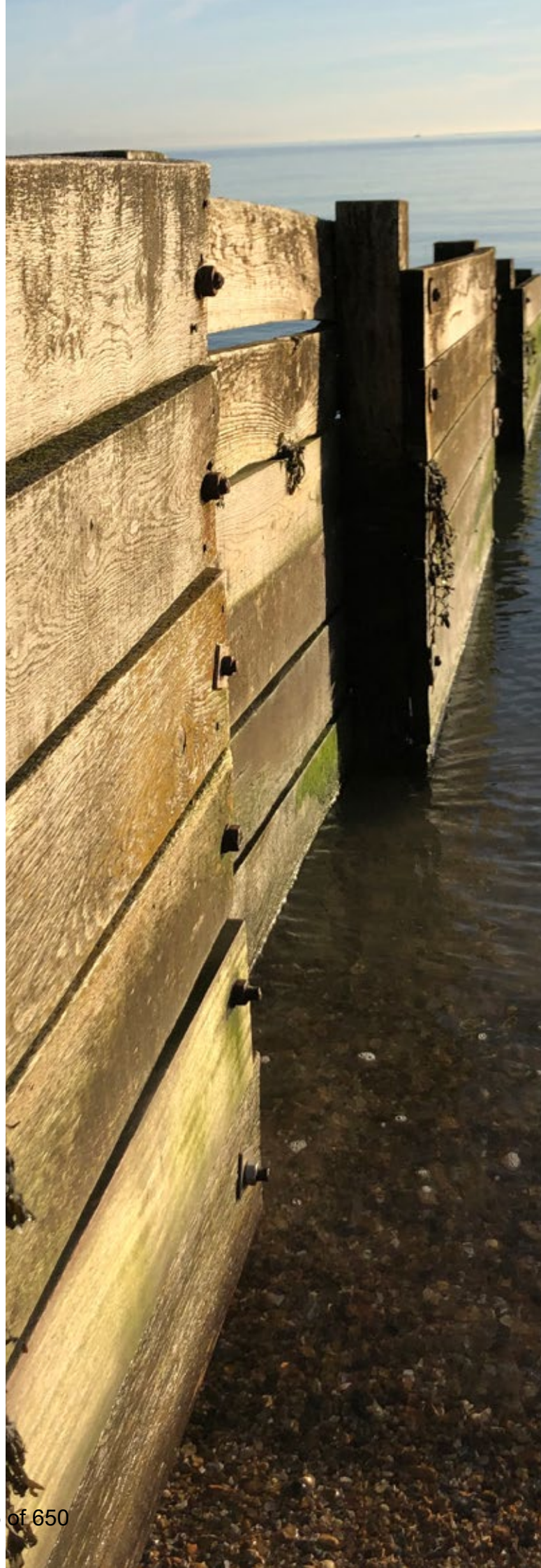
Sites of Special Scientific Interest (SSSI): Land notified under the Wildlife and Countryside Act 1981 as an ecosystem of flora and/or fauna considered by Natural England to be of significant national value and interest to merit its conservation and management.

Special Areas of Conservation (SAC): A site of European Community importance designated by the member states, where necessary conservation measures are applied for the maintenance or restoration, at favourable conservation status, of the habitats and/or species for which the site is designated. **Special Protection Areas (SPA):** A site designated under the Birds Directive by the member states where appropriate steps are taken to protect the bird species for which the site is designated.

Strategic Environmental Assessment: A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

Use Classes: The Town and Country Planning (Use Classes) Order 1987 (as amended) puts uses of land and buildings into various categories known as 'Use Classes'. In September 2020 changes were made to the Use Classes Order which make provision for moving between defined uses without requiring planning permission.






















Wildlife corridor: A link comprising of wildlife habitat, generally native vegetation, which joins two or more larger areas of similar wildlife habitat. Corridors are critical for the maintenance of ecological processes including allowing for the movement of animals and the continuation of viable populations of plants and animals.



Appendix 1 – Colchester Local Plan – Policies Maps for West Mersea

Key to Local Plan Policy Map SS12b

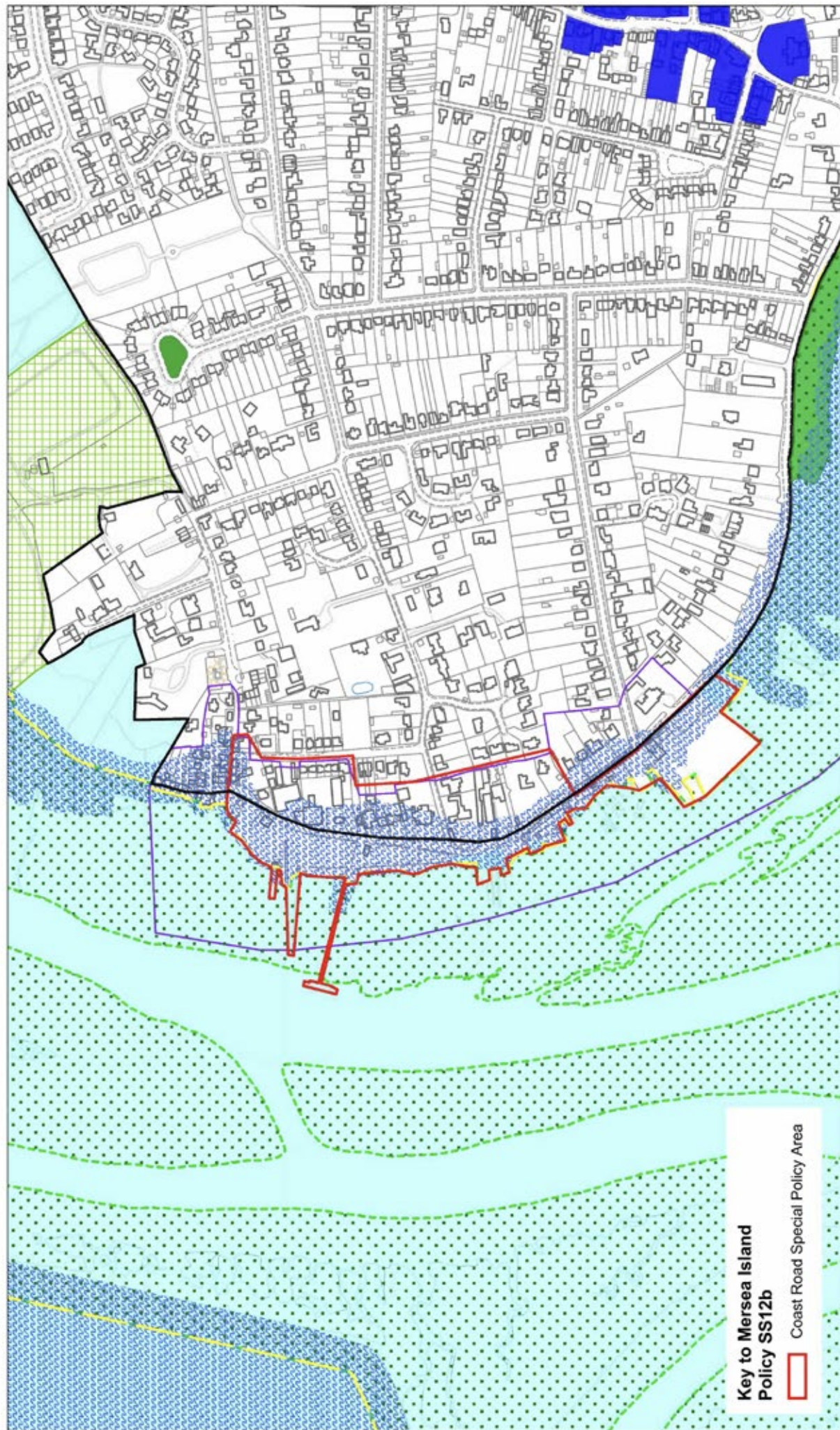
This is the key of the Publication Draft Local Plan (June 2017) and should only be used for the map opposite.

	Sustainable Settlement Boundary
	Existing Commitments (selected for illustrative purposes only)
	Other Village Boundary
	New Residential Allocation
	Employment
	New Residential-led Mixed Use Allocation
	Public Open Space
	Local Centre
	District Centre
	Garden Community Broad Area of Search
	Neighbourhood Plan Preferred Direction of Growth
	Coastal Protection Belt
	Dedham Vale Area of Outstanding Natural Beauty
	Environment Agency Flood Zone 3
	Conservation Area
	Site of Special Scientific Interest
	Special Protection Area
	Special Area of Conservation
	Local Nature Reserve
	Local Wildlife Site
	Scheduled Monument

NB: this key covers Borough-wide designations. Please see respective Policies Maps for specific policy area designations (e.g. North Colchester, East Colchester, etc.).

