

Local Plan Committee Meeting

**Moot Hall, Town Hall, High Street,
Colchester, CO1 1PJ**

Tuesday, 21 September 2021 at 18:00

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

Information for Members of the Public

Access to information and meetings

You have the right to attend all meetings of the Council, its Committees and Cabinet. You also have the right to see the agenda (the list of items to be discussed at a meeting), which is usually published five working days before the meeting, and minutes once they are published. Dates of the meetings are available here:

<https://colchester.cmis.uk.com/colchester/MeetingCalendar.aspx>.

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Access

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Covid 19

Please could attendees note the following:-

- Hand sanitiser, wipes and masks will be available.
- Do not attend if you feel unwell with a temperature or cough, or you have come in to contact with someone who is unwell with a temperature or cough.
- Masks should be worn whilst arriving and moving round the meeting room, unless you have a medical exemption.
- All seating will be socially distanced with 2 metres between each seat. Please do not move the chairs. Masks can be removed when seated.
- Please follow any floor signs and any queue markers.
- Try to arrive at the meeting slightly early to avoid a last minute rush.
- A risk assessment, including Covid 19 risks, has been undertaken for this meeting.

COLCHESTER BOROUGH COUNCIL
Local Plan Committee
Tuesday, 21 September 2021 at 18:00

The Local Plan Committee Members are:

Councillor Gerard Oxford	Chairman
Councillor Lewis Barber	Deputy Chairman
Councillor Phil Coleman	
Councillor Adam Fox	
Councillor Jeremy Hagon	
Councillor Derek Loveland	
Councillor Andrea Luxford Vaughan	
Councillor Patricia Moore	
Councillor Julie Young	

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 to the meeting and remind those participating to mute their microphones when not talking. The Chairman will invite all Councillors and Officers participating in the meeting to introduce themselves.

2 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.

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

- 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**
No minutes of previous meetings are submitted for approval to this meeting.

- 6 **Have Your Say!**
At meetings of the Local Plan Committee, members of the public may make representations to the Committee members. 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(500 words). Members of the public wishing to address the Committee either in person or remotely need to 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 for those who wish to address the committee online we advise that a written copy of the representation be supplied for use in the event of unforeseen technical difficulties preventing participation at the meeting itself.

- 7 **Colchester Local Plan Section 2 Examination** 7 - 90
The Committee will consider a report setting out the recommended 'main modifications' for the Section 2 of the Local Plan.

- 8 **Tendring Colchester Borders Garden Community Development Plan Document Update** 91 - 96
The Committee will consider a report which provides an update on the Tendring Colchester Borders Garden Community Development Plan Document.

- Local Plan Committee information sheet** 97 - 100

- 9 **Exclusion of the Public (not Scrutiny or Executive)**
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).

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

21 September 2021

Report of	Assistant Director of Place and Client Services	Author	Karen Syrett
Title	Colchester Local Plan Section 2 Examination		☎ 506477
Wards affected	All		

1. Executive Summary

- 1.1 Following virtual examination hearings in April 2021, the Planning Inspector has confirmed his recommended 'main modifications' for the Section 2 Local Plan.
- 1.2 A number of these modifications reflect those already put forward by the Council in the run up to the examination hearings to add clarity or provide factual updates and those discussed during the hearing sessions themselves. The main modifications are considered necessary by the Inspector for the Plan to be considered sound, in accordance with the four tests of soundness in the National Planning Policy Framework (NPPF).
- 1.3 The 'main modifications' recommended by the Planning Inspector must be published for a six week public consultation, before the Inspector can write his final report and the Plan can be adopted.
- 1.4 Officers have also prepared 'additional modifications' and modifications to the Policies Maps as consequential changes from the main modifications, to provide factual updates or to correct spelling/grammar errors.

2. Recommended Decision

- 2.1 It is recommended that the Local Plan Committee:
- 2.2 Note the Planning Inspector's recommended main modifications for the purposes of soundness (attached as Appendix A).
- 2.3 Note that public consultation will be undertaken on all the main modifications recommended by the Planning Inspector to make the Local Plan sound.
- 2.4 Note that an update to the Sustainability Appraisal (SA) incorporating an Strategic Environmental Assessment (SEA) and the Habitats Regulations Assessment (HRA) for the Modified Section 2 Local Plan are required to be produced and published for consultation alongside the Inspector's main modifications and that consultants LUC are already instructed to undertake this work.

3. Reason for Recommended Decision

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

4. Alternative Options

- 4.1 The authorities cannot adopt the Local Plan contrary to the Inspectors findings. Therefore, the Council would need to consider an alternative approach to challenge the findings or withdraw the Section 2 Plan. It should be noted that the main modifications schedule currently received is not his formal recommendation nor a decision, it would not be itself challengeable by judicial review.
- 4.2 The alternative options available to the Council at this point would be:
- Withdraw the plan and start again.
 - Lobby the Secretary of State to direct that the Plan is submitted for him to consider.
- 4.3 Both options would involve further cost and delay to the Local Plan process and may leave the Council open to speculative development here is no guarantee the second option would be successful.
- 4.4 Having considered the costs and benefits of these options, officers recommend that the Council continue with the Plan process and consult on proposed main modifications.

5. Background Information

- 5.1 The Colchester Local Plan comprising Section 1 and Section 2 were submitted to the Secretary of State in October 2017. In February 2021, the Council adopted the Section 1 Local Plan which sets out the overarching strategy for North Essex including policies setting the overall housing and employment requirements and policies relating to the Tendring Colchester Borders Garden Community.
- 5.2 The Section 2 Local Plan contains specific local policies and proposals relevant to the borough of Colchester only. Like Section 1, before the Section 2 Local Plan can be formally adopted by the 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). As the Plan was submitted in October 2017 the 2012 NPPF is relevant for Examination purposes.
- 5.3 The 'tests of soundness' are:
- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
 - Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
 - Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.
- 5.4 Preparation for the Section 2 examination began in Autumn 2020 when the Planning Inspectorate (PINs) notified the Council, alongside Braintree and Tendring District Councils that two Inspectors had been adopted to lead the individual examinations for each authorities Section 2 Local Plan. The Inspectors are Anne Jordan BA (Hons) MRTPI and Jameson Bridgwater PGDip TP MRTPI.
- 5.5 In March 2021, the Inspector provided a draft timetable for the Section 2 hearing sessions and a series of 'Matters, Issues and Questions' (MIQs) identifying the main topics or matters that the Inspector wished to discuss, with a series of questions under each matter. These were published on the [Council's Examination Website](#).
- 5.6 The Council and other participants in the examination (i.e., those who made representations during the publication consultation in Summer 2017) were invited to prepare and submit hearing statements that responded in writing, to the Inspector's Questions. Officers produced hearing statements which responded to all the Inspector's questions, with input from expert consultants who prepared technical studies which form the Local Plan evidence base and legal advice where necessary.
- 5.7 Examination hearings for the Section 2 Local Plan took place over a two week period in April 2021, virtually using Zoom. Each hearing session was live streamed on the Council's YouTube channel, in a similar manner to the Council's virtual committee meetings. The following matters were covered:

Day 1 – 20 April 2021

- Main Matter 1 – Legal Requirements and Overarching Issues
- Main Matter 2 – Sustainable Growth Policies (SG1-SG8)
- Main Matter 3 – Environmental Assets Policies (ENV1-ENV5 and CC1)

Day 2 – 21 April 2021

- Main Matter 4a – Generic Infrastructure and Mitigation Requirements (Policy PP1)
- Main Matter 4b – Colchester Town Centre (Policies TC1-TC4)
- Main Matter 5 – North Colchester (Policies NC1-NC4)
- Main Matter 6 – South Colchester (Policies SC1-SC3)

Day 3 – 22 April 2021

- Main Matter 7 – East Colchester (Policies EC1-EC4)
- Main Matter 8 – West Colchester (Policies WC1-WC5)
- Main Matter 9 – Sustainable Settlements (Policies SS1-SS16)
- Main Matter 10 – Other Village and Countryside (Policies OV1-OV2)

Day 4 – 23 April 2021

Reserve Day (this was not required)

Day 5 – 27 April 2021

- Main Matter 11 – Policies DM1 to DM4 – Health and Wellbeing, Community Facilities, Education Provision and Sports Provision
- Main Matter 12 – Policies DM5 – Tourism, Leisure, Culture and Heritage
- Main Matter 13 – Policies DM6, DM7 and SM14 – Economic Development in Rural Areas and the Countryside, Agricultural Development and Diversification and Rural Workers' Housing

Day 6 – 28 April 2021

- Main Matter 14 – Policies DM8 to DM11 - Affordable Housing, Development Density, Housing Diversity and Gypsies, Travellers and Travelling Showpeople
- Main Matter 15 – Policies DM12, DM13 and DM15 - Housing Standards, Domestic Development and Design and Amenity
- Main Matter 16 – Policy DM16 – Historic Environment

Day 7 – 29 April 2021

- Main Matter 17 – Policies DM17 to DM19 – Retention of Open Space and Recreation Facilities, Provision of Public Open Space and Private Amenity Space
- Main Matter 18 - Policies DM20 to DM22 - Promoting Sustainable Transport and Changing Travel Behaviour, Sustainable Access to Development and Parking
- Main Matter 19 - Policies DM23 to DM25 – Flood Risk and Water Management, Sustainable Urban Drainage Systems and Renewable Energy, Water, Waste and Recycling
- Main Matter 20 – Monitoring

Day 8 – 30 April 2021

Reserve Day (this was not required)

