

# Local Plan Committee

Monday, 15 August 2016

**Attendees:** Councillor Nigel Chapman (Member), Councillor Nick Cope (Member), Councillor Andrew Ellis (Member), Councillor Adam Fox (Member), Councillor Martin Goss (Chairman), Councillor John Jowers (Group Spokesperson), Councillor Sue Lissimore (Member), Councillor Gerard Oxford (Group Spokesperson), Councillor Martyn Warnes (Group Spokesperson)

**Substitutes:** Councillor Phil Coleman (for Councillor Nick Barlow)

## 79 Minutes

There were no minutes for confirmation at the meeting.

## 80 Have Your Say!

Sir Bob Russell addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He referred to the proposals for future housing in East Colchester and questioned which of the various descriptions referred to for the development, including New Town and Garden Village, were correct. He cautioned against repeating the issues which detracted from the previous development of Greenstead and Longridge Park and considered it important for the policies associated with the protection of the natural environment, including the preservation of green areas surrounding urban Colchester, needed to be maintained. He welcomed the possibility of a new Country Park around Salary Brook whilst questioning the special favour being afforded the University of Essex, warning visual detriment on a scale as if high rise development had been permitted on the southern slopes of Highwoods Country Park. He was of the view that the boundaries of the new Country Park needed to be defined and agreed before the proposals for housing development were determined.

The Chairman welcomed the representations made by Sir Bob Russell and urged him to formally submit his comments as part of the Preferred Options Consultation.

Councillor Scott attended and, with the consent of the Chairman, addressed the Committee. She referred to the proposed Garden Community development in East Colchester and questioned the suitability of utilising prime agricultural land rather than land further east which was of lower grade. She acknowledged the area further to the East was not within Colchester's Borough boundaries but considered it would still be

able to meet the needs of a new community on this side of the town.

Karen Syrett, Place Strategy Manager, confirmed that the terminology being adopted by the Council in relation to the proposed development in East Colchester was Garden Community. She acknowledged that the published plan was diagrammatic and may have contained some anomalies but she encouraged the submission of views to the Preferred Options Consultation to ensure the detail of the representation made to the Committee was formally captured. She confirmed that, although boundaries had yet to be drawn up, large areas of open space were intended to be included so that Salary Brook and its surrounding areas would be protected. She also confirmed the importance of including reference in relation to the University of Essex as she considered it was important this was not overlooked. She further explained that each site in the Options document would be put through a thorough assessment process, including the grading of the land the subject of each site.

## **81 Local Development Scheme**

**Councillor Chapman (in respect of his Chairmanship of the Dedham Vale and Stour Valley Project Joint Advisory Committee) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered a report by the Head of Commercial Services giving details of the changes to the Local Development Scheme (LDS). Karen Syrett, Place Strategy Manager presented the report and responded to Councillors' questions. Karen explained that a Local Development Scheme was required which must specify the local development documents which were to be development plan documents, the subject matter and geographical area to which each development plan document was to relate, and the timetable for the preparation and revision of the development plan documents. The LDS had to be made publicly available and kept up-to-date.

This Council had first adopted a LDS in May 2005, with various revisions published at regular intervals to reflect changes in governing regulations and work programmes. The current LDS project chart which covered the period 2016-2019 was last reviewed by the Local Plan Committee in December 2015. A new LDS was now required to extend the timetable beyond 2019 and to reflect the latest developments in Colchester's plan-making.

The revised LDS contained the following the proposed changes:

- Local Plan Review including:  
Preferred Options consultation July - September 2016  
Submission Draft consultation February/March 2017  
Submission May 2017  
Examination of Part 1 September 2017  
Interim Report – December 2017

Examination Part 2 – January/February 2018

Final report – April 2018

Consultation on Modifications – July/August 2018

Adoption – September 2018

- Community Infrastructure Levy Charging Schedule, to be prepared in tandem with the Local Plan

- Joint Development Plan Documents for Garden Communities

- Neighbourhood Planning,

Boxted – Referendum September 2016

Myland – Referendum September 2016

West Bergholt – Plan Area adopted in July 2013

Wivenhoe – Plan Area adopted in July 2013,

Stanway – Plan Area adopted in June 2014

Tiptree – Plan Area adopted in February 2015

Eight Ash Green – Plan Area adopted in June 2015

Copford – Plan Area adopted in August 2015

Marks Tey – Plan Area adopted in September 2015

- Revised timetable for the preparation of the Planning Obligations SPD to be prepared in tandem with the Local Plan and CIL

- Evidence base documents and updates which will be necessary to support the Local Plan Review

- Changes to the text of the LDS to reflect the range of documents outlined above.