MERSEA ISLAND

Policy SS12b



Key to Local Plan Policy Map SS12a and SS12c

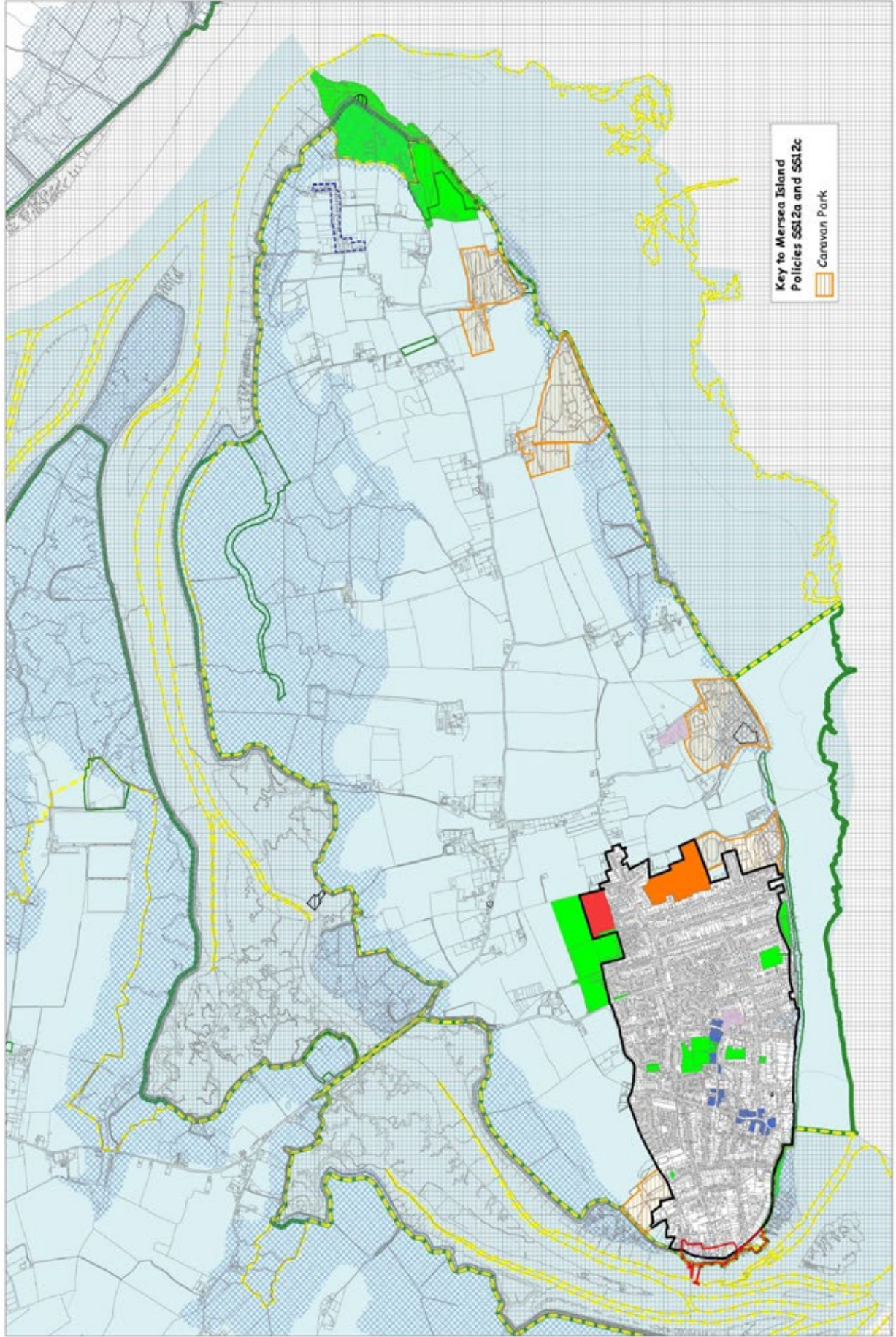
This key has been published by the Borough Council to accompany proposed Modifications to the Local Plan. It only applies in this instance to the map opposite. When the Final Local Plan is published by the Borough Council it will contain a consolidated and consistent key.

	Sustainable Settlement Boundary
	Existing Commitments (selected for illustrative purposes only)
	Other Village Boundary
	New Residential Allocation
	Employment
	New Residential-led Mixed Use Allocation
	Public Open Space
	Local Centre
	District Centre
	Garden Community Broad Area of Search
	Neighbourhood Plan Preferred Direction of Growth
	Coastal Protection Belt
	Dedham Vale Area of Outstanding Natural Beauty
	Environment Agency Flood Zone 3
	Conservation Area
	Site of Special Scientific Interest
	Special Protection Area
	Special Area of Conservation
	Local Nature Reserve
	Local Wildlife Site
	Scheduled Monument
	Registered Parks & Gardens
	Minerals and Safeguarding Areas

N.B.this key covers Borough-wide designations. Please see respective Policies Maps for specific policy area designations (e.g.North Colchester, East Colchester, etc)

MERSEA ISLAND

Policies SS12a and SS12c



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Appendix 2 – Overall Summary of Open Space, Sport and Recreation areas for Mersea

No	SITE NAME	CODE TYPE	AREA Ha	PUBLIC PRIVATE	COMMENTS & NOTES
1	Glebe 1 Recreation Ground Tennis Court Youth Play area Wood north east	OSF OSF PY AGS	3.345 (0.329) 0.029 0.096	PUBLIC TOTAL AREA 3.47 Ha	Two senior football pitches and junior pitch. Cricket square and training nets. Three hard surface tennis courts and three grass courts. Basket ball court. Two Pavilions with car park for about 64 cars.
2	Glebe 2 playing field extension Children's playground BMX Area Open space	OSF PC PY AGS	4.1 0.05 0.03 2.12	PUBLIC Total Area of this OPEN SPACE= 6.3 in original application documents	Two Rugger pitches. One senior and two junior football pitches, training area with flood lights. BMX track. Young Children's Playground. open space with meadow grass and tracks through. No Car parking, pedestrian access only from Glebe 1 or Wellhouse Estate. Also potential access from/to Glebe 3
2a	Glebe 3	OSF	(5.2)	Area allocated	Allocated land for recreation proposed in CBC Local Plan Document (development 5.0Ha)
3	Open space middle of Wellhouse Green	AGS	0.045	CBC	
4	Open space mid Seaview Avenue	AGS	0.076	CBC	
5	Open space bottom Fairhaven Avenue	AGS	0.060	CBC	
6	Old Putting Green	AGS	0.422	CBC	Victoria Esplanade
7	Victoria Esplanade Car Park	AGS	0.838	CBC	
8	Beach Hut area	AGS	1.874	CBC & Private	
9	Children's Playground	PC	0.051	CBC	Victoria Esplanade
10	Gainsborough Open Space	AGS	0.256	CBC	
11	Oakwood Ave Open Space	AGS	0.231	CBC	East Side behind housing on East road
12	Oakwood Ave Open Space Oakwood Ave Open Space	AGS AGS	0.143 0.133	CBC CBC	North end on east side of road South end on east side of road to East Road
13	Colchester Road Bowls Club	OSF INSF	0.582 (0.089)	Private Private	
14	Chatsworth Rd Open Space	AGS	0.411	CBC	
15	Whittaker Way Open Space	AGS	0.293	CBC	
16	Strood Close Open Space	AGS	0.079	CBC	
17	Green area Upland Road	AGS	0.098	CBC	
18	Reymead Wood	NSN	0.60	CBC & WMTC	Joint ownership with CBC
19	Mersea Park Reymead Open Space	PG	0.611	CBC & WMTC	Joint ownership with CBC

No	SITE NAME	CODE TYPE	AREA Ha	PUBLIC PRIVATE	COMMENTS & NOTES
20	School/Legion Field Wooded Area	(AGS) OSF NSN	0.968 0.129	Private Public WMTC	The field is open to community use. WM Hockey Club use this field 1 to 10 games Wooded area in west set aside for school use.
21	Youth Field/Village Green Skate Park Youth Playground	AGS PY PY	1.050 (0.032) (0.050)	WMTC	Registered VG 246
22	School Gardens Children's Playground Shelter with seats	PG PC PY	0.327 (0.034) (0.003)	WMTC	
23	Open Space Sensory Garden Melrose Road Open Space opposite	AGS AGS	0.022 0.003	WMTC WMTC	Grassed area with seat around tree and seating around flowers borders. Also small Green opposite with tree and seat
24	Mersea School Playing Fields	OSF	0.742	Private	Sole use of school for recreational activities.
25	Yorick Road Bowls Club	OSF	0.254	Private	Greensward for bowls
26	Village Green Dabchicks	CS	0.06	Private	Reg. part of VG 241 part concrete/ part beach.
27	Promenade Floating Causeway	CS CS	0.07 0.12	CBC CBC	Reg. Part of VG 241 Concrete area in front of Car Park. Total VG area 0.80 Ha
28	Churchfields Open Space	AGS	0.050	CBC	Green area with commemorative tree and car park area at north end.
29	St. Peter's Well Village Green Top Section Marsh Beach	AGS NSN B	0.627 Registered as 3.75 Ha for whole area 2.56 0.580	WMTC WMTC WMTC	This whole area is a registered VG 185 and SSSI area. Grassed area with seats and pathways. Part of the VG between top section and Beach Part of VG from marsh to High Water
30	Village Green in front of Parish Church	AGS	0.030 registered as 0.12 Ha 0.068	WMTC	Registered VG116 is used by the Town as a community area which also has the War Memorial maintained by the RBL
31	Beach Monkey steps to Broomhills	B	1.53	Private	
32	Beach Broomhills to Seaview Avenue	B	1.83	CBC	
33	Beach Seaview to Waldergraves	B	0.70	Private	
34	Beach Waldegraves	B	0.60	Private	
35	Broomhills Greensward	AGS	0.074	WMTC	
36	Willoughby Open Space Car Park	AGS AGS	0.76 0.70	WMTC	
37	Parish Churchyard	CEM	0.233	Church	
38	Barfield Road Burial Ground	CEM	0.396	WMTC	
39	Firs Road Burial Ground 1	CEM	0.789	WMTC	
40	Firs Road Burial Ground 2	CEM	0.873	WMTC	