- 5.8 At each session, the Council were represented by Officers and where necessary consultant experts who prepared technical studies which form part of the Local Plan evidence base. Third parties such as landowners, developers and members of the public were also given the opportunity to speak during the hearing sessions, if they had made a representation during the publication draft consultation and they requested to do so, in accordance with Section 20 (6) of the Planning and Compulsory Purchase Act 2004 (as amended).
- 5.9 The Inspector leading the Colchester examination has now confirmed to the Council his series of 'main modifications' that are considered necessary for the plan to be made 'sound' and legally compliant, before the plan can proceed to adoption.
- 5.10 A large number of the modifications reflect broadly those put forward by Officers as suggestions as a result of representations to the Publication Draft Consultation in Summer 2017, through updated evidence and/or to reflect the passage of time since submission of the plan. None of the modifications are considered by Officers to be radical or unexpected.
- 5.11 Critically, the Inspector is not asking for any additional sites to be included in the Local Plan or for any sites to be removed.
- 5.12 The full schedule of recommended main modifications by the Inspector is attached as Appendix A. These include:
- Correct all references to reflect the adoption of Section 1 Local Plan which contains the singular Garden Community at Tendring Colchester Borders.
 - Include requirement for wintering bird surveys for several residential allocations as recommended in the HRA.
 - Update to *Table SG2: Colchester's Housing Provision* to remove Colchester Braintree Borders Garden Community, to reflect Statements of Common Ground (SoCG) made with developers in relation to Lakelands and Layer De La Haye; and provide factual updates to include the most up to date housing figures upon adoption.
 - Remove criteria from *policy SG6 Town Centre Uses* which provided a distinctive treatment of Tollgate Centre which is not in accordance with national policy.
 - Provide clarity to *policy SG8 Neighbourhood Plans* that once made, a neighbourhood plan becomes a part of the Development Plan.
 - Policy *ENV1 Environment* now provides reference to biodiversity net gain, the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMs), irreplaceable habitats and countryside.
 - A new requirement in Policy *CC1 Climate Change* for a tree canopy cover assessment to be provided for all major applications.
 - Policy *TC1 Town Centre Policy and Hierarchy* clarifies the mix of uses that would be supported in Colchester Town Centre, in accordance with the greater flexibility provided by national policy.

- Policy *TC3 Town Centre Allocations* provides greater criteria for the redevelopment of Vineyard Gate to reflect the Council's updated proposals.
- Policy *SC1 South Colchester* includes additional text for the Abro Site which has been carried forward from the Adopted Local Plan and previously omitted from the Section 2 Local Plan.
- Supporting text and policy *SC2 South Colchester Middlewick Ranges* has been modified in a number of ways which includes clarification of transport assessment and mitigation measures, biodiversity net gain requirements, to ensure the evidence base and Masterplanning work adequately reflects full range of environmental considerations, heritage assets, landscape considerations, contamination, developer contributions and timing/phasing in relation to biodiversity net gain, as well as the opportunity for effective engagement with the community through masterplanning for the site.
- Policy *EC3 East Colchester Allocations* includes text for the Place Farm employment and residential allocation included elsewhere within the plan but omitted from this policy.
- Policies *WC1/WC2 Stanway* to reflect the current planning position including the grant on appeal for town centres uses and no longer includes the former Sainsburys Site for residential development.
- Updates to policies *SS5 Eight Ash Green*, *SS15 West Bergholt* and *SS16 Wivenhoe* to reflect that neighbourhood plans have been made.
- Policy *SS14 Tiptree* and supporting text reflects the granting of permission for 200 dwellings at Barbrook Lane and clarifies that the Neighbourhood Plan will deliver a minimum of 400 dwellings (as opposed to 600).
- Policy *DM11 Gypsies, Travellers and Travelling Showpeople* – this policy now clearly retains allocations from the Adopted Local Plan to ensure this specific need is continually met across the Borough.
- Policy *DM12 Housing Standards* includes an additional criterion noting the Building Control requirement for sprinkler systems to be provided in new applications for accommodation with a top storey above 11m (4 storeys).

5.13 As part of the statutory process, the main modifications which the Inspectors consider necessary to make the Local Plan sound, have to be published for six weeks consultation alongside an updated Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) for the Section 2 Local Plan. The SA and HRA are currently being prepared by consultants LUC.

5.14 Officers have also prepared a schedule of additional modifications which are minor and either factual in nature, required as a result of a main modification or to correct spelling/grammar, see Appendix B. Similarly, a schedule of consequential modifications to the policies maps (see Appendix C) have also been prepared. In the interest of transparency and completeness, these are to be published alongside the main modifications for consultation.

Next Steps

- 5.15 The next stage is for the Council to publish the main modifications for a six week consultation. Consultants LUC are preparing an update to both the Sustainability Appraisal (SA) and the Habitats Regulation Assessment (HRA) to assess the socio-economic and environmental impacts of the Section 2 Local Plan with the Inspector's recommended modifications and these documents will be published for consultation alongside the modifications.
- 5.16 Any comments received will be submitted to the Inspector for his consideration before he comes to a final decision on whether the Section 2 Local Plan with those modifications, is sound and can be formally adopted. It is proposed that the six week consultation will take place between October and November 2021.
- 5.17 The consultation will be only on the proposed modifications set out in Appendices A to C to this report and the supporting SA/SEA and HRA. For completeness and transparency, alongside the Inspector's Main Modifications, the Council will also publish the 'additional modifications' and modifications to the policies maps which are required as consequential changes from the main modifications, for factual updates or to correct spelling/grammar errors. An introduction will be added to each of the modification schedules, before publishing for consultation to make clear to the public the difference between main and additional modifications.
- 5.18 Given the nature of this consultation being limited to the modifications, it is considered appropriate for majority of the consultation to take place online. However, officers will ensure that a process is put in place to ensure that there are hard copies of the modifications to view for members of the public who may not have access to the website and that responses can be submitted via letter as well as email and through the Council's Consultation Portal. Whilst in person events are not planned, officers will be available to answer questions on the process of consultation via telephone and other virtual means as required throughout the length of the consultation process. All steps for the consultation will follow the legislative requirements of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 and will also comply with the Council's Statement of Community Involvement (SCI) for this stage in the process.
- 5.19 As with Section 1, the decision to formally adopt the Section 2 Plan at the end of the process will be made by a meeting of the Full Council. This will result in the Colchester Local Plan as a whole being adopted.

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.
- 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 progress the Section 2 Local Plan through the remaining stages of the plan making process and ensure it meets the requirements of national

planning policy so that, together with Section 1, it can become the new 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, 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 Inspector has already 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 need be published for consultation in their own right before the Council can proceed to the adoption of Section 2. An updated Sustainability Appraisal will be published for consultation alongside the modifications. Consultants LUC will carry out this update and will also produce an update to the Habitat Regulations Assessment (HRA) which will consider the impact of the modifications on international wildlife sites.
- 6.5 The terms of reference of the Local Plan Committee includes the exercise of the Council's functions, powers and duties in relation to the preparation of the Council's Local Plan, including ensuring that it meets the "tests of soundness" set out in the NPPF. This report does not require any recommendations to Full Council, which will be required at the next stage of the process once the Planning Inspector's report is received for final adoption of Section 2.
- 6.6 The Portfolio Holder has confirmed, in line with Borough Constitutional requirements, that he agrees with proceeding with the proposals set out for the purposes of soundness.

7 Equality, Diversity and Human Rights implications

- 7.4 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

- 8.4 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

- 9.4 If the Council proceed with modifications to the Section 2 Local Plan, along the lines indicated by the Planning Inspector, those main modifications would need to be the subject of a six week public consultation to invite any final comments for the Inspector to consider before he can come to a decision on the soundness of the plan.
- 9.5 The consultation will be confined to the recommended modifications. Comments will not be invited on other elements of the plan not recommended for modification (and which are therefore presumed to be sound). An introduction will be added to each of the modification schedules, before publishing for consultation to make clear to the public the difference between main and additional modifications. The updated Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) will however be published alongside the modifications and comments on those documents will be invited. Following completion of the SA and HRA work, the consultation exercise will run for 6 weeks between October and November 2021 with the relevant documents being published on the Council's website and hard copies made available to view at the Colchester main library subject to their opening hours and arrangements in light of the coronavirus pandemic. Consultees and those on the Council's respective databases will be notified and there will be publicity via a number of media channels. The nature of the consultation exercise will not necessitate any public meetings, exhibitions or other face to face events.
- 9.6 Following the consultation, officers will process all representations received and submit them (alongside the documents subject to the consultation) to the Inspector's Programme Officer.

10 Publicity Considerations

- 10.4 All documents are available on the examination website hosted by the Council.
- 10.5 The Local Plan is likely to generate significant publicity for the Council as it has done previously.

11 Financial implications

- 11.4 The production and examination of the Local Plan has been undertaken within an allocated budget, including evidence base preparation, consultation and examination.

12 Health, Wellbeing and Community Safety Implications

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

13 Health and Safety implications

- 13.4 No direct implications.

14 Risk Management Implications

- 14.4 Any consultation on the main modifications recommended by the Inspector may result in further objections; however, unless they raise fundamental issues which require re-examination, they are unlikely to result in further significant changes.
- 14.5 There is also a risk of legal challenge following adoption of the Local Plan if any party believes that the Inspector or the Councils have made any legal or procedural errors. There are no obvious grounds that would justify such a challenge. There was no legal challenge to the adoption of the Section 1 Local Plan earlier this year.
- 14.6 The Inspector has given clear advice on how the Section 2 Local Plan ought to be modified in order to meet the government's tests of soundness and for the Council to proceed to the next stage of the plan making process.