Changes to the Regulations no longer require Supplementary Planning Documents to be included on the LDS. Currently, the only SPD programmed for the next three year period is one on Planning Obligations. This has been shown to demonstrate the links between all the documents which contribute to the Colchester Local Plan. Future additional SPDs as well as further guidance notes and development brief documents may however be produced by the Spatial Policy Team without formal modification of the LDS because of their non-statutory status in the decision making process.

In discussion, Members of the Committee commented, in particular, in relation to:

- Concerns regarding the joint working relationships with Braintree and Tendring potentially taking precedence over the priorities identified for Colchester;

- The need for the new route for the A120 to be agreed as early as possible to better inform the Local Plan process;

- The potential for flexibility to be permitted in relation to additional rural allocations in order to address small scale requests for additional housing being made by village communities and for these to be accommodated within the Community Infrastructure Levy allocations;

- Myland Community Council had delivered a Neighbourhood Plan so that it would be in a position to influence the future of the community and this process was currently the subject of a referendum to confirm the approval of the Plan's contents by the local residents;

- Concern that village communities may be vulnerable to smaller scale applications by developers which would undermine neighbourhood planning potentially seeking to deliver larger scale housing allocations;
- The negative implications for infilling development in the village communities should the Section 106 Agreement regime be removed.

The Chairman also confirmed that an additional guidance note would be included in the Scheme on the provision of Broadband.

In the light of the representations made, the Place Strategy Manager gave detailed comments in relation to the following issues:

- The need for a high level vision agreed across the neighbouring Local Authorities to be clearly set out as part of the Local Plan process;
- A separate consultation and plan would need to be undertaken in relation to the Garden Community proposals which would include the identification of defined boundaries and their potential size;
- Rural exceptions provisions had been agreed previously by the Committee which would enable claims by Parish Councils to be accommodated within allocations when the Community Infrastructure Levy was in place;
- The timescale for the submission of options in relation to the area around the A120 was such that the re-routing proposals were likely to have moved closer to being finalised, particularly given the intention to undertake separate consultation exercises in relation to the Garden Communities;
- The expectations for those Parish Councils beginning the process of formulating Neighbourhood Plans would be individual to the particular circumstances of each;
- The continued support available for Parish Councils undertaking the Neighbourhood Plan process but the limitations on this resource given the volume of work currently in progress

RESOLVED that the changes to the Local Development Scheme, including the additional requirement for a guidance note on provision of Broadband, be agreed.

## **82 Brownfield Land Register Publication**

The Committee considered a report by the Head of Commercial Services on the publication of the Brownfield Land Register.

Chris Downes, Planning Policy Officer, presented the report and responded to Councillors' questions. Chris explained that the Council had now compiled a Brownfield Land Register as part of a pilot scheme to inform future government guidance on the operation of the brownfield registers. Colchester's register contained 35 sites in line with the following key principles:

- Based on Strategic Land Availability Assessment (SLAA) process, including annual reviews of potentially suitable sites. Authorities will also be expected to look at

other relevant sources and ask landowners and others to volunteer sites for consideration;

- Potential brownfield sites should comply with the National Planning Policy Framework definition of previously developed land;

- To be regarded as suitable for housing, potential sites must be:

Available – Deliverable or Developable

Capable of supporting five or more dwellings or more than 0.25ha

Capable of Development – free from constraints or constraints exist but can be mitigated

- Sites that met these criteria had been placed on the register including sites which already had planning permission;

- Registers to be kept under review, regularly updated and made publicly available;

- Data on each site to be in a consistent standard format and published to Open Data standards.

29 of the sites were in the urban area of Colchester, primarily East Colchester, one site was in West Mersea, one in Rowhedge, one in Wivenhoe and two were in Tiptree. The full register also included all known information on planning status, site constraints, site capacity, and ownership. The register had been published on the Council's website at the beginning of July 2016 and feedback forms had been submitted to the Government on the process. It was further explained that the Productivity Plan 2015 had set out the Government's intention to legislate to grant automatic planning permission in principle on brownfield sites identified in the new brownfield registers, subject to the approval of a limited number of technical details. The Government had seen this process as the way to ensure 90% of brownfield land or sites still to be determined would have planning permission by 2020. This measure featured in the Housing and Planning Act enabling 'permission in principle' to be granted for housing-led development sites listed on the new brownfield registers or allocated in Local Plans although it did not form part of the Brownfield Land Register Pilot. Colchester's register would be revised, if required, to respond to feedback from the Pilot project and then regularly updated as part of the Council's work in maintaining an up-to-date database on housing land in the Borough.