No	SITE NAME	CODE TYPE	AREA Ha	PUBLIC PRIVATE	COMMENTS & NOTES
41	Feldy View Woodland Burial Ground	CEM	0.933	WMTC	Natural woodland burial ground
42	Coastal Footpath	B			
43	Waldegraves Golf & Fishing	OSF	7.61 1.025	Private	Golf Driving Range - 18 hole Pitch & Putt Golf- 9 hole Footgolf - Crazy Golf 4 off Fishing Ponds
44	Brierley Paddocks	AGS		3.1Ha 9.2 Ha site total	<i>Allocated land for recreation proposed in CBC Local Plan Document</i>
45	Fishing Reservoir 2 off Colchester Road	OSF	0.980 1.06	Private	Farm reservoir AM Gray & Co Leased to Colchester Angling Preservation Society
46	Mersea Outdoors	OSF PY	(13.4)	ECC	Outside the Town but close enough to be available for WVM residence
47	Seaview Avenue Car Park	AGS	0.268	WMTC	Top end grass suitable picnic area in quite times
48	Beach Areas in front of Mersea Outdoors Cooper's Caravan site Fen Farm Caravan site Mersea Island Holiday Park	B	(3.66)	Private	Approximate areas added up give total
49	Beach Cudmore Grove Country Park	B	(5.10)	ECC	Approximate areas added up give total
50	Cudmore Grove Country Park	PG	(36.2)	ECC	ECC give the park size as 120 acres 41.3 ha less the beach area above = 36.2ha
51	MICA Main Hall, Squash, Gym etc	INSF	0.054	Public	
52	Allotments	A	1.94	WMTC	
53	Packing Marsh Island	NSN	1.82	T & M N O F Co.	Leased by The Packing Shed Trust
54	Ray Island Nature Reserve	NSN	(65.0) 40.47	Essex Wildlife Trust	Access by members only during 1st March to 31st August.
55	Water Ski Club	AGS	0.212	CBC	Water Ski Club leases land from CBC
56	Greensward Glebe corner	AGS	0.063	WMTC	Visual amenity grass area with some flower planting
57	Civic Space in front of Library	CS	0.015	ECC	Paved area with Village sign, bicycle racks, planters and seating.
58	Firs Road Cemetery Green and roads	AGS	0.105	CBC	Grass area at entrance to Firs Road Cemetery
59	Mersea Boating Lake Rewsalls Lane	OSF	(2.63)	<i>Sunnucks family</i>	<i>Opened September 2020 site 12 ½ acres. Previous one opened in 1930's behind Broomhills Road, now Shears Crescent</i>

1 Hectare = 2.47105 Acres = 10,000 sq. metres

1 Acre = 0.4047 Ha

CBC with the IDP Oct 2017 Report in various tables show requirements for West Mersea with the extra 200 Dwellings and 448 persons:

Parks and Gardens:	0.79ha	
NSN:	2.24ha	
AGS:	0.49ha	
Allotments:	0.09ha	£8,960
Playspace:	0.11	£0
Youth Needs:	0.13	£0
Grass Sports Pitches	0.54	£80,000 (equivalent of one adult football pitch)
MUGAs	0	
LEAPS:	0	
NEAPS:	0	
Community Centre Needs	150sq. m	
Community Centre Needs facilities	0	

SUMMARY TOTALS OF AREAS BY TYPE

AREA CODE	TYPE	AREA in Ha	NOTES
ISF SEC 5	Indoor Sport and Recreation	0.143	Indoor Bowls and MICA
PG SEC 6	Parks and Gardens	0.938 (36.2)	Mersea Park <i>Cudmore Grove in East Mersea Parish</i>
AGS SEC 7	Amenity Green Spaces	11.042 (19.0)	<i>The two new developments will add some 8 hectares to this figure</i>
NSN SEC 8	Natural and Semi-Natural Areas	44.45	
OSF SEC 9	Outdoor Sports Facilities	8.413 0.836 7.610 3.065 (13.40) (0.742) (2.63)	Glebe 1 & 2 and Legion Field Bowls Golf Fishing ponds <i>Mersea Outdoors in East Mersea Parish</i> <i>School Playing Field Private</i> <i>Boating Lake Rewsal Land(outside Parish)</i>
A SEC 10	Allotments	1.94	Rented field by WMTC
C SEC 11	Cemeteries & Churchyards	3.224	
PC SEC 12	Provision for Children	0.135	
PC SEC 13	Provision for Young People	0.144	<i>This does not include Mersea Outdoors of some 13.4 ha above</i>
GC SEC 14	Green Corridors		
B SEC 14	Beaches and Coastal Areas	5.24 (8.76)	Beach area in Parish <i>Beach area outside Parish in East Mersea</i>
CS SEC 15	Civic Spaces	0.265	
	TOTAL OF ALL AREAS	76.77	
	Above + Golf + Fishing	<i>87.445</i>	
	Above + Mersea Outdoors	<i>100.845</i>	
	Above + Cudmore Grove Park	<i>137.045</i>	
	Above + School Playing Field	<i>137.787</i>	
	Above + Boating Lake	<i>140.417</i>	
	Above + Beaches in East Mersea Parish	<i>149.177</i>	

NOTE IN THE ABOVE TABLE:

1. In the TOTAL OF ALL AREAS above the provision for open spaces in the developments at Dawes Lane and Brierley Paddocks have **NOT** been included but appear in the list only for information.
2. In the Totals above the areas outside the Parish i.e. in East Mersea but still on the Island have not been included in the totals but are listed separately (*also greyed text and italicised*).

16.1 The study has been undertaken in accordance with the requirements of the latest Planning Policy Guidance Note 17 (Planning for Open Space, Sport and Recreation, July 2002) and its Companion Guide "Assessing Needs and Opportunities" (September 2002).

- provide evidence for the West Mersea Neighbourhood Plan.
- inform the preparation of planning policies in the CBC Local Development Framework
- underpin the development of the CBC Parks and Green Space Strategy.

16.2 The prime objectives of the study were to:

- provide a robust assessment of the demand for open space and recreation facilities throughout the Parish, addressing issues of quantity, quality and accessibility
- provide an analysis of identified surpluses or deficiencies and other issues of provision across the Parish
- provide clear recommendations for the setting of locally derived quantitative and qualitative standards for open space, sport and recreation facilities

16.3 It is important to note that the WMTC or CBC only controls some of the sites audited through this study. Where the report has stated that the WMTC/Parish needs to provide new sites or improve the quality of sites, the reality is that the relevant Authority may need to take responsibility for implementing change with Colchester Borough Council providing various means of support wherever possible. Partnership working will be key to achieving success.

16.4 Population of West Mersea in March 2011 from the Census Data was 7183 in 3551 dwellings equivalent of 2.023 persons per unit. The Colchester Borough Council tax department best estimate was at 31st March 2011 some 3527 dwellings. The same department recorded 3580 at 17th November 2016. This would indicate about 10 extra dwellings per year therefore at 31st March 2018, this equates to a population of approximately 7326. East Mersea dwellings in 2016 was 121 at the same density as West Mersea this

equates to a population of 246. Therefore the whole Island is 7572.

16.5 The two new developments, one at Brierley Paddocks and the other at Dawes Lane are due to add a further 200 dwellings. At the above 2.023 persons per unit this would add a further 405 persons bringing the total to some 7731 population. This figure has been used in the table below to show the change likely to happen to requirement figures.