15 Environmental and Sustainability Implications

- 15.4 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.
- 15.5 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 – Schedule of Proposed Main Modifications
Appendix B – Schedule of Proposed Additional Modifications
Appendix C – Schedule of Proposed Modifications to Policies Maps



Draft Schedule of Proposed Main Modifications to the Publication Draft Colchester Local Plan: Section Two

August 2021

Schedule of Main Modifications to the Publication Draft Colchester Local Plan: Section Two, August 2021

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
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.	Conformity with adopted Section 1.
MM2	Whole plan	Amend all references to international sites, European sites and Natura 2000 sites to habitats sites .	To ensure consistent wording throughout the plan. The Glossary of NPPF 2019 defines 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</p>	<p>Correct policy reference to Section 1 Plan;</p> <p>In response to Mersea Homes representation. 'The word 'highly' is not necessary given the relative accessibility of locations within the various tiers of the Spatial Strategy.';</p> <p>Correct Garden Community reference; and</p> <p>Update to reflect the approach to rural development.</p>

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
		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.	
MM4	Policy SG2: Housing Delivery	<p>Update policy as follows: 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) • Colchester/Braintree Borders Garden Community (Section 1 Policy SP9) <p>Detailed decisions on the location, type and level of development to be carried out in the Garden Communities 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>	Addresses deletion of Colchester Braintree Borders Garden Community
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>Correct formatting error</p> <p>Addresses modification of Tendring Colchester Borders figure and deletion of Colchester Braintree Borders Garden Community</p> <p>Reflect Statements of Common Ground with O&H on Lakelands West and Tollgate Partnership on Layer de la Haye</p> <p>Provides a factual update to include the most up to date housing figures upon adoption (Main)</p>

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
		<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 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.</p>	Additional note to the table provides consistency with 2013-33 time period of the plan agreed through adoption of the Section One plan and agreed in Statement of Common Ground with Essex County Council
MM6	Policy SG3: Economic Growth Provision	<p>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 with a further 25 hectares to be allocated in the overall Garden Community for development post-2033.</p>	<p>Update to reflect revised employment land allocations;</p> <p>Changes to use class terminology</p> <p>Correct Garden Community reference.</p>
MM7	Table SG3: Colchester Employment	<p>See Appendix 2 which updates the figures the change reflect:</p> <ul style="list-style-type: none"> - Reductions of Stanway allocations - Deletion of Colchester Braintree Borders Garden Community - Reinstatement of employment land at Marks Tey 	Figures updated for accuracy to reflect latest planning permissions and Statement of Common Ground with O&H.

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	Land Supply 2017-2033		
MM8	SG4: Local Economic Areas	<p>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> <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>	Update in light of changes to Use Classes terminology
MM9	Paras 12.49 and 12.50	<p>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.</p> <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>	Modify explanatory text related to the deletion of text in SG6 requiring impact assessments at Tollgate District Centre.

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
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 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) The pProposals 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; 	<p>Clarify reference to Local Plan</p> <p>cross reference to national policy</p> <p>Paragraph re-worded for clarity and to ensure consistency with terms in the NPPF 2012.</p> <p>Clarify that criteria i and ii relate specifically to proposals in and on the edge of the Town and District Centres</p> <p>Clarify that the centres referred to in criteria iv and v are 'defined' centres</p> <p>Impact thresholds modified to provide greater flexibility in accordance with national policy</p> <p>Deletion of distinctive treatment of Tollgate Centre which is not in accordance with national policy on centres</p>

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
		<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	Updated to increase clarity
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>	Update to reflect the adopted Essex Coast RAMS & Statement of Common Ground with Natural England (SCG1).
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.</p> <p>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>	Corrections for clarity and to ensure Policy remains up to date for life of plan.

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		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. 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.	
MM14	Para 13.3	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, 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.	Clarification of terminology
MM15	Para 13.5	Insert following paragraph to replace paragraph 13.5: 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	To update the plan on progress with the Essex Coast RAMS and as agreed with Natural England (SCG1).

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		contributions from all qualifying residential development within the Zones of Influence as defined in the adopted RAMS.	
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 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.</p>	To provide further clarity, as shown in the SoCG with Environment Agency (SCG2).
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</p>	Update on biodiversity net gain. Modification agreed with Environment Agency (SCG2).

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		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.	
MM18	Para 13.9	<p>13.9 Protected Hedgerows must be assessed by the Local Planning Authority's Landscape Officer against criteria in the Hedgerow Regulations 1997. Where a hedgerow is deemed to be 'Important' under the Hedgerow 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 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.</p>	Statement of Common Ground with Environment Agency (SCG2).
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	To provide further clarity.

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		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 defined in the adopted RAMS, towards mitigation measures identified in the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS).</p>	<p>Update to the policy to address representation from the Environment Agency, see SCG2</p> <p>Clarification of text to introduce alphabetic ordering of criteria</p> <p>Update to the policy to address representations to ENV1 (including representations from Natural England and the Environment Agency – see SCG1 & SCG2</p> <p>Update it in terms of the Essex Coast RAMS.</p> <p>Clarify biodiversity and ecology requirements to reflect relevant guidance.</p> <p>Add wording on irreplaceable habitats.</p>

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		<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</p>	Provide further clarification on the planning balance to be struck on countryside development proposals.

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		<p>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> <ul style="list-style-type: none"> (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, and compensation measures, are provided. <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</p>	

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		permitted where it would not impact upon and would protect and enhance the factors that contribute to valued landscapes.	
MM21	Policy ENV2: Coastal Areas	Include 'and seascape' in criterion (iii), after the word landscape (page 99).	Natural England Representation and SCG1.
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.	Environment Agency representation and SCG2.
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....	Further clarification.
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 $\pm 2\%$ 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. 	Update to reflect Council's work on the Climate Emergency and the Colchester Orbital. Further explanation provided following consideration at the EiP and issues raised at the Hearing

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		<p>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.</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. 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;</p> <p>(b) waste development;</p> <p>(c) the provision of dwellinghouses where—</p> <p style="padding-left: 40px;">(i) the number of dwellinghouses to be provided is 10 or more; or</p> <p style="padding-left: 40px;">(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 ;</p> <p>(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</p> <p>(e) development carried out on a site having an area of 1 hectare or more</p>	

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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> <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;</p> <p>(b) waste development;</p> <p>(c) the provision of dwellinghouses where—</p> <p style="padding-left: 40px;">(i) the number of dwellinghouses to be provided is 10 or more; or</p> <p style="padding-left: 40px;">(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 ;</p> <p>(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</p>	<p>Amendment required to reflect the Council’s declaration of a Climate Emergency and the work the Council has undertaken in relation to this.</p> <p>A district heating network was explored in East Colchester but is not being progressed.</p> <p>Typo</p>

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		(e) development carried out on a site having an area of 1 hectare or more	
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>	<p>Clarification of terms used</p> <p>Update wording to reflect wording on water issues agreed for Section 1</p> <p>Use of broader term agreed in Statement of Common Ground with Historic England</p> <p>Cross-reference to RAMS contribution requirement in Section 1</p>
MM27	Policy TC1: Town Centre Policy and Hierarchy	<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>	Clarify mix of uses that would be supported in line with more flexible national policy.
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</p>	Increase flexibility of permitted uses.

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
		<p>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 • 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>Modifications proposed to reflect updated proposals.</p> <p>To address Historic England representation as agreed in Draft Statement of Common Ground.</p> <p>Modifications proposed to reflect updated proposals</p> <p>Requirement for retail tests at St. Botolphs and Priory Walk duplicates NPPF requirement.</p>

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		<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>	<p>Cross-reference to the requirement for the rapid transit system in CLP Section 1.</p> <p>Strengthening of wording to address historic environment implications of highways infrastructure agreed in Statement of Common Ground with Historic England.</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>	Reflect changes in Use Class order terminology and the categorisation of offices as main town centre uses. (Main)
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.	Update policy to reflect CLP Section 1 policy.
MM33	New para 14.52	Add new para 14.52 Land at the ABRO site: 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	Omission from carry forward from Adopted Local Plan (Garrison Masterplan)

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		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.	
MM34	Policy SC1: South Colchester Allocations	<p>Add additional text in policy before 'The following Local Economic':</p> <p>ABRO site</p> <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>	<p>Omission from carry forward from Adopted Local Plan (Garrison Masterplan)</p> <p>To provide a requirement for a Minerals Resource Assessment for both SC1 allocations which has previously not been included in error.</p>
MM35	Para 14.54	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 in paragraph 14.62 below.	Updating required on background and additional guidance
MM36	Para 14.55	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	Clarification of transport assessment and mitigation measures reflecting Statement of Common Ground between CBC, ECC and DIO

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		<p>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; • 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>	Clarification of link between transport issues and housing numbers for site
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</p>	Clarification of biodiversity net gain requirements

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		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.	
MM38	Para 14.57	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.	Ensure evidence base and masterplanning work adequately reflects full range of environmental considerations.
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.	Ensure evidence base and masterplanning work adequately reflects full range of heritage assets
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	Ensure evidence base and masterplanning work adequately

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		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.	reflects full range of landscape considerations
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.	Clarification on matters in respect of requirements regarding contamination
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	Clarification of approach / timing to master planning and agreement with the Council