In discussion, Members of the Committee commented, in particular, in relation to:

- The site referred to as 'The Sidings' and whether this was the same as that otherwise known as 'Charringtons' and, if so, its strategic importance, especially in the light of the potential for Bradwell to be identified by the Government for future nuclear power production;

- The need for additional information to be provided in relation to each site to enable better assessment and comparison by the Committee members

The Planning Policy Officer confirmed that there was considerable additional information available in relation to the sites identified in the register and arrangements would be made to make this available to Councillors.

RESOLVED that the publication of the Brownfield Land Register be noted.

## **83 Essex Rural Strategy**

**Councillor Chapman (in respect of his Chairmanship of the Dedham Vale and Stour Valley Project Joint Advisory Committee) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

**Councillor Jowers (in respect of his membership of the Rural Community Council of Essex) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

**Councillor Lissimore (in respect of her Vice Chairmanship of Visit Essex) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered a report by the Head of Commercial Services on the publication of the Essex Rural Strategy along with the summary of the vision, aims and priorities which provided a reference and overview.

Karen Syrett, Place Strategy Manager presented the report and responded to Councillors' questions. Karen explained that Essex was made up of almost 1,500 square miles, 72% of which was considered to be rural and around 36% of the population of Essex called these rural areas home. In Colchester approximately 30% of the population lived in areas classified as rural compared to 80% of the population in Uttlesford whilst the districts of Basildon, Castle Point and Harlow had almost no resident population in areas that were classified as rural. It was acknowledged that there were challenges to rural living including increased distances to key services, access to main transport links, house prices, house types and travel to school.

The Essex Rural Partnership brought together organisations to co-ordinate action on the major economic, social and environmental issues facing rural Essex. The Partnership had invited representatives of rural communities, including District and Parish Councillors, to a consultation event in July 2015 in order to formulate a Rural Strategy. This event mapped out the key issues of concern for communities in rural Essex and identified overarching themes for the strategy. The consultation event also helped to develop a survey (Essex Rural Strategy Questionnaire) of people living and working in rural Essex, which had been conducted in 2015 with over 1,600 responding, around 70% of them rural residents. The following strategic priorities had been determined from the findings of the survey:

- Harnessing the potential in our rural economy
- Education and skills for life
- Farming for the future
- Attracting visitors to rural Essex

- Celebrating our culture and heritage
- Securing a place to live
- Accessing the services we need
- Thriving and pro-active communities
- Feeling safe and reducing crime
- Protecting and promoting our natural environment.

The strategy also included a vision, 'A county which engages, values and respects its rural environment; and where rural communities fully contribute to and benefit from a healthy, prosperous and connected Essex' which would be achieved by focussing on four aims: prosperity, well-being, connection and innovation.

Some of the challenges for rural communities which are highlighted in the report are relevant to the production of the Local Plan, namely supporting the needs and recognising the contribution of an ageing population; ensuring improved broadband augments not displaces face-to-face interactions that are the lifeblood of rural communities; delivery of affordable housing; tackling pockets of rural deprivation and ensuring everyone can access opportunities and services.

Councillor Chillingworth attended and, with the consent of the Chairman, addressed the Committee. He explained that, as a member of the Essex Rural Partnership, he had been party to the review of the Essex Rural Strategy. He referred to the statistics and priorities identified and explained that these would be very important factors in relation to the consideration of the Local Plan strategy. He particularly highlighted the smaller villages which had been recognised as unsustainable and was of the view that these should not be allowed to disappear.

Councillor Smith attended and, with the consent of the Chairman, addressed the Committee. He indicated his support for the views expressed by Councillor Chillingworth and went on to acknowledge the need for future housing development whilst supporting the view previously expressed by Councillor Scott that high grade agricultural land needed to be protected. He welcomed the aspirations in the Rural Strategy to protect wildlife as well as the 'green corridors' between areas of open space. He also mentioned Food Enterprise Zones which were being promoted in Suffolk and saw this as a model to be replicated in north Essex.