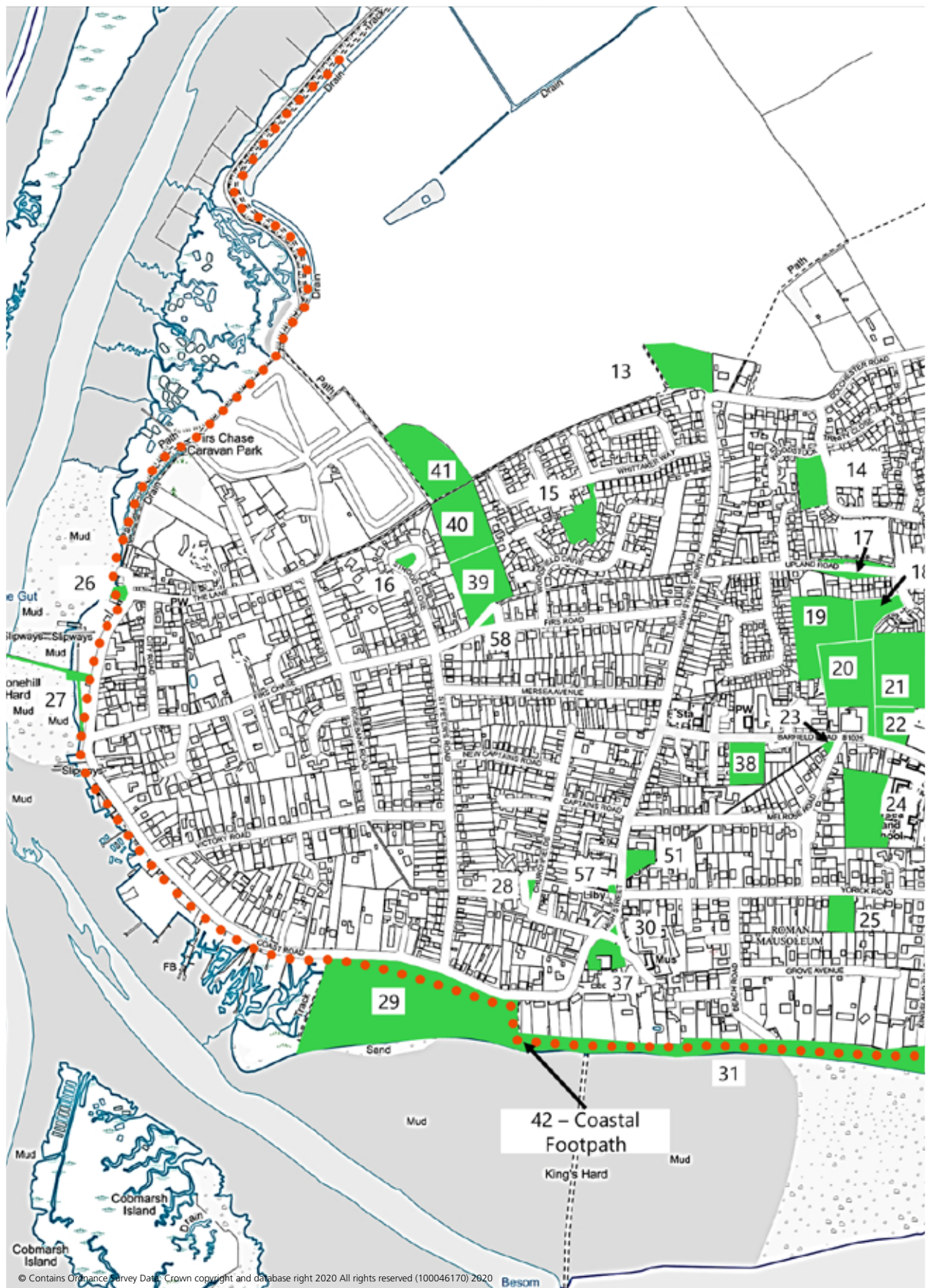
STANDARDS SET: NATIONAL - CBC REQUIREMENTS - WEST MERSEA REQUIREMENTS & ACTUALS

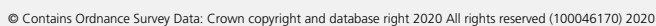
TYPE OF PROVISION	National Standards Hectares per 1000 POPULATION	Colchester Borough Council REQUIREMENTS per 1000 population	ACTUAL REQUIREMENT for WEST MERSEA @ 7326 (Island 7572) in Hectares	ACTUAL AREAS FOR WEST MERSEA	WEST MERSEA STANDARDS per 1000 population
Open Space wildlife and countryside areas, woodland/shelter belts, lakes and ponds, new tree/woodland planting	1.63		11.94	11.042 AGS 44.45 NSN 0.938 PG 5.24 B 0.265 CS = 61.94 + 8.0 for new developments = 69.94	8.45 9.05
Parks & Gardens	0.8	1.76	12.89 Cudmore Grove	0.938 + 36.2	0.128 5.07
Amenity Green Spaces	0.6	1.1	8.06 <i>New developments add approx a further 8.0</i>	11.042 @ 7731 population	1.51 2.46
All Natural & Semi-Natural Open Space Areas	1.8	5.0 (Urban) 9.83 (Urban/Rural)	36.63 72.01	44.45 +5.24 Beaches = 49.69	6.07 6.78
For Children's Play Area	Per 1000 population (target 1 play area per 300 population aged 0-9 years assuming 13% population in this age range = 0.5) factoring in catchment and physical barriers limitations			3 Play areas 0.135	0.0184
Provision for Children		0.05	0.366	0.135	0.184
Provision for Youth		0.05	0.366	0.144	0.02
LEAP Local Equipped Areas of Play	1.0		7.33		
NEAP Neighbourhood Equipped Areas of Play	0.28		2.05		
11 + FACILITY	0.28		2.05	0.144	0.02
Outdoor Sports changing/ ancillary	1.20	1.5	8.79 10.99	9.245	1.26 1.26
Outdoor Sports Facilities inc. Golf also inc. Fishing	FIT all Outdoor Sports 1.6	2.1 1.5	15.38 11.72 10.99	9.25 16.86 19.93	1.26 2.30 2.72
Indoor sports facilities (four court hall)	1 per 13,800 population or 0.072 per 1000 population		0.53	0.143	0.02
Swimming (4 lane pool)	1 per 20,650 population or 0.0484 per 1000 population		0.355	0	0
Allotments	0.2 ha per 1000 population FIT Media 0.3	0.2	1.47 2.20	1.94	0.26
Public Art	1.0 per 1000 pop.		7.33	2 in number	0.27





OPEN SPACE – MAP 2







Appendix 3 – West Mersea Town Council proposals for highway improvements

The list below is based on a traffic survey carried out by the Council in January 2014, details of which are held at the Council Offices.

1. Victoria Esplanade

The blind bend between the Two Sugars Cafe, the Willoughby Car Park and public toilets, is a hazard for pedestrians, particularly for children coming up from the beach unaccompanied to visit the toilets. This danger is compounded by roadside parking in the winter months when the official car parks are closed. There should be parking restrictions in this area throughout the year and traffic calming introduced either side of the blind bend.

2. Barfield Road/High Street/High Street North Junction

Traffic going north from the High Street and straight on into High Street North are able to do so at speed causing a hazard at the exit to Tesco's car park and the junction of Mersea Avenue. Traffic calming measures, such as an extension of the pavement on the west side of the junction, would mitigate the risks.

3. Kingsland Road/Barfield Road Junction

This junction is in the vicinity of both school entrances with buses using the access in both directions. Vehicles often take these corners at speed and traffic calming measures would assist.

4. Elmwood Drive on to Kingsland Road.

Cars often park nose to tail at the entrance to Elmwood Drive when using facilities in Kingsland Road. This creates a blind one way corner where cars even reverse back out on to the main Kingsland Road. Double yellow lines or residents only parking would alleviate this hazard. (Petition from residents, August 2011)

5. Yorick Road and the High Street junction

On the bus route with a difficult turn for buses into Yorick Road from the High Street. Car parking is the biggest problem along this whole stretch of road and double yellow lines with passing bays would assist with traffic flow.

6. Firs Chase

Over the years this has become the main feed to the Waterfront rather than Coast Road and it is a tree-lined lane without pavements. Cars often take this road at speed and traffic calming is thought to be essential. 20 mph from the point where the pavement ends and the road narrows at the top of the hill down to Coast Road Junction would assist.

7. Coast Road

When the Coast Road car park is full, most of the visiting traffic carries to the end of the cul de sac and then has to turn around by reversing into The Lane, which has a 'No Entry' sign, in order to return. Some park, even though there are yellow lines, and many disable badge holders park on both sides

anyway. This causes great congestion and danger to youngster manoeuvring sailing dinghies, or restrictions for crew trying to get to the Lifeboat Station. This should be a 'No Entry apart from Access' zone. (Petition from residents undated).

There has also been considerable pressure to introduce traffic Calming measures along the length of Coast Road. There have been a number of accidents caused either by speed or drivers taking in the view.

8. Strood Access road B1025 on and off Mersea Island.

This is the only road access to Mersea Island and West Mersea. The predicted high tides do come to the road edge 369 out of the 706 high tides for year 2021, equivalent 52%. The sea level rises predicted to 2060 will increase this to between 71 to 79%.^{1 & 2} that the tide comes to the road. Whilst these are predicted heights the weather and atmospheric pressure do effect the predicted tidal heights.

The effect of the tides blocking the road causes traffic hold ups for anything from a few minutes to several hours often resulting in the mainland traffic queues extending several kilometres back to Pete Tye common and beyond. The increasing number of dwellings and increased tourism is creating more vehicles needing to access the Island. During the period 2009 to 2019 the traffic on the B1025 has increased by 15.7%.³

9. Parking Prohibition lines.

There have been a number of additional Yellow and Red Lines put down under the Covid 19 regulation order. These do need to be reviewed by West Mersea Town Council at some point in the future. This would then have allowed for time to see how these restrictions have worked or not.

¹Southern North Sea storm surge event of 5th December 2013: Water levels, waves and coastal impacts.

Published 15th April 2015.