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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.	Clarification of approach / timing to master planning and agreement with the Council
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.	Clarification in respect of requirements for developer contributions
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	Clarification regarding phasing in relation to Bio-diversity net gain
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	Clarification of the approach / requirements for long term management of the ecological areas / habitats and mitigation land

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		interest. The landowner of the mitigation land will need to be party to such an agreement.	
MM47	Policy SC2: Middlewick Ranges	<p>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:</p> <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 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 of enhancements to sustainable travel connectivity including public transport, cycling and walking infrastructure, including connection and enhancement to the Colchester Orbital; and (v) Provides ion 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) Detailed ecological surveys 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 including the provision to provide of 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 	<p>Add ref to masterplanning for clarification and consistency</p> <p>Clarification regarding requirements for a transport assessment (CBC/ ECC and DIO SOCG)</p> <p>Consistency and clarification re sustainable connectivity</p> <p>Clarification regarding reference to the Orbital route</p> <p>Clarification regarding protection of habitats</p> <p>Clarification regarding Bio-diversity net gain requirements and mitigation</p> <p>Clarification regarding the management of the habitat creation and conservation</p> <p>Clarification of requirements for long term management of the biodiversity / mitigation land</p> <p>Clarification of the requirement for a management strategy / plan for the Green Infrastructure and open space elements</p>

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		<p>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 <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>Clarification of requirements for an LVIA</p> <p>Clarification of requirements for early years and primary education provision (ECC SoCG)</p> <p>Clarification of requirements for financial contributions for all education including early years, primary and secondary (ECC SoCG)</p> <p>Clarification regarding the requirements for masterplanning including scope timing and agreement</p> <p>A recommendation in the HRA and agreed in the SoCG with Natural England.</p>

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		<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>	Essex Bridleways Association Representation
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</p>	<p>Correct name of Garden Community</p> <p>Clarify requirement in line with Draft Statement of Common Ground with University of Essex.</p> <p>Update Use Class terminology references.</p>

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		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:...	
MM50	Policy EC2: East Colchester/Hythe Special Policy Area	<i>Amend criteria (i) and (xi) of Policy EC2 as follows:</i> (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. (xi) Develop the East Colchester Energy Centre and HEAT network;	For clarity, further to Network Rail Representation Delete proposal that is no longer current
MM51	Policy EC3: East Colchester Allocations	Insert Text before Local Economic Areas in Policy EC3: Place Farm Development of the site will be supported where it provides: 2.7 ha of employment land, as shown in Table SG3 Up to 30 new dwellings of a mix and type of housing to be compatible with development in the adjacent Old Heath area. Access via Whitehall for the employment and via Rowhedge Road for the residential development. ..in accordance with Table SG34 and Policies SG3 and SG4.	Include text on Place Farm employment and residential allocation included in Table SG3 employment Edge of Centre floorspace and on Policies Map. Correct typographical error
MM52	Policy EC4: Transport in East Colchester	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. <i>Amend the final bullet point of Policy EC4 as follows;Improvements to connectivity for pedestrians, and cyclists and horse riders where appropriate</i> including;.....	Update policy to reflect CLP Section 1 policy. To clarify further to Essex Bridleways Association Representation
MM53	Policy WC1: Stanway	All land and premises within the area allocated as the Stanway Economic Area and Tollgate District Centre will be safeguarded for economic / employment appropriate	Clarify policy coverage

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	Strategic Economic Area and Tollgate District Centre	<p>commercial uses based on a zoned approach in accordance with the following principles:</p> <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, 	<p>Update to reflect changes in Use Class terminology and to clarify policy relating to main town centre uses.</p> <p>Correct typographical error</p>

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		<p>(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</p> <p>(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.</p>	
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</p>	<p>Essex CC representation required to clarify education requirements further to the SoCG with ECC</p> <p>A recommendation in the HRA and agreed in the SoCG with Natural England (SCG1).</p> <p>To provide a requirement for a Minerals Resource Assessment which has previously not been included in error.</p> <p>To reflect the grant on appeal of an application for town centre uses.</p> <p>To reflect revised proposal for the site agreed in Statement of Common Ground with O&H</p>

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		<p>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 150 250 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>	To avoid duplication with generic wording on education to be included at beginning of policy.
MM55	Para 14.118	<p>Amend the third sentence as follows:</p> <p>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.</p>	Essex Bridleways Association Representation. Grammar correction
MM56	Policy WC3: Colchester Zoo	<p>Amend policy reference to reflect current terminology;</p> <p>....Any proposals for the expansion of the Zoo will be undertaken through a masterplan approach taking into account landscape and Scheduled Ancient Monument impact.....</p> <p>Add to the policy:</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</p>	<p>Consistent with NPPF terminology.</p> <p>A recommendation in the HRA and agreed in the SoCG with Natural England.</p>

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
		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.	To ensure that the policy gives appropriate protection to the historic environment.
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.	To ensure that the policy gives appropriate protection to the historic environment.
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.	Correction to update the plan to reflect the adoption of the Eight Ash Green Neighbourhood Plan. New policy wording is consistent with the policy wording for the Boxted Neighbourhood Plan and other adopted neighbourhood plans.
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	To ensure that the policy gives appropriate protection to the historic environment.

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
		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	<p>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.</p> <p>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.</p>	<p>To clarify requirements for community facilities.</p> <p>To ensure that the policy gives appropriate protection to the historic environment.</p>
MM62	Policy SS8: Great Tey	<p>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).</p> <p>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:</p> <ul style="list-style-type: none"> (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 	<p>To ensure consistency with other policies.</p> <p>To provide clarification with regards to access.</p>
MM63	Policy SS9: Langham	<p>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.</p> <p>Amend School Road criteria (v) as follows:</p>	To ensure that the policy gives appropriate protection to the historic environment.

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
		A design and layout which protects and enhances the listed building including 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>	<p>Wording agreed through SoCG with Tollgate Partnership</p> <p>To provide a requirement for a Minerals Resource Assessment which has previously not been included in error.</p> <p>Recommended mitigation in the Habitat Regulations Assessment</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</p>	<p>To remove reference to the Braintree Colchester Borders Garden Community</p> <p>To clarify role of Neighbourhood Plan</p>

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
		with the Garden Community to be considered in the Neighbourhood Plan at the appropriate time.	
MM66	Policy SS12b: Coast Road, West Mersea	Amend criteria (ii): Enhance historic heritage assets, maritime uses, the traditional maritime character of Coast Road and the landscape character of the coast. Amend criteria (iii) to read: Can demonstrate no likely significant effects on adjacent European sites or where impacts can be appropriately mitigated provide mitigation in accordance with the Recreation Avoidance and Mitigation Strategy (RAMS). Correct the typo: historical	Correction for consistency with the NPPF Update to reflect adoption of the RAMs SPD
MM67	Policy SS12c: Mersea Island Caravan Parks	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: Amend criteria (ii): Help protect the integrity of habitats 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.	To clarify that all criteria in the policy apply. Representations Natural England and RSPB and Statement of Common Ground 1.
MM68	Policy SS13: Rowhedge	Deletion of criteria (iv) – Provision of new health services to be agreed with the North Essex Care Commissioning Group	Clarification in the Update on Cooperation with the North East Essex Clinical Commissioning Group on the need for flexible approaches to the provision of health care which may not involve land take on the allocated site.
MM69	New Para 14.219 & Para 14.221	Infrastructure necessary to deliver the growth up to 2033 will need to address cross boundary issues with neighbouring Local Planning Authorities and neighbouring Parishes. This will include 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.	Update to reflect latest position in relation to Tiptree Neighbourhood Plan.

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
		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 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.	
MM70	New Para 14.222	Add the following new paragraph: Barbrook Lane 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.	Update to reflect latest position in relation to consents granted
MM71	Policy SS14: Tiptree	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: (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 detailed	Consistency of wording used in policy and policies map. Clarification that housing number specified is a minimum number in accordance with national policy Modifications to update in relation to the Tiptree Neighbourhood Plan, as explained in the Tiptree Topic Paper.

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
		<p>transport assessment with a view to confirming provision of the first phases of a road between the B1022 and B1023;</p> <p>(v) Consider strategic cross boundary issues e.g. A12 junction improvements</p> <p>(vi) Identify other allocations in the Parish, including employment and open space.</p> <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>	Recommendation in HRA and agreed in SOCG with Natural England.
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>	Correction to update the plan to reflect the adoption of the West Bergholt Neighbourhood Plan. New policy wording is consistent with the policy wording for the Boxted Neighbourhood Plan and other adopted neighbourhood plans.
MM73	Policy SS16: Wivenhoe	<p>Replace entire policy with the following:</p> <p>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</p>	Correction to update the plan to reflect the adoption of the Wivenhoe Neighbourhood Plan. Amended wording agreed between Council and Third Party following EIP Hearing

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
		<p>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 parish 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	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.	Representation from Natural England & SCG1.
MM75	Policy OV2: Countryside	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>Updated to better align with national view of rural residential development.</p> <p>Clarification and consistency matter raised at the EiP Hearings regarding reference to Parish Council support. (Consistent with DM8)</p>

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
		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.	Representation from Natural England & SCG1.
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	To provide further clarification as requested in representations from Sport England and Essex Bridleways Association.
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.	To clarify that criteria (iii) applies to both criteria (i) and (ii). To ensure the policy is flexibly worded to enable school provision and to ensure consistency with DM3.
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.	To enable school provision and to ensure consistency with Policy DM2.