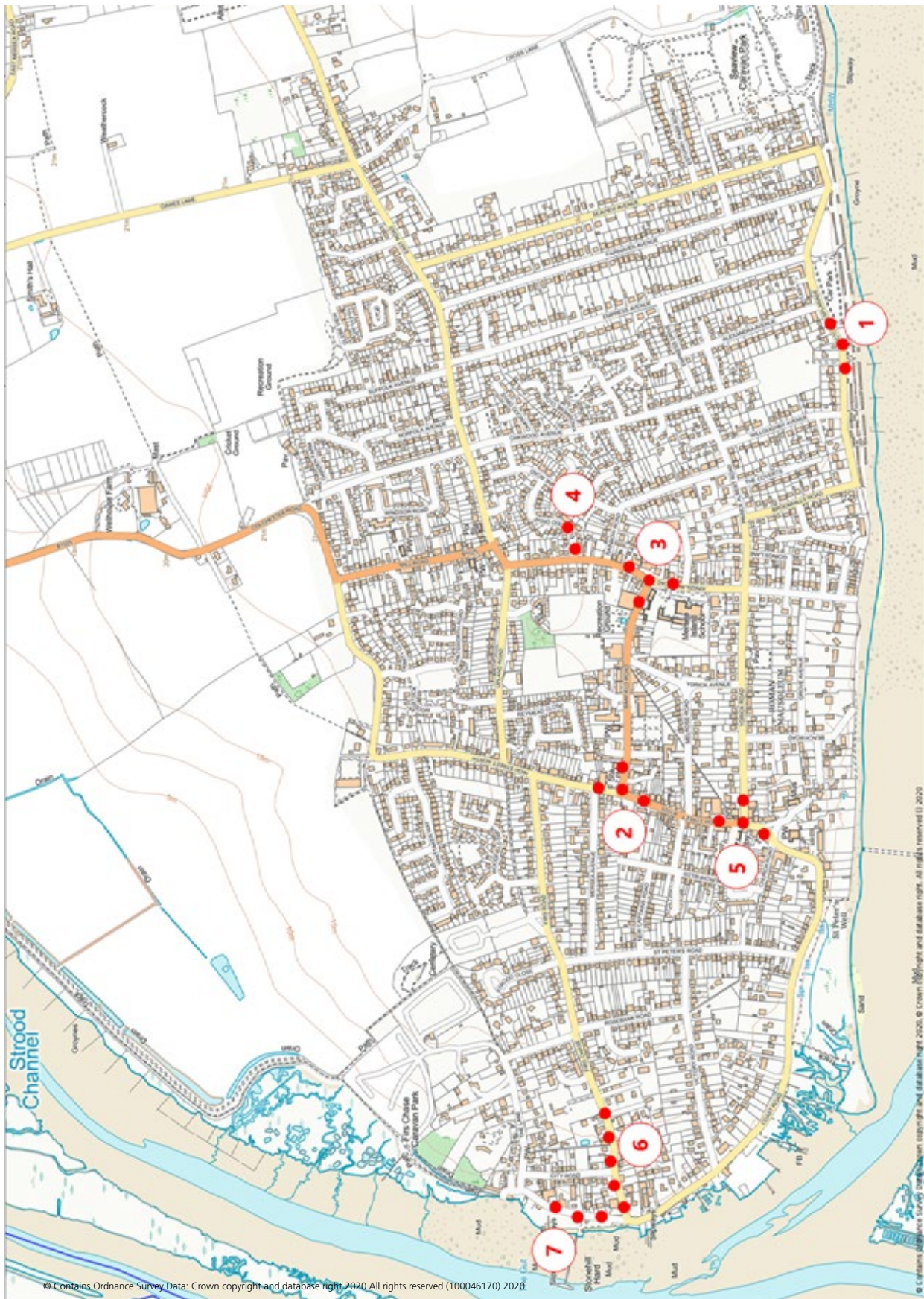
<https://core.ac.uk/download/pdf/42133386.pdf>

² <https://www.theccc.org.uk/2020/04/21/how-much-more-climate-change-is-inevitable-for-the-uk>

³ <https://roadtraffic.dft.gov.uk/manualcountpoints/941073>



MAP ILLUSTRATING LOCATION OF SUGGESTED HIGHWAY IMPROVEMENTS





Appendix 4 – Agreement of Understanding and Cooperation between the West Mersea

Neighbourhood Plan Steering Group (WMNPSG) and East Mersea Parish Council (EMPC)

1. The aim of this agreement is to establish a good working relationship between the WMNPSG and EMPC. This is essential for the purpose of constructing a Neighbourhood Plan (NP) for West Mersea that will also give due consideration to the community of East Mersea.
2. The WMNPSG and EMPC will work closely together on areas where they share a common interest. Examples of this are the caravan parks, tourism, the environment including but not limited to the preservation and benefit of our wildlife, birds, and seawater quality, recreational areas and open spaces. There may be other areas identified as the process develops.
3. A representative of EMPC will have a seat on the WMNPSG and will liaise between both community groups. The representative will be included on the distribution for the NPSG agenda, and minutes and will also have access to view information on the NP Google drive. The EMPC representative will share information and data which is available to them in support of the NP.
4. Following the adoption of the NP both East and West Mersea Councils may consider it beneficial to have procedures in place to ensure the policies contained within the NP are monitored and complied with.
5. This agreement will provide evidence for inclusion in the NP Consultative Statement of how the WMNPSG engaged and consulted with East Mersea Parish Council to shape the development of the NP.

Cllr Jeff Mason
Chairman EMPC

Cllr Peter Banks
Chairman WMNPSG



Appendix 5 – Nationally Designated Heritage Assets

Listed Buildings:

Grade I

CHURCH OF ST PETER AND ST PAUL

Grade II

Yew Tree House , 12 Coast Road

1 & 2 The Square, Coast Road

Rosebank , 58 Coast Road

Stone House, 112 Coast Road

The White Cottage, 136 Coast Road

The Old Victory, 140,(141),142 Coast Road

Smugglers Way, 144 Coast Road

Wellhouse, Colchester Road

Redwing, 6 Colchester Road

Bocking Hall, East Mersea Road

Garden Farm, 2 East Road (listed as Farmhouse Garden)

Forge Cottage, 10 East Mersea Road

Brierley Hall,72 East Road

Brierley Hall, Garden Wall, 72 East Road

Garden Cottage,114 & 116 East Road

Cherrytree Cottage, 50 East Road (listed as Pear Tree Cottage).

The Firs, 19 Firs Chase

West Mersea Hall, 4 High Street

Brick House, 67 High Street North

Picaroon Cottage & Mariners Way, 1 & 3 The Lane

Bluebird Cottage, 5 The Lane

Anchor Cottage, 9 The Lane

Curlew Cottage, 17 The Lane

Periwinkle , 2 The Lane

Nutshell, 4 The Lane

Little Timbers,6 The Lane

Creek Cottage, St Botolph's, 37 The Lane formerly 3 The Lane

Honeysuckle Cottage, 45, 47 & 49 The Lane

51 The Lane

Casa Pantis, 20 Yorick Road

Barn at Brierley Hall Farm, 72 East Road. (listed but blown down in 2001)

Barn at Brierley Hall Farm (possibly the brick building attached to the house)

56 Coast Road, (Formerly listed as 10 Coast Road)

30 Firs Chase

32 Firs Chase



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West Mersea Neighbourhood Plan



JANUARY 2022

Planning for Mersea's future

13 June 2022

Report of	Assistant Director of Place and Client Services	Author	Bethany Jones ☎ 282541
Title	Great Horkesley Neighbourhood Plan – Area Designation		
Wards affected	Rural North		

1. Executive Summary

- 1.1 Great Horkesley Parish Council wishes to develop a Neighbourhood Plan and requested the parish boundary be designated as a Neighbourhood Area. One of the first stages of developing a neighbourhood plan is to agree the area that this will cover.
- 1.2 Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided. Neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community's needs and align this with the strategic needs and priorities of the wider local area.
- 1.3 A copy of the area application and map of the proposed designated area is attached to this report at Appendix A.

2. Recommended Decision

- 2.1 To formally designate the Great Horkesley Neighbourhood Plan Area, in accordance with Section 61(G) of the Town and Country Planning Act 1990.

3. Reason for Recommended Decision

- 3.1 Approval of the Neighbourhood Plan Area will enable Great Horkesley Parish Council to progress their Neighbourhood Plan.
- 3.2 The latest version of Planning Practice Guidance and the Neighbourhood Planning Regulations state that Local Planning Authorities must designate a neighbourhood plan area application where a Parish Council applies for the whole of the area of the parish to be designated.

4. Alternative Options

- 4.1 There is no alternative option. Not designating the Great Horkesley Neighbourhood Plan Area would be contrary to the positive approach to Neighbourhood Plans found in the National Planning Policy Framework and Planning Guidance.

5. Background Information

- 5.1 The concept of Neighbourhood Planning was introduced through the Localism Act in 2011 and embedded in the National Planning Policy Framework (NPPF) first published in March 2012, and updated on 24 July 2018, 19 February 2019 and 20 July 2021. The new Levelling up and Regeneration Bill confirms that Neighbourhood Planning remains high on the government's agenda and something that will be encouraged in local communities.
- 5.2 Neighbourhood Plans were introduced to give local communities greater planning influence over how the areas where they live and/or work, develop over time. Neighbourhood Plans are subject to examination and referendum, and if both processes are completed successfully, Neighbourhood Plans become part of the statutory Development Plan.
- 5.3 The Neighbourhood Planning regulations were updated in 2016. Regulation 5a now states in the event a Parish Council applies for the entire parish area to be designated as a Neighbourhood Plan area, the Local Planning Authority must designate the area. Where Regulation 5a applies, regulations 6 and 6a do not apply. As a result, there is no requirement for a public consultation to be undertaken to seek views on the neighbourhood plan area.
- 5.4 Great Horkesley Parish Council submitted an application on 10 May 2022 to designate a neighbourhood plan area. This proposal covered the whole parish area, and in accordance with Regulation 5a of the Neighbourhood Planning (General) (Regulations) 2012 (as amended), the area therefore must be designated by the Council.
- 5.5 Once the Neighbourhood Plan area has been approved, Great Horkesley Parish Council (as the Qualifying Body) will begin to prepare their Neighbourhood Plan. This will include developing an evidence base and consulting the local community. A Planning Policy Officer will be assigned to help guide and support the Parish Council through the plan making process.
- 5.6 Progress on the Neighbourhood Plan will be published as part of the Authority Monitoring Report and via the Council's website.

6. Equality, Diversity and Human Rights implications

- 6.1 An Equality Impact Assessment has also been prepared for the Local Development Framework and is available to view by clicking on this link:- [Equality Impact Assessment June 2017.pdf \(windows.net\)](#)

7. Strategic Plan References

- 7.1 This decision sits well with a number of the themes for Colchester Borough Council's Strategic Vision. [Strategic Plan 2020-23](#).
- 7.2 ["Creating safe, healthy and active communities"](#) – Commitment to regenerate the Borough through buildings, employment, leisure and infrastructure. Build on community strengths and assets, encourage belonging, involvement and responsibility. Neighbourhood plan allows just this. They allow local community groups to, in consultation with local residents and businesses, produce plans which will help to shape development and investment within their local area. These plans are recognised within the planning system and carry material weight.

- 7.3 “Delivering homes for people who need them” - Providing more affordable homes, and enable local communities to help themselves. Neighbourhood planning places control over the design, location, and nature of housing and affordable housing that will be created within a locality firmly with the remit of the neighbourhood plan.

8. Consultation

- 8.1 There are no particular consultation implications, as explained, under the Regulations consultation on the area designation is not required when it is for the whole Parish area.

9. Publicity Considerations

- 9.1 There are no particular publicity implications at this stage.

10. Financial implications

- 10.1 There are no particular financial implications at this stage.

11. Health, Wellbeing and Community Safety Implications

- 11.1 There are no particular health, wellbeing and community safety implications.

12. Health and Safety Implications

- 12.1 There are no particular health and safety implications.

13. Risk Management Implications

- 13.1 The process will need to be managed carefully alongside the production of the new Local Plan to avoid conflicts between the two plan production processes.

14. Environmental and Sustainability Implications

- 14.1 Neighbourhood Plans are not required to carry out the type of sustainability appraisal necessary for a Development Plan Document as required by the Town and Country Planning Act 2004. There may be the need to carry out a Strategic Environmental Assessment (SEA) depending on the content of the Neighbourhood Plan. Local Planning Authorities are advised to undertake an early SEA screening of the plan to determine whether it is required. However, it is not required for the consideration of an area application.

Appendices

Appendix A – Great Horkesley Parish Council Application with a map of the proposed Neighbourhood Plan Area.



10th May 2022

Bethany Jones
Principal Planning Policy Officer
Colchester Borough Council

Dear Bethany

I am pleased to be able to confirm that for the purposes of the Neighbourhood Plan Regulations 2012 Great Horkesley Parish Council, the relevant body as defined in the Town and Country Planning Act 1990 as amended by §61G(2) of Schedule 9 of the Localism Act 2011, would wish the forthcoming village Neighbourhood Plan process to cover the area of the civil parish of Great Horkesley, the boundary of which is shown on the attached extract from the Ordnance Survey.

The Council considers that this is the appropriate area because it has a statutory right to be consulted by the local planning authority on all planning-related matters within that boundary.

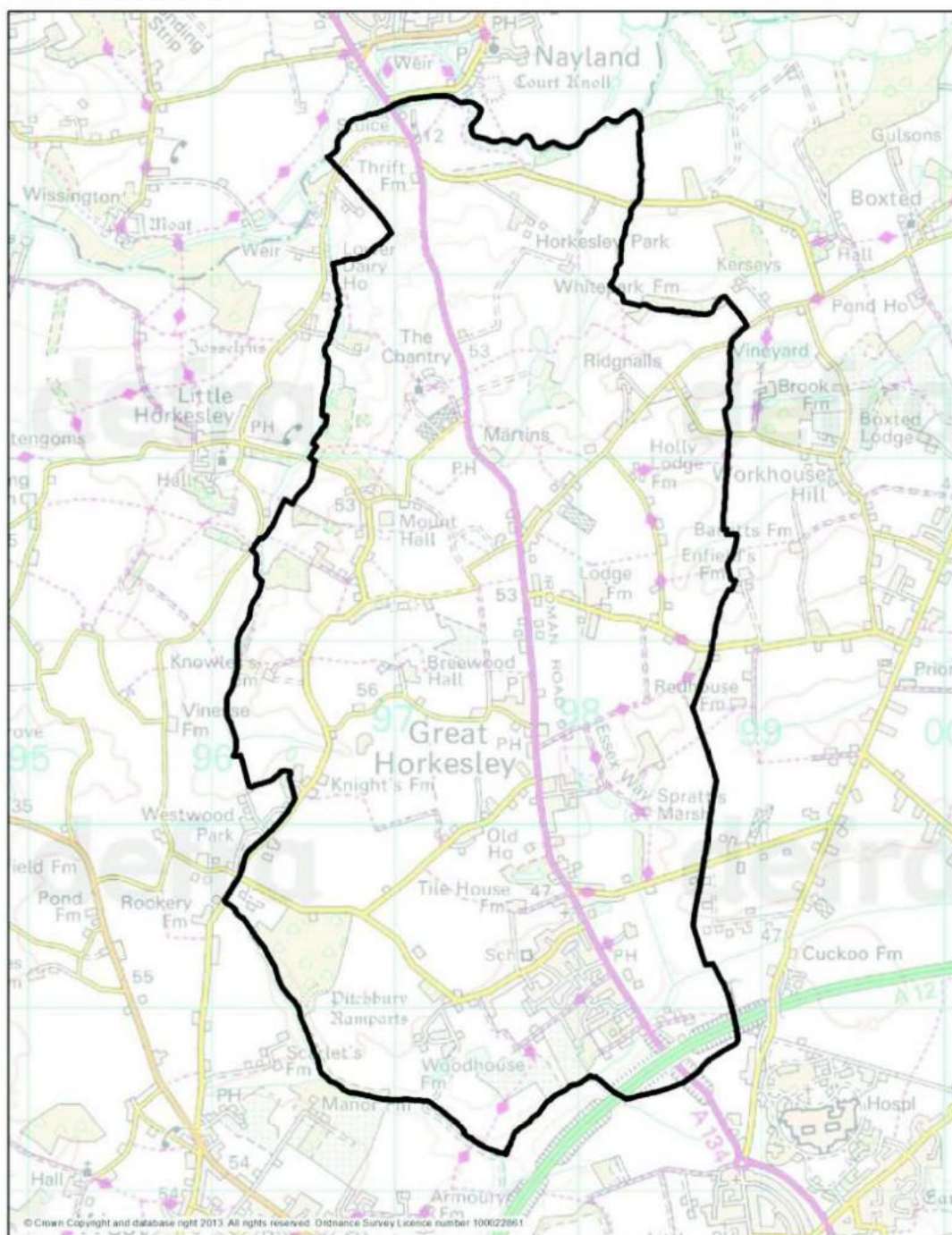
The Parish Council will be supportive of the process both in principle and by providing financial support. It recognises and accepts that the Group which has emerged to run the process consists of local residents whose interest is solely to influence the development of the village in accordance with the wishes of the general population of the village. Two members of the parish council have been nominated onto the steering group to facilitate joint working.

Kind regards

Cllr Christopher Arnold
Acting Clerk and Vice-Chairman

parish-clerk@greathorkesley-pc.gov.uk

Great Horkesley Parish



13 June 2022

Report of	Assistant Director of Place and Client Services	Author	Bethany Jones
Title	National Updates – Levelling Up and Regeneration Bill		
Wards affected	All wards		

1. Executive Summary

- 1.1 On 11 May 2022, the Government published the Levelling Up and Regeneration Bill to “devolve power and give local leaders and communities the tools they need to make better places”. The Bill is seen as a key component to level up the country and builds upon the Levelling Up White Paper published in February. It incorporates some of the proposals for planning reform outlined in the earlier Planning for the Future White Paper published in August 2020, where the Government set out support for the approach to Levelling Up.
- 1.2 There are eight planning related topics covered by the new legislation including:
 - Beauty
 - Infrastructure
 - Democracy
 - Environment
 - Neighbourhoods
 - Planning Application Process
 - Enforcement; and
 - Protecting Heritage
- 1.3 This is the first step in bringing changes to the planning system. Changes to the planning procedures will begin to take place from 2024, once the Bill has received Royal Assent and a series of associated regulations and changes to national policy are in place. There will be a number of consultations which the Council will be able to feed into during this time, including changes to the National Planning Policy Framework (NPPF).
- 1.4 This report summarises the impacts on planning and other related services in the context of Colchester.

2. Recommended Decision

- 2.1 No decision is required as this report is for information only.

3. Reason for Recommended Decision

- 3.1 This report is for information only.

4. Alternative Options

- 4.1 N/A

5. Background Information

- 5.1 Following the Queen's Speech, the Government published the Levelling Up and Regeneration Bill on 11 May 2022. This is available online via <https://publications.parliament.uk/pa/bills/cbill/58-03/0006/220006.pdf>
- 5.2 A Policy Paper has also been published which summarises the steps being taken by Government through the Levelling Up and Regeneration Bill and other legislation and policy. This is also available online - <https://www.gov.uk/government/publications/levelling-up-and-regeneration-further-information/levelling-up-and-regeneration-further-information>
- 5.3 The Levelling Up and Regeneration Bill (The Bill), is a key component of the wider programme to level up the country, as set out in the [Levelling Up White Paper](#) published in February 2022. The Bill also incorporates some of the proposals for planning reform outlined in the [Planning for the Future White Paper](#) published in August 2020, which support the approach to Levelling Up.
- 5.4 The Bill is within 3 parts, with Chapters 2 and 7 being those most closely related to Planning. These cover the broad topic areas of Beauty, Infrastructure, Democracy, Environment, Neighbourhoods, Planning Application Process, Enforcement and Protecting Heritage.