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
		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.	To provide further clarification as requested in a representation from Sport England.
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	To provide further clarification as requested in a representation from Historic England and as shown in SCG3.
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. 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. Where this cannot be ruled out a full appropriate assessment will be required to be undertaken.	To ensure protection of habitats sites as requested in Natural England's representation and as shown in SCG1.
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);	The Use Classes Order has been modified since submission of the CLP, specifically in relation to Class B1 which has been revoked. A modification is therefore considered necessary to the terminology used in Policy DM6. This reflects the fact that B2 and B8 uses are still considered appropriate within Local Economic Areas and on rural sites, but that the whole range of E class uses are not appropriate.

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
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.	To ensure protection of SSSIs as requested in Natural England's representation and as shown in SCG1.
MM84	Policy DM8: Affordable Housing	Amend Policy DM8 as follows: The Council is committed to improving housing affordability in Colchester. Accordingly, 30% of new dwellings (including conversions) on housing developments of 10 or more more than 10 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). ...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.	To ensure consistency with the NPPF.
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.	To ensure consistency with modification to Policy DM11 requested by the Environment Agency and shown in SCG2.
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.	To retain allocations from Adopted Local Plan to ensure needs of G&T are continually met and the policy is NPPF compliant. To provide further clarity as requested by the Environment Agency and shown in SCG2.

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
		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 accommodation (HMOs), care homes and sheltered accommodation.	CBC Corporate decision following Grenfell Fire.
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.	To provide further clarity as requested by Historic England and shown in SCG3.
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.	To provide further clarity as requested by Sport England. To support recent and emerging government policy on climate change, 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: ...or better reveal the significance of the heritage asset, in the first instance , unless there are not identifiable opportunities available where possible. 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	To provide further clarity as requested by Historic England and shown in SCG3 Clarify terminology. Section 1 wording has strengthened to provide Heritage Impact Assessment work to be completed to support plan-making

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
		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	
MM91	Policy DM22: Parking	Change first paragraph to read: '.....the most recent local Parking Guidance Standards taking account of.....' Change second paragraph to read: '....with the most recent local Parking Guidance Standards , with a more flexible approach <p>Add new criteria (v): The need to ensure facilities are incorporated for electric and other ultra-low emission vehicles.</p>	To provide further clarity as requested by Essex County Council. To clarify that an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles is needed.
MM92	Para 15.133	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 4 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.	To ensure consistency with the NPPF.
MM93	Policy DM23: Flood Risk and Water Management	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 al 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.	To provide clarity in regard to the run off rate sought as identified by Barton Willmore Hearing Statement
MM94	Policy DM25: Renewable Energy,	Amend the 4 th 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	To provide consistency across the region by using wording in the Anglian Water, Environment

Mod. Number	Policy / Para	Modifications: Bold new text Strikethrough deleted text	Reason
	Water, Waste and Recycling	<p>litres per person per day, as set out in Building 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>	<p>Agency and Natural England advice note.</p> <p>To provide further clarity as requested by Natural England and Historic England (Mod C only) as shown in SCG1 and SC3.</p> <p>Unnecessary to refer to National Policy Statement and guidance note.</p>
MM95	List of policies Superseded by Section 2 of the Local Plan	See Appendix 4, below.	To ensure consistency with Section 1 and meet the legal requirements.

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 Part 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	Layer 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.



Schedule of Proposed Additional Minor Modifications to the Publication Draft Colchester Local Plan: Section Two

August 2021

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Mod. Number	Policy / Para No.	Modification Bold - new text strikethrough - deleted text	Reason
AM1	Vision	Add to end of second paragraph: Colchester's heritage will continue to be a source of pride and community identity and heritage assets will be protected and enhanced.	Further to Statement of Common Ground with Historic England, agreed to strengthen wording on heritage protection and enhancement.
AM2	Explanatory text – Objectives, section 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.”	Further to Statement of Common Ground with Historic England, agreed to strengthen wording on heritage protection and enhancement
AM3	Para 2.12	The settlements highlighted in bold in Table SG1 have active Neighbourhood Plan working groups which have chosen to pursue site allocations through their respective There are a number of active Neighbourhood Plans 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 Neighbourhood Plan for these areas, Policy SG8 and the relevant place policy .	To provide consistency and avoid duplication
AM4	Table SG1	Settlements highlight in bold are preparing Neighbourhood Plans to guide development	To avoid duplication and provide consistency
AM5	Para 12.15	Add additional sentence at end of paragraph: 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.	To provide clarity
AM6	Para 12.16	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 current 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	To provide clarity and correct grammar

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		new plan period the Council was is not in a position where it neededs to make up any previous shortfall in housing delivery.	
AM7	Para 12.18	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 within the new Local Plan period these existing commitments account for approximately 7,200 5,900 new dwellings. Site specific information on existing commitments can be found in the Housing Trajectory.	To reflect latest figures as outlined in Table SG2
AM8	Para 12.20	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 new Local remainder of the Plan period new allocations account for approximately 5,200 7,100 new dwellings. New allocations are set out in their respective Place policies as well as detailed in the Housing Trajectory.	To reflect latest figures as outlined in Table SG2
AM9	Para 12.21	Housing land supply is also comprised of a broad locations for growth. As set out in Section One of the Local Plan the two broad locations for a Garden Communityies are is expected to collectively contribute 1,100 to 1,250 2,600 new dwellings to Colchester Borough's housing supply within the plan period. Information relating to these broad locations for growth is are detailed in Section One and listed in the Housing Trajectory.	Addresses modification of Tendring Colchester Borders figure and deletion of Colchester Braintree Borders Garden Community
AM10	Para 12.27	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. The ELNA goes on to state, however, that the Council should consider planning to accommodate the greater requirement arising from Colchester's good economic growth prospects. The range provided of between 22 – 55.8 ha accordingly allows for flexibility in allocations between minimum levels and capacity to respond to higher growth levels, as highlighted in the Section 1 strategic employment Policy SG4.	Reflects lowering of higher end of employment land requirement arising from Section 1.
AM11	12.28	The employment land allocations listed in Table SG3 below provide for a total of 39.7 28.5 ha of B use employment land in Strategic and Local Employment Areas and a further 4.5 3.5 ha of B use employment land in the Garden Communityies	Update to reflect revised employment floorspace allocations arising from Section 1.

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		within Colchester during the plan period. This total figure of 44.232 ha sits within accords with the baseline and higher growth demand scenarios.	
AM12	Para 12.67	London Road, Marks Tey local centre is remote from the main residential area of Marks Tey. The Food Company is the largest of the uses and this also includes a café/ restaurant and a car park. There are other high end convenience uses in this centre; a butchers and Chateau Wines, as well as three takeaways and a garage with a shop.	Update / Correction to reflect current provision.
AM13	Para 12.68	Vine Road in Wivenhoe includes a One Stop convenience store, florist and gift shop, estate agent , pharmacy, hairdressers and beauty salon, and take away.	Update / Correction to reflect current provision.
AM14	Para 12.74	Where a retail assessment is required this should include an assessment of: be carried out in accordance with the guidance set out in the Assessment Specification 2021 or any updated guidance which applies at the time. -The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and -The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to 10 years from the time the application is made.	Clarify relevant guidance.
AM15	Para 12.77	Add text to end of paragraph: 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 ECC Developers' Guide to Infrastructure Contributions (2016) as well as Council Guidance.	ECC Representation suggested to clarify definition of infrastructure.
AM16	Para 12.87	Delete this paragraph referring to NHP status	To ensure the plan is up to date.
AM17	13.4 & 13.5	Delete paragraphs	Not necessary, updates provided in other paragraphs.

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AM18	Para 13.11	Delete paragraph	To avoid repetition.
AM19	Para 13.12	Amend final sentence: 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.	To provide further clarity.
AM20	Para 13.14	Addition to the end of paragraph 13.14: 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.	As agreed in Statement of Common Ground with Historic England to explain how the suite of strategic and development management policies deliver the protection of the historic environment beyond policy DM16.
AM21	Para 13.19	Amend the first sentence: The Coastal Protection Belt has a unique and irreplaceable character, which should be strongly protected and enhanced. Amend 6th sentence of paragraph 13.19: There are also a number of new housing allocations being proposed within Abberton, Rowhedge, and West Mersea and Wivenhoe which are located in the revised Coastal Protection Belt.	Natural England Representation & SCG1. Factual correction these settlements are no longer in the CPB.
AM22	Para 13.32	The Inner and planned Outer Green Colchester Orbital r Route is are shown in Appendix 1. An audit of the Orbital R 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.	Factual correction – one route only programmed for Orbital. Requires placing into policies maps.
AM23	Para 13.50	Amend the first sentence as follows:	Update to reflect change to national target and

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		<p>"To help contribute towards achieving the national climate change target set out in the Climate Change Act 2008 of an 80% reduction in carbon emissions net zero carbon by 2050 from a 1990 baseline...</p> <p>Delete the last four sentences of this paragraph (beginning with 'Colchester Borough Council has an interim aim...') and insert the following:</p> <p>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.</p>	the Council's declaration of a Climate Emergency and the work the Council has undertaken in relation to this.
AM24	Para 13.53	<p>Replace this paragraph with the following:</p> <p>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.</p>	Amendment required to update on the progress the Council has made in progressing a district heating scheme.
AM25	Para 13.54	<p>Insert "where appropriate" at the end of the first sentence.</p> <p>Add the following sentence to the end of the paragraph:</p> <p>"Appropriate energy efficiency measures for historic buildings will be different in relation to certain classes of historic buildings."</p>	As agreed in Statement of Common Ground with Historic England to reflect need for energy efficiency measures to be sensitively approached in historic buildings.
AM26	Para 13.55	Delete entire paragraph	This paragraph refers to the Environmental Sustainability Strategy, which is now out of date. An update to paragraph 13.50 provides an update of the work the Council is taking in relation to climate change.

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AM27	Para 14.8	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 up to 70% a high percentage of A1 retail uses within each street frontage. A3 (restaurants and cafes) use, however, will be considered preferable to long term vacancies, if after extended marketing A1 retail use cannot be secured. Within the secondary frontages as illustrated on the Policies map, 50% A1 retail use will maintained. Greater flexibility for changes of use within Classes A1-A5 is provided to maximise the number of occupied units and sustain a more diverse composition of uses.	Reflects increasing flexibility to be given to uses within town centres.
AM28	Paras 14.9, 14.10, 14.11 and 14.12	<p>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 an 85-bed hotel; restaurant cluster; and student accommodation.</p> <p>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. The 2016 Retail Study Update identified capacity for up to 12,100 sq m net sales of additional comparison goods floorspace by 2023, rising to 18,650 sq m net sales by 2033 (after allowing for existing commitments but not allowing for Tollgate Village if approved on appeal).</p> <p>The Council's Retail Study considers that Vineyard Gate is the Borough's best new town centre site and a prime opportunity to accommodate forecast capacity and need for new comparison goods retail floorspace (in the region of 10-15,000 sq m net). Development there will also include related leisure and food/drink uses to ensure the viability and vitality of the proposal. Such a scheme represents a significant opportunity to offer larger format shop units which would in turn help to enhance the town centre's attractiveness to consumers and 'claw back' expenditure from competing shopping destinations. To realise this opportunity, it will be important for the Council to continue to play a proactive role given the site's complex design, heritage and archaeological issues.</p> <p>Medium to longer term need for town centre use floorspace will also be addressed by redevelopment of the St. Botolph's area and Priory Walk developments,</p>	Update text to reflect rapidly evolving approaches to town centre retail development, including deletion of specific floorspace estimates which are now out of date.

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		providing potential opportunities for redevelopment of existing buildings and car parks...	
AM29	Para 14.35	The Colchester Station Travel Plan was developed in partnership with successive Train Operating Companies and Essex County Council and has been running since 2008'.	For Accuracy ECC representation
AM30	Para 14.47	Amend bullet points to reflect latest update. <ul style="list-style-type: none"> • A12 Technology Package between the M25 and the A14 — smarter technology package to enable better management of the trunk road network. Scheme identified in the Government's Road Investment Strategy. • A12 widening between Junction 25 and junction 29 — scheme identified in the Government's Road Investment Strategy for start of investment to be made by 2025. • 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. 	Rewording needed to provide updated position and align with Section 1.
AM31	Para 14.75	Insert after paragraph 14.75: "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."	Highlight importance of Hythe Conservation as agreed in Draft Statement of Common Ground with Historic England.
	Para 14.76	Opportunities should be sought to bridge the Colne to the south of Colne Causeway Bridge. and could include power generation through tidal flow as part of the HEAT project. The Energy Centre and HEAT project has identified the ability to redistribute power more efficiently but requires infrastructure in the area to do this.	Delete proposal that is no longer current

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AM32	Para 14.94	It contains a mix of commercial uses including retail and B-use employment floorspace and is the Borough's largest District Centre. Add to end of paragraph: 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.	Reflect changes in use class terminology Clarify importance of local heritage assets in Stanway area in line with Draft Statement of Common Ground with Historic England.
AM33	Para 14.95	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 15.6 1.4 ha of employment land in Stanway. Alternative non-B class 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. Part of the Stanway Park site will, expand to The retail / leisure element within the area will expand following the grant of planning permission on appeal for a range of food / drink main town centre uses. Another proposal for a large retail led expansion is currently the subject of an appeal. Further pressure to change employment land to retail/leisure use will continue to be resisted due to concerns about the potential impact of other uses on Colchester town centre and to protect the Town Centre at the Apex of the hierarchy.	Updated to reflect latest position on development within the Tollgate area.
AM34	Paras 14.107 and 14.108	Land between Tollgate West and London Road (former Sainsbury's Site) The former Sainsbury's site has been vacant since the supermarket relocated to its current location just north of the site in 2010. The site represents an excellent opportunity to provide new housing on brownfield land and provide a further mix of uses within a predominately commercial area. Due to its location close to a range of shops and facilities, including public transport links to Colchester, the site would be suitable for development at a higher density than surrounding areas. 14.108 The site benefits from an existing access on Tollgate West but connectivity would be improved by a new footway and cycle way linking London Road to the north of the site to Tollgate West at the southern boundary of the site. This new link will improve permeability and sustainable transport connectivity in an area dominated by motorised transport. Furthermore the new link could be fronted by small scale services and community uses on the ground floors of proposed	Deleted to reflect grant of town centre uses for site on appeal

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		residential buildings, ensuring that any small scale uses are visible from and relate well to, the Tollgate District Centre and Tollgate West. Establishing an active frontage on ground floors will be complementary to the neighbouring District Centre and be consistent with the strategy seeking diversification / more services and community facilities. Importantly, development proposals will deliver high quality landscaping and public realm improvements to complement the site's enhanced connectivity to and from the adjacent District Centre.	
AM35	Para 14.109	A site to the west of Lakelands is allocated for a mixed use residential development to include approximately 150 250 dwellings. To create a more logical extension to the settlement boundary and mix of uses the allocation provides for residential development to the south of the site and employment to the north.	To reflect revised proposal for the site agreed in Statement of Common Ground with O&H
AM36	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.	Essex Bridleways Association Representation. Grammar correction
AM37	Para 14.129	Amend bullet points to reflect latest update. <ul style="list-style-type: none"> • A12 Technology Package between the M25 and the A14 — smarter technology package to enable better management of the trunk road network. Scheme identified in the Government's Road Investment Strategy. • A12 widening between Junction 25 and junction 29 — scheme identified in the Government's Road Investment Strategy for start of investment to be made by 2025. • 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. Preferred route to be identified summer 2017. 	Rewording needed to provide updated position and align with Section 1.

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AM38	Para 14.130	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 and a proposed shop at the former Langenhoe Lion Public House.	Update to reflect planning consent 180874.
AM39	Para 14.137 and Policy SS2	<p>Boxted Parish Council has produced a Neighbourhood Plan that covers the whole of the Parish and was made on 8 December 2016. While the Boted Neighbourhood Plan promotes residential development at Hill Farm, a derelict employment site located in Boted Cross, it does not identify a specific number of houses to be delivered. The Local Plan proposes an allocation of approximately 36 dwellings at the Hill Farm site which reflects the fact that Boted is a rural village with limited facilities. The Neighbourhood Plan sets out a policy framework for Hill Farm and the wider Parish that all future development proposals in Boted 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 Boted Neighbourhood Plan.</p> <p>All development proposals in Boted parish including the Hill Farm site at Boted Cross, as shown on the Boted policies map, will be determined against, and be required to comply with policies in the Boted Neighbourhood Plan and any relevant Local Plan policies.</p> <p>Prior to the commencement of development at Hill Farm enhancements will need to be provided to the wastewater treatment and sewerage infrastructure in the catchment.</p>	To update policy to reflect grant of planning permission 170997.
AM40	Para 14.159	The The Eight Ash Green Neighbourhood Plan was made in 2019. Parish Council is developing a Neighbourhood Plan which will allocate development sites in the Parish. The Parish Council, Neighbourhood Plan Working Group and the Local Planning Authority have agreed that The Neighbourhood Plan will allocate land to deliver 150 new dwellings at Fiddlers Field in Eight Ash Green over the Local Plan period.	Correction to update the plan to reflect the adoption of the Eight Ash Green Neighbourhood Plan.
AM41	Para 14.160	Delete entire paragraph.	Correction to update the plan to reflect the adoption of the Eight

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			Ash Green Neighbourhood Plan.
AM42	Para 14.161	... Although spread out, it is well served by key community facilities including, a primary school, village hall, convenience shop / post office and playing field.	Amendment to reflect change of use application granted from Post Office/Shop to dwelling.
AM43	Para 14.171	Delete text as follows; Bus services 82/83 operates between....	To respond to a representation and correct a factual error.
AM44	Para 14.183	The village is well served by community facilities including a primary school, village shop and post office , GP surgery, public open space at New Cut and Malting Green and two public houses.	Correction No Post office in village
AM45	Para 14.189	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 to start in 2020. Highways England are developing options for widening further sections of the A12 from junction 25 to junction 29 in Colchester (Ardleigh Crown). Essex County Council is leading on the development of options for a revised A120 route between Braintree and the A12 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.	Rewording needed to provide updated position and align with Section 1.
AM46	Paras 14.190 and 14.191	Reflecting its sustainable location, the wider Marks Tey area is identified as a location for a Garden Community as identified in Section 1 of the plan. In addition to this Local Plan, future development of the area will also be guided by a new Joint Development Plan Document developed with Braintree District Council for the	To remove reference to the Braintree Colchester Borders Garden Community To clarify role of Neighbourhood Plan

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		Garden Community area as well as the Neighbourhood Plan being developed by Marks Tey Parish Council. Parish Council are progressing with a Plan to inform the emerging concepts associated with the potential Garden Community. Marks Tey is in an unusual position awaiting further confirmation in respect of a planned route for the A120 as well as further work informing the extent and definition of the Garden Community area, both of which may influence the consideration of site allocations which will be considered through the Neighbourhood Plan. In response to this, it is appropriate to take a flexible approach to the Neighbourhood Plan, providing the opportunity for a phased plan for allocations associated with growth of the existing settlement, which could reflect forthcoming decisions on the A120 route and A12 and the Garden Community location.	
AM47	Para 14.202	Amend Text: The current Essex and South Suffolk Shoreline Management Plan.	Correct title of Plan for accuracy
AM48	Para 14.214	Amend paragraph to delete requirement for health provision given that the need for health care facilities may be met through alternatives sites and/or methods of provision. Redevelopment of this site will also provide a number of local benefits including land for expanded health provision in Rowhedge. 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.	Clarification in the Update on Cooperation with the North East Essex Clinical Commissioning Group on the need for flexible approaches to the provision of health care which may not involve land take on the allocated site.
AM49	Para 14.216	Tiptree is a District Centre with a high number of key services and community facilities. There are 2 supermarkets, 4 primary schools, a secondary school, a community centre, 1 GP surgery , as well as a range of independent shops, cafes and restaurants.	Correction for accuracy
AM50	Para 14.218	Add the following to the end of the paragraph: and Inworth Grange and Brook Meadows Local Wildlife Site	Reference to Local Wildlife Sites
AM51	Para 14.222	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 this use . 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	To improve clarity.