Implications for the Planning System

- 5.5 Planning Resource has identified 29 key ways in which the Bill and Policy Paper would change planning:
 1. Local Planning Authorities (LPAs) will be required to have a design code in place covering their area. The area wide codes will act as a framework where detailed design codes can then come forward, prepared for specific areas or sites. These design codes will have full weight in decision making, either through forming part of the Local Plan or being prepared as a Supplementary Plan.
 2. More weight is to be given to Local Plans and Neighbourhood Plans in determining planning applications (and Spatial Development Strategies where proposed by Mayors or Combined Authorities).

The Development Plan for Colchester could therefore consist of the following:

- Local Plan;
 - Neighbourhood Plans;
 - Minerals and Waste Local Plans (prepared by Essex County Council);
 - Supplementary Plans (if prepared); and
 - Spatial Development Strategies (if prepared).
3. The scope of Local Plans are to be limited to 'locally specific' matters including allocating land for development, detailing required infrastructure and setting out principles of good design. Development Management (DM) Policies will be set nationally. National DM policies will have the same weight as a Local Plan. These national DM policies will not be repeated in Local Plans. It is intended this will speed up the plan making process.

4. The Duty to Cooperate is repealed. This is to be replaced with a more flexible alignment test to be set out in National Policy. This will be more subjective and not simply a pass or fail test.
5. Introduction of 'Gateway' checks for Local Plans and prescribed time periods for different parts of the plan making process. These will include a check before the examination. Gateway checks are to be introduced through the revised NPPF, which will also outline a 30 month maximum timescale for Local Plan production which will include 2 public consultations and an examination (as previously outlined in the Planning for the Future White Paper). The requirement to review and update a Local Plan at least every 5 years will remain. It is intended that having a maximum timescale for production of the Local Plan, will curb planning by appeal and speculative development.
6. LPAs to create 'Supplementary Plans' where policies for specific sites or groups of sites need to be prepared quickly or to set out design codes for a specific site, area or whole area. The examination process for a Supplementary Plan will be different to a Local Plan examination, likely to be a 'check and challenge' approach to be set up through a new examination system. Supplementary Plans would replace Supplementary Planning Documents (SPDs) in the current system.
7. Groups of authorities will be able to produce voluntary Spatial Development Strategies on specific cross boundary issues to provide strategic policies for the local area.
8. Authorities will no longer have to maintain a five-year housing land supply (5YHLS) if a local plan has been adopted and is considered up to date i.e., adopted within the past five years.
9. Environmental Outcomes Reports will be introduced to replace EU processes of Strategic Environmental Assessments (SEAs) and Environmental Impact Assessments (EIA). The Environmental Outcomes Report will enable decision makers and local communities to see where a plan or project is meeting environmental outcomes and what steps are being taken to avoid and mitigate any harm to the environment.
10. A new neighbourhood planning tool is to be introduced – Neighbourhood Priorities Statements. These can be produced by Parish Councils or Neighbourhood Forums to set out their key priorities and preferences for their local areas. LPAs will be obliged to take these into account in the Local Plan making process. More detail will also be provided for what can be addressed in a Neighbourhood Plan (including that Neighbourhood Plans can make site allocations) and the basic conditions which a neighbourhood plan must meet, which will be aligned to the wider changes in the planning system.
11. Introduction of 'Street Votes' to enable residents to propose development on their street (extension or redevelopment of their properties and new build sites in line with design preferences) and hold a vote on whether it should be given planning permission. 'Street Votes' were proposed last year by the Policy Exchange Thinktank who have advocated for the densification of urban areas.
12. Increase in planning application fees. For major applications an increase of 35% and for minor applications by 25%, subject to consultation. The increase in fees must result in an improved planning service.

13. A new Infrastructure Levy to replace Section 106 planning obligations and the Community Infrastructure Levy (CIL). Rates and thresholds are to be set in charging schedules by the LPAs. Rates will be able to be tailored to local circumstances (including differences for brownfield and greenfield sites) and will be able to deliver on-site affordable housing. The rates will be based on the value of the property when sold and be applied above a minimum threshold. There will be retention of Section 106 obligations for large sites, however a *large site* has yet to be defined.
14. Requirement for LPAs to prepare Infrastructure Delivery Strategies to outline how the Infrastructure Levy is intended to be spent and outline the strategy for delivery. This is to make sure infrastructure requirements and levy spending priorities are considered carefully.
15. Impose a new duty on decision makers to make planning decisions in accordance with the development plan and National DM Policies unless material considerations *strongly* indicate otherwise. This is to increase certainty in planning decisions. Insertion of the word *strongly*, increases the weight currently in the NPPF. In the event there is a conflict between local and national policy, it would be national policy that take precedence.
16. Emphasis of the NPPF to shift to guiding plan making rather than decision making. Policies within the current NPPF which are intended to guide decision making would be removed and will form the basis of National DM Policies.
17. Removal of the sunset clause where currently the requirement for pre application engagement with communities before a planning application is submitted is due to expire in 2025. The Bill would make this requirement permanent. This will relate to certain applications, particularly those where pre-application engagement is already mandatory and will include additional types of applications which are yet to be confirmed. Currently pre application public engagement is only required for wind turbine development as per the PPG, however for Colchester this also includes any large scale or potentially controversial application where there is a significant impact to the environment or local community or where the application is likely to attract significant local interest as outlined in the [Colchester Statement of Community Involvement](#).
18. Introduction of commencement notices which would be required when a scheme with planning permission starts on site and the Bill will make it easier for LPAs to issue completion notices to developers to require them to complete their projects.
19. Amendments and strengthening of powers and sanctions available to LPAs to deal with individuals who fail to abide by rules and processes associated with the planning system (Enforcement). This includes:
 - Closing of existing 'loopholes' in enforcement which can prolong unauthorised development such as tightening the scope of appeals against enforcement notices so there is only one opportunity to obtain planning permission retrospectively;
 - Extending time period for all breach investigations to 10 years (currently 4 years);
 - Introduction of enforcement warning notices to allow LPAs to formally warn landowners that a breach has occurred providing an opportunity to remedy through a retrospective planning application;
 - Doubling fees for retrospective planning applications;

- Increasing fines associated with certain planning breaches. Fines for a number of breaches including breach of condition will rise from a maximum of £2,500 to be unlimited;
 - Extending temporary stop notices to be in place for up to 56 days (currently 28 days); and
 - The Planning Inspectorate will be able to dismiss enforcement appeals where the appellant is causing unnecessary delays.
20. Registered parks and gardens are to gain the same level of planning protection as listed buildings, World Heritage Sites, protected wreck sites, registered battlefields and conservation areas. Local Authorities will also have a new duty to maintain a Historic Environment Record (HER).
21. Creation of a new route to allow the Crown to apply directly to the Secretary of State for determination of nationally important and urgent developments.
22. Changes to the Compulsory Purchase Order (CPO) system, including publicity requirements and how inquiry procedures are held. LPAs will be able to use CPO powers for brownfield land for regeneration purposes.
23. Existing Urban Development Corporations' planning powers to be revised (New Towns, Urban Development, Mayoral and locally led New Town). Centrally and locally led development corporations will be able to become LPAs for the purpose of Local Plan making, overseeing neighbourhood planning and development management. There is also introduction of a new type of corporation – Locally Led Urban Development Corporation seeking to regenerate areas which would be accountable to the Local Authorities, rather than Secretary of State.
24. LPAs would be able to partially base land allocations on the option price of sites offered to them by developers, under legislation promised by the Bill to enable the pilot of 'Community Land Auctions'. Landowners would be able to submit their land for allocation as part of an emerging Local Plan, offering the LPA an option on the land at a price set by the landowners. LPAs will allocate land based on planning considerations and option price, the auction will provide the development rights to the successful bidder once the land is allocated in the adopted Local Plan. The difference between the option price offered by landowners and the price offered to develop the allocated land, will be retained by the Local Authority for the benefit of the local community.
25. LPAs given powers to instigate auctions to rent vacant commercial properties in town centres and on high streets for leases from one to five years to attract new tenants. This will only apply to properties which have been vacant for over 12 months.
26. Introduction of a discretionary council tax premium on second homes and changes to the qualifying period for use of a long term empty homes premium of up to an additional 100% on council tax bills for second homes and empty homes after one year (currently two years).
27. A new model for a Combined County Authority (CCA) to be formed from upper tier local authorities only (at least two are required to form a CCA and no district councils). This is different to a Combined Authority which has to include all local authorities within the area it covers e.g., county council and all district councils
28. Introduction of a new measurement to make land ownership more transparent.

29. Secretary of State to gain new powers to control changes to street names. This will ensure all Local Authorities follow the same process for changing street names and cannot do so without the consent of those who live on the street.