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AM52	Para 14.226	Delete entire paragraph	Correction to update the plan to reflect the adoption of the West Bergholt Neighbourhood Plan.
AM53	Para 14.227	The West Bergholt Neighbourhood Plan will allocate land for housing was made in 2019. and will develop a It sets out the planning policy framework needed to support the delivery of 120 houses up to 2033 and a policy framework to guide and meet all other development or community needs identified by the community in West Bergholt.	Correction to update the plan to reflect the adoption of the West Bergholt Neighbourhood Plan.
AM54	Para 14.228	Delete the following text from the final sentence: unless they are reviewed and amended through the West Bergholt Neighbourhood Plan.	Correction to update the plan to reflect the adoption of the West Bergholt Neighbourhood Plan.
AM55	Para 14.234	Wivenhoe Town Council is currently preparing a The Wivenhoe Neighbourhood Plan was made in 2019. which is at an advanced stage. 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.	Correction to update the plan to reflect the adoption of the Wivenhoe Neighbourhood Plan.
AM56	Para 14.235	Delete entire paragraph	Correction to update the plan to reflect the adoption of the Essex Coast RAMS (the strategic approach to mitigating likely significant effects from recreational disturbance across Essex).
AM57	Para 14.243	The Local Planning Authority's interpretation of 'isolated' is threefold: it interprets it as an isolated single dwelling in the countryside, are sites that are physically isolated relative to existing settlements, and sites that are functionally isolated relative to services and facilities.	Clarification and consistency matter raised at the EiP Hearings regarding reference to single dwellings.
AM58	Para 15.3	Further details on preparing HIAs can be found in the Guidance Note on HIAs produced by the Essex Planning Officers Association (March 2008) Health Impact Assessment section of the Essex Design Guide (essexdesignguide.co.uk).	Update to latest guidance.

Mod. Number	Policy / Para No.	Modification Bold - new text strikethrough - deleted text	Reason
AM59	New Para 15.4	Insert new paragraph to precede Policy DM1: 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.	To provide clarity on required digital infrastructure improvements to support the delivery of healthcare.
AM60	Para 15.4	Policies elsewhere in the plan also cover protection and provision of open space, sport and recreation.	To provide further clarification as requested in a representation from Sport England.
AM61	Para 15.21	Add ' DM16 ' to the list of policies cross-referenced in the supporting text.	A recommendation in the Sustainability Appraisal.
AM62	Para 15.54	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.	Title of document updated.
AM63	Para 15.66	Add the following to the supporting text to policy DM13: 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.	To reflect the Council's Climate Emergency and for consistency with Policy CC1.
AM64	Para 15.83	After 'nationally produced guidance...' add: ' ...the government's 2018 National Design Guide which sets out the characteristics of well-designed places and	To highlight the importance of the government's 2018 National

Mod. Number	Policy / Para No.	Modification Bold - new text strikethrough - deleted text	Reason
		demonstrates what good design means in practice, and the National Design Code 2021... Change 'Building for Life' to 'Building for a Healthy Life' to reflect the current iteration of this tool.	Design Guide and National Design Code 2021 as recent additional guidance.
AM65	Para 15.123	Amend paragraph to read: '.....within the relevant Transport Assessment and Transport Statement. '	To provide further clarity as requested by Essex County Council.
AM66	Para 15.124	Amend text as follows: 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 Environment Agency's Flood Map for Planning (Rivers and Sea). Government's Flood Map for Planning.	Update to provide clarity and reflect the latest available resource for Flood Map for Planning.
AM67	Para 15.125	Add the following text to the end of the last sentence of 15.125: 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.	To provide further clarity as requested by the Environment Agency and shown in SCG2.
AM68	Para 15.129	When considering the allocations of sites in Flood Zone 2 & 3, the Local Planning Authority also took flood risk vulnerability of the proposed land uses and the needs for the application of the Exception Test into account.	Typo – missing word
AM69	Para 15.135	Where development proceeds in areas with a known flood risk, mitigation measures will need to be delivered as part of the proposals not only to alleviate risk to people and property, but also to ensure that the development is safe over its is planned lifetime.	Typo
AM70	Para 15.139	Colchester's Surface Water Management Plan (SWMP) 2013 which only covers urban Colchester, 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.	Update to reflect latest information from Essex County Council.
AM71	Para 15.143	Delete paragraph.	Paragraph not necessary and will become out of date during the lifetime of the Local Plan.
AM72	Para 15.144	Delete paragraph.	Paragraph is out of date.
AM73	Para 15.145	Delete reference to district heating in East Colchester and delete the final two sentences about proposals for district heating in the Northern Gateway.	To ensure the plan is up to date. A district heating scheme in East Colchester is no longer

Mod. Number	Policy / Para No.	Modification Bold - new text strikethrough - deleted text	Reason
			being explored and the district heating scheme in Northern Gateway is operational (at a testing stage).
AM74	Para 15.146	Move the final sentence to the end of paragraph 15.147 and delete the rest of the paragraph.	Cross-reference to other requirements not needed.
AM75	Para 15.149 & 15.150	Amend 'WCS' to Water Cycle Study Delete 'also' from paragraph 15.149.	To provide clarity
AM76	Para 15.151	Amend the second sentence as follows: { 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).	To refer to updated advice that supports the tighter water standard as shown in SCG3.
AM77	Table 1: Monitoring Targets and Indicators	Local Plan Objectives updated under Place Policies - to reflect wording agreed with Historic England (SCG3) Ensure the unique qualities of different communities and environments, paying particular attention to heritage assets , in the Borough are identified, protected and enhanced	To ensure consistency.



Schedule of Proposed Modifications to the Publication Draft Colchester Local Plan: Section Two Policies Maps

August 2021

Schedule of Modifications to Publication Draft Colchester Local Plan: Section Two Policies Maps – August 2021

Map Title	Modification Description and Reason
TBC	Include Minerals Safeguarding Areas (as identified in the Essex Minerals Local Plan 2014) as previously omitted
Key to Policies Map	Update black arrow to read as 'Preferred Direction of Growth'
Policy Map NC1: North Colchester	Add hatching to show Severalls is included within Northern Gateway Zone 1
Policy Maps NC1: North Colchester and NC2-4: North Colchester	Amend to show the correct extent of the unimplemented Section of the NAR busway Add Local Wildlife Site CO-170 Cowdray Brownfield as previously omitted
Policy Map EC1-4: East Colchester	Add Place Farm as a 'New Residential Allocation' as previously omitted Modify Garden Community Allocation to be consistent with Section 1 Local Plan Policy Map 10.2 Add Registered Parks and Gardens within University Site
Policy Map SC1-3: South Colchester	Include Monkwick and Mersea Road as 'Local Centre' as listed in Table SG5a Add Local Wildlife Site CO-170 Manwood Road Verge as previously omitted
Policy Map WC1-5: West Colchester	Add Peartree Road as a 'District Centre' Add Irvine Road as a 'New Residential Allocation' as previously omitted Add Essex County Hospital Site as a 'New Residential Allocation' as previously omitted Change Ex Sainsbury Site from 'New Residential Allocation' to 'District Centre' to reflect planning approval Change Stane Park 'Employment' to 'District Centre' Change South of Tollgate West from 'Employment' to 'District Centre' Change part 'New Residential Allocation', part 'employment' designations at Land to the West of Lakelands to entirely 'New Residential Allocation'

Map Title	Modification Description and Reason
Policy Map WC3: West Colchester	Include open space for former Stanway Tarmac quarry site as previously omitted Add Local Wildlife Site CO-174 Gosbeck Road as previously omitted
Policy Map SS1: Abberton & Langenhoe	Include school fields as open space
Policy Map SS4: Copford and Copford Green	Remove Garden Community to be consistent with Section 1 Local Plan
Policy Map SS5: Eight Ash Green	Include 'New Residential Allocation' and update settlement boundary as shown in the Eight Ash Green Neighbourhood Plan
Policy Map SS6: Fordham	Include school playing fields as open space
Policy Map SS7: Great Horkesley	Add Local Wildlife Site CO-173 Aldercar Wood, Great Horkesley as previously omitted Add Holly Lodge Farm 'Employment' allocation as previously omitted but noted in Policy SS7
Policy Map SS9: Langham	Add 'Employment' allocation at Lodge Lane as previously omitted but noted in Policy SS9 Modify 'Employment' designation at School Road, Langham to remove dwellings in northeast corner Alteration to Local Wildlife Site Co136 Black Brook
Policy Map SS10: Layer de la Haye	Remove open space designation within site allocation as agreed through SoCG with Tollgate Partnership
Policy Map SS11: Marks Tey	Remove Garden Community to be consistent with Section 1 Local Plan Add 'Employment' designation at Timbers Yard as noted in Policy SG3
Policy Map SS12a and SS12c: Mersea Island	Adjust Key to Caravan Park Seaview Caravan Park (now called West Mersea Holiday Park) updated boundary to include chalet section to the north

Map Title	Modification Description and Reason
Policy Map SS14: Tiptree	<p>Add Local Wildlife Site Boundaries, including amendments to CO10 - Inworth Grange and Brook Meadows, CO32 – Cadgers Wood Park Lane Nature Reserve and new entry LWS CO-169 Warriors Rest.</p> <p>Update to 'preferred direction of growth' arrows to reflect updated evidence base</p> <p>Inclusion of Barbrook Lane within the settlement boundary and shown as 'Existing Commitment, given granting of planning permission 182014 on appeal</p>
Policy Map SS15: West Bergholt	<p>Add 'New Residential Allocations' and updated settlement boundary as shown in the West Bergholt Neighbourhood Plan</p> <p>Remove 'Preferred Direction of Growth' arrows</p>
Policy Map SS16: Wivenhoe	<p>Add Local Wildlife Site CO-172 Ferry Marsh, Wivenhoe as previously omitted</p> <p>Add 'New Residential Allocations' and settlement boundary as shown in the Wivenhoe Neighbourhood Plan</p>
Policy Map OV1: Easthope	Remove Garden Community to be consistent with Section 1 Local Plan
Policy Map OV1 - Dedham	Amend Title to read as: Dedham SG1 and Dedham Heath OV1

21 September 2021

Report of	Assistant Director of Place and Client Services	Author	Shelley Blackaby
			508635
Title	Tendring Colchester Borders Garden Community Development Plan Document Update		
Wards affected	All		

1. Executive Summary

- 1.1 This report is for Members' information and provides an update on the Tendring Colchester Borders Garden Community Development Plan Document (DPD).
- 1.2 A broad programme of engagement is planned over the coming months. This will include engagement workshops in September and October. Feedback from the engagement will feed into the development of the masterplan and DPD.
- 1.3 The National Model Design Code (NMDC) pilot programme will conclude in September. A bid has been submitted to be part of the stage 2 pilot programme.

2. Recommended Decision

- 2.1 No decision is required since the report is for information only.

3. Reason for Recommended Decision

- 3.1 The report provides an update on the ongoing project and no decision is required.

4. Alternative Options

- 4.1 The option of not updating Members was rejected given the importance of Members needing to understand the latest position on Local Plan issues.

5. Background Information

- 5.1 Members are aware that the Planning Policy Team are working with Officers from Tendring District Council and Essex County Council on a Development Plan Document (DPD) to guide development for the Tendring Colchester Borders (TCB) Garden Community. The adopted Section 1 Local Plan states that no planning consent for development forming part of the garden community will be granted until the DPD has been adopted.
- 5.2 The last progress update was provided in August and this report provides an update on work underway over the last month.
- 5.3 In August, Members were advised that Prior+Partners, who have been appointed to prepare a masterplan for the TCB Garden Community, which will form part of the DPD, were preparing a baseline report. This baseline report has now been finalised and the main focus of the masterplanning work now is the engagement workshops. The views and feedback received as part of the engagement workshops, plus ongoing engagement, will contribute to developing the vision for the Garden Community.

Engagement

- 5.4 The table, below, details the virtual engagement workshops that will be held in September and October. These workshops will be run by Prior+Partners and Officers will attend as observers. The workshops are listed on the engagement website and have been promoted via social media and e-newsletters. Additionally, print advertising promoting the engagement website in general has taken place. Local organisations representing seldom heard groups, have been specifically approached in regard to the 'seldom heard' workshops.

Engagement workshop	Date	Time
CBC & TDC Local Plan Committee Members	22nd September	18:00-19:30
Town / Parish councils	27th September	18:00-19:30
Resident workshop 1	23rd September	14:00-15:30
Resident workshop 2	28th September	18:30-20:00
Seldom heard groups workshop 1	29th September	17:00-18:30
Seldom heard groups workshop 2	5th October	10:30-12:00
Seldom heard groups workshop 3	6th October	17:00-18:30

- 5.5 In addition to the engagement workshops, some 'street interviews' will take place in September. These interviews will use the engagement survey and will take place in local community settings. There are other ongoing forms of engagement on the dedicated Tendring Colchester Borders Garden Community engagement website: [Creating a Place for Life \(tcbgardencommunity.co.uk\)](http://Creating a Place for Life (tcbgardencommunity.co.uk)). The August update report provided Members with a summary of the various tools available. The recently launched engagement survey and 'Postcard from the Future' will close at the end of September. All other tools will close on Friday 8 October to ensure sufficient time for Officers and Prior+Partners to review all comments received and incorporate comments, views and ideas into the draft DPD and masterplan.
- 5.6 'Give us Your Ideas' is an ongoing tool on the engagement website. This welcomes ideas on anything and everything. At the time of writing this report, 93 ideas had been submitted covering a wide range of themes. Some examples of ideas submitted over the

last month include: make walking and cycling the default option, tree cover to reduce temperatures and capture carbon and provision of sewage infrastructure.

- 5.7 Other tools are on the engagement website are 'Send a pic'; 'Pin your thoughts'; 'Send us an e-postcard from the future'; and the engagement survey.
- 5.8 The schools project competition, which asks children to animate, draw or create a 3D model of their ideal home, neighbourhood or a fun place to visit in the future, has now been extended from children in year 6 to children in years 3-6. This project is supported by online lessons and a teachers pack. Children are asked to imagine themselves in the future and think about what they would like to see, and to think about what a future 10 year old may like. Prizes include individual prizes for the winning children and coding workshops for the winning children's classes.
- 5.9 In August, Officers met with the Community Liaison Group to talk about what a DPD is and the purpose of the Regulation 18 Preferred Options Draft consultation. A site walk for the Community Liaison Group, led by Officers, took place on Sunday 12 September.

National Model Design Code

- 5.10 The TCBGC is one of the Ministry of Housing, Communities and Local Government (MHCLG) National Model Design Code (NMDC) programme pilots. The purpose of the NMDC is to provide detailed guidance on production of local design codes and guides. The TCBGC is testing the following aspects of the draft NMDC: Stage 1A: Scoping, Stage 1B: Baseline, Stage 2A: Design Vision and Stage 2B: Coding Plan.
- 5.11 At the end of September, the Councils will submit a report to government and take part in 1:1 sessions with architects and urban designers from the Office for Place and a roundtable learning event with the other programme pilots.
- 5.12 Government has asked for expressions of interest to be part of a stage 2 pilot, which will take place over the next year. A bid has been submitted putting the Garden Community forward to be part of this stage 2 pilot. If successful, the Councils would receive longer term involvement and support from the Office for Place.

Evidence base

- 5.13 The evidence base for the DPD is being developed. Place Services has been appointed to carry out a Habitats Regulations Assessment and wintering bird survey for the DPD. The purpose of the Habitats Regulations Assessment is to consider whether development would adversely affect the integrity of European designated sites (the Colne, Blackwater and Stour and Orwell Estuaries, Hamford Water and Abberton Reservoir). The wintering bird surveys will show whether golden plover and lapwing use part of the Garden Community broad area of search as 'offsite functional habitat'.
- 5.14 Quod have been appointed to carry out an Economic and Employment Study for the DPD. This will advise the Councils on how to maximise economic and employment generation opportunities in the Garden Community and analyse options for the location, format and potential end users of the 25 hectares of employment land to be provided within the Garden Community.

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 by clicking on this link:

7. Strategic Plan References

- 7.1 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 and the Garden Community DPD is referred to.

8. Consultation

- 8.1 Consultation on the Local Plan is governed by a comprehensive consultation programme as set out in the Council's Statement of Community Involvement (SCI) and reflecting national regulations. Consultation and engagement for the TCB Garden Community is included in the Consultation and Engagement Strategy (December 2020).

9. Publicity Considerations

- 9.1 The Council ensures a coordinated and proactive approach to press releases on Local Plan issues given their high level of importance for guiding the future of the Borough and consequential high level of press attention. The Programme Team for the TCB Garden Community includes a cross council project Communications Manager.

10. Financial implications

- 10.1 Staffing, consultation/engagement and evidence base consultant resources for Local Plan work are provided in the Council's budget. Costs for the preparation of the Tendring Colchester Borders Development Plan Document are being shared with Tendring District Council.

11. Health, Wellbeing and Community Safety Implications

- 11.1 Local Plan policies provide a basis for future development that is intended to support the health, wellbeing and community safety of Borough residents.

12. Health and Safety Implications

- 12.1 No direct implications.

13. Risk Management Implications

- 13.1 Development of policies to guide future development in the Borough is intended to reduce the risk of inappropriate development. It will provide consistent advice to landowners, developers, officers, Councillors and members of the public.

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.
- 14.2 The Council's Climate Emergency Action Plan recognises that the Garden Community provides opportunities to become an exemplar of sustainable building and carbon neutrality.

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.