Other Key Points

- 5.6 The Local Development Scheme (LDS) which currently provides the project plan for the Local Plan will be replaced with a 'Planning Timetable'.
- 5.7 The Bill outlines the introduction of powers to charge developers and promoters for statutory consultee advice in certain circumstances.
- 5.8 Alongside the Bill, there will be the introduction of a new 'right to require' which will remove the role of negotiation in determining levels of onsite affordable housing. This is intended to rebalance the inequity between developers and local authorities by allowing local authorities to determine the portion of levy they receive in kind as onsite affordable homes. This will ensure delivery of at least the same provision as under current legislation.
- 5.9 Within the Bill the Government have also repeated their promise to develop a planning skills strategy for LPAs. This will be critical to implement the Bill once it has received Royal Assent.
- 5.10 In terms of monitoring, the existing performance framework for LPAs will be expanded to measure performance across a broader range of quantitative and qualitative measures. This is likely to be linked to the rise in planning application fees which must result in an improved planning service.
- 5.11 Part of the NPPF review and consultation which will be outside of the Bill, will consider whether the 'soundness' tests for Local Plans are sufficiently proportionate. Other changes to the NPPF which will be consulted upon are likely to include improvements to environmental outcomes, protection of historic environment and to set out the position on planning for housing.
- 5.12 The Government have also committed to providing new guidance on community engagement in planning including new digital engagement tools to sit alongside more traditional engagement methods such as site notices and neighbour letters.
- 5.13 Through the Bill, there will also be the introduction of New Local Plan Commissioners to be deployed to support or ultimately take over planning responsibilities in the event that an LPA fails to meet their statutory duties. These changes are intended to increase the number of authorities with up-to-date Local Plans in place.
- 5.14 Similarly, new legislation is intended to be introduced to clarify what can be counted as a 'suitable permission' in the Self Build and Custom Housebuilding Act, to support the delivery of more self and custom build housing to meet the needs of those who have registered an interest in this type of housing with the LPA.
- 5.15 Planning Inspectors will be given the power to change the procedure for determining a planning appeal if an alternative would be more suitable, in the interest of speeding up the planning appeals process.

Next Steps

5.16 Changes to the planning procedures will begin to take place from 2024, once the Bill has received Royal Assent and a series of associated regulations and changes to national policy are in place. Many of the proposals in the Bill will be subject to further consultation, including a consultation on the following:

- NPPF revisions
- National DM Policies
- Infrastructure Levy
- New Environmental Outcomes Reports (to replace SEA and EIA)
- Planning Fees
- CPO Powers
- Infrastructure Provision

5.17 The government are yet to set out the transitional arrangements between the current and proposed planning system.

6. Equality, Diversity and Human Rights implications

6.1 An Equality Impact Assessment has been prepared for the Local Plan and is available to view on our website.

<https://cbccrmdata.blob.core.windows.net/noteattachment/Equality%20Impact%20Assessment%20June%202017.pdf>

7. Strategic Plan References

7.1 The Strategic Plan is relevant, in particular in contributing towards priorities under the themes:

- Delivering homes for people who need them;
- Growing a fair economy so everyone benefits; and
- Celebrating our heritage and culture.

8. Consultation

8.1 N/A

9. Publicity Considerations

9.1 The report is for information only and unlikely to generate publicity.

10. Financial implications

10.1 The financial implications are not yet known.

11. Health, Wellbeing and Community Safety Implications

11.1 N/A

12. Health and Safety Implications

12.1 N/A

13. Risk Management Implications

13.1 N/A

14. Environmental and Sustainability Implications

14.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. The purpose of the planning system is to contribute to the achievement of sustainable development as defined in the National Planning Policy Framework. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives.

15. Background Information

15.1 The Planning Advisory Service (PAS) have published an initial set of FAQs to set out their initial thoughts on the Bill - [Levelling-up and Regeneration Bill | Local Government Association](#)

Local Plan Committee - Background Information

What is a Local Plan?

A Local Plan is the strategy for the future development of a local area, drawn up by the Local Planning Authority (LPA) in consultation with the community. The Local Plan sets out the vision, objectives, spatial strategy and planning policies for the entire Colchester Borough over a 15-year period. The Plan provides the overall framework for the borough in terms of how much employment land and how many new homes are required as well as where they should be located. It also identifies infrastructure needs and things that require protection i.e., open space and community buildings.

In law, this is described as the Development Plan Documents adopted under the Planning and Compulsory Purchase Act 2004. A Local Plan must be prepared in accordance with national policy and guidance.

Planning involves making decisions about the future of borough which are vital to balance the need to develop areas where we live and work with ensuring the surrounding environment is not negatively affected for everyone. It includes considering the sustainable needs of future communities.

An independent Planning Inspector is appointed to examine all Local Plans. The Plan can only be adopted by the Council if the Inspector thinks it is sound and meets all the statutory requirements.

Why is a Local Plan important?

Without a Local Plan to identify where and how the borough should develop, planning applications are determined in accordance with national policy which does not reflect the local context. Without a Local Plan, the borough would be at significant risk from speculative development. A Local Plan provides certainty of where development can be delivered sustainably across the Borough.

What is a Neighbourhood Plan?

A Neighbourhood Plan is a planning document that communities can prepare to set out how they would like their town, parish or village to develop. The Neighbourhood Plan is prepared by the local community (usually this is undertaken by the Parish/Town Council) for a designated neighbourhood area. A Neighbourhood Plan Development Forum can be established for areas without a parish/town council.

A Neighbourhood Plan enables communities to identify where new homes and other development can be built and enables them to have their say on what those new buildings should look like and what infrastructure should be provided. This provides local people the ability to plan for the types of development to meet their community's needs.

A Neighbourhood Plan must undergo a number of formal processes to ensure it is robust and well-evidenced. This includes two formal consultation periods, independent examination and a public referendum.

If a Neighbourhood Plan passes the referendum, this becomes part of the Statutory Development Plan for that area. It is then used when determining planning applications alongside the local plan and national policy.

What is included in the Development Plan for Colchester?

The Development Plan is a suite of documents that set out the Council's planning policies and proposals for the development and use of land and buildings in the authority's area. This includes Local Plans, Neighbourhood Plans and is defined in section 38 of the Planning and Compulsory Purchase Act 2004.

Within Colchester Borough this currently includes:

- Section 1 Local Plan (2021)
- Emerging Section 2 Local Plan (Submitted October 2017) – currently subject to Examination
- Core Strategy (2008) as amended by the Focused Review (2014)
- Site Allocations Policies (2010)
- Development Policies (2010) amended by Focused Review (2014)
- Proposals Maps (2010) and
- Neighbourhood Plans;
 - Myland and Braiswick
 - Boxted
 - Wivenhoe
 - West Bergholt and
 - Eight Ash Green.

When Section 2 of the Local Plan is adopted it will supersede the Core Strategy, Site Allocations Policies, Development Policies and Proposals Maps.

Section 1 of the Colchester Local Plan sets out the overarching strategy for future growth across Braintree, Colchester and Tendring, as well as including policies setting the overall housing and employment requirements for North Essex up to 2033. Section 2 of each of the three Local Plans contain more specific local policies and allocations relevant to each individual area.

In Partnership with Tendring District Council, a Development Plan Document (DPD) is being prepared to further guide development on the Tendring Colchester Borders Garden Community.

Supplementary Planning Documents (SPD)

An SPD is a document produced to add further detailed guidance and information on a particular subject or area. It is subject to a formal consultation period but there is no independent examination. Once adopted it can be used as a material consideration when determining planning applications. An SPD cannot create new policy, only add detail to a policy established in a local plan.

The following SPD's have been adopted in Colchester:

- Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) – August 2020
- Affordable Housing – August 2011
- Backland and Infill – December 2010
- Better Town Centre – December 2012
- Cycling Delivery Strategy – January 2012
- Provision of Community Facilities – July 2013
- Provision of Open Space, Sport and Recreational Facilities – July 2006, updated April 2019
- Shopfront Design Guide – June 2011
- Street Services Delivery Strategy – October 2012
- Sustainable Design and Construction – June 2011
- Sustainable Drainage Systems Design Guide – December 2014
- Vehicle Parking Standards – September 2009
- North Colchester Growth Area – June 2012
- Colne Harbour Masterplan – January 2011
- Garrison Masterplan – November 2002
- St Botolphs Masterplan – June 2005

Statement of Community Involvement (SCI)

The SCI sets out the standards that the Council applies in relation to involving the community and stakeholders in the preparation of Local Plan documents and in determining planning applications.

Local Development Scheme (LDS)

The LDS is a project plan for a three-year period setting out what documents will be produced and a timescale for preparing each.

Annual Monitoring Report (AMR)

The AMR is a report published annually by the Council containing information on the implementation of the Local Development Scheme and the extent to which planning policies set out in the Council's adopted Local Plan are being achieved.

What are housing targets and why do we have them?

The Government have committed to delivering 300,000 new homes per year across England to significantly boost the supply of homes.

The Local Plan identifies the minimum number of homes needed through policies which are informed by a local housing need assessment produced in accordance with national planning policy and guidance. An approach known as the Standard Methodology is used unless exceptional circumstances justify an alternative approach.

For Colchester, the minimum housing requirement is 920 new dwellings per year or 14,720 new homes for the plan period (2017 to 2033). The Council must identify sufficient sites in the Local Plan to accommodate these new homes.

As well identifying sites to meet the requirements across the whole plan period, the Council are also required to identify and update annually, a five year supply of specific, deliverable sites, this is often referred to as the five year housing land supply (5YHLS).

The Council publish annually a Housing Land Supply Position Statement which sets out the housing land supply position over a rolling five-year period. The Statement explains how this position complies with the stringent requirements of national policy and guidance. It is prepared by the LPA with engagement from developers and agents regarding expected delivery of new homes.

What happens if the borough does not meet their housing target?

If a Local Planning Authority cannot demonstrate a five-year supply of housing, national planning policy takes precedence over the Local Plan. The '*presumption in favour of sustainable development*' as outlined in national policy will be triggered.

This means that if a planning application is considered to deliver sustainable development, then planning permission should be granted, even if the site is not identified for development in the Local Plan. In effect, the Council would have little control over where new homes are built. Speculative applications can be submitted, and the authority may have limited grounds on which to refuse them. Even where schemes are refused they may be challenged and planning permission granted on appeal.