In discussion, Members of the Committee commented, in particular, in relation to:

- The need to consider the contents of the Rural Strategy even though it was not strictly identified as a planning document;
- Concern about the lack of facilities such as shops, pubs and public transport in the villages and the reducing populations in these communities as a consequence of escalating house prices;
- The need for village residents to consider the development of smaller housing for people to downsize and for affordable housing as well as a degree of flexibility to be

provided in relation to the village boundaries;

- The potential for a local lettings policy in order to give village residents priority with affordable housing in villages;
- The importance of connectivity between rural areas for the protection of wildlife;
- Certain typographical and factual inaccuracies in relation to Dedham and the extension of the Area of Outstanding Natural Beauty;
- The importance of assisting with improvements to access of GP surgeries;
- The Starter Home Scheme and the need to bear in mind that this initiative was not an affordable one for people earning average salaries or less and, as such, should not be considered as a replacement for Affordable Housing;
- The potential for rural exception sites to be considered in communities such as Layer de la Haye in order to overcome the affordability limitations of the Starter Home Scheme.

In the light of the representations made, the Place Strategy Manager gave detailed comments in relation to the following issues:

- Acknowledging the very useful evidence base provided by the Rural Strategy to assist in the decision making process associated with the Local Plan;
- A number of the issues identified in the Rural Strategy had been referred to by participants in the consultation sessions;
- This was the first time since 1995 that the Local Plan process was looking at allocations in villages;
- The development of rural exception sites provided an ability for local communities to retain nomination rights in perpetuity, however the development of sites allocated for housing in the Local Plan did not have this advantage for local residents;
- Acknowledgement of the need for the Council's Affordable Housing Policy to be reviewed but for it to continue to include various types of housing tenure;
- The term rural exception site was defined within legislation in accordance with communities of a certain number of households and, as such, was not open to application within communities with greater numbers of households.

RESOLVED that the publication of the Essex Rural Strategy, which provided useful background evidence relevant to the Local Plan, be noted and arrangements be made for the Strategy and other documents referenced by the Essex Rural Partnership to be added to the Council's website.

## **84 Colchester Northern Gateway Masterplan Review**

**Councillor Chapman (in respect of his Chairmanship of the Dedham Vale and Stour Valley Project Joint Advisory Committee) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered a report by the Head of Commercial Services giving details of the urban design principles set out in the review of the Master Plan for the Northern



Gateway.

Simon Cairns, Major Development and Projects Manager, presented the report and, together with Lois Bowser, Project Manager, responded to Councillors' questions. Simon explained that the Master Plan had been prepared four years ago and endorsed by the Local Plan Committee for public consultation in June 2014. Since then there had been significant change with road and facility development taking place, and further developments had been submitted as planning applications whilst the Local Plan had been reviewed and was currently out to consultation until mid-September 2016. There was therefore a need to update and review the Master Plan to ensure it was fit for purpose, conformed to the policy framework and reflected responses received to the public consultation carried out between July and October 2014. The intention behind the Master Plan was to help coordinate the development of the Colchester Northern Gateway area so that in design terms it created a strong sense of place and an attractive destination. It was always intended that, wherever practical, new development should follow the urban design principles it set out.

Gillespies, an international landscape, planning and urban design consultancy, were commissioned by the Council to prepare a public realm strategy for the whole of the Northern Gateway with the aim of providing a parkland and informal recreation setting for the formal sports facilities on the northern side of the A12 and for the commercial leisure and employment uses on the southern side. This strategy was in draft form and in order to complete this work it was important to have an up-to-date Master Plan. In May 2016 Gillespies had been appointed to undertake this task, working alongside the Council's appointed transport consultants for the Northern Gateway, JMP, as well as the ecology and arboricultural consultants, leisure consultants and architects as appropriate. They had also engaged with key developers, including Turnstone, whose planning applications for a range of leisure-related uses on the plot adjoining the east of the football stadium was currently under consideration. The proposals accorded broadly with principles contained in the National Planning Policy Framework, the Local Plan Preferred Options and the ideas expressed in the draft Myland and Braiswick Neighbourhood Plan. The intention was to create a place of regional importance whilst acknowledging local community needs and aspirations.

The draft Master Plan Review had five principal components:

- The central spine comprising the Leisure Promenade and The Boulevard;
- The Circus: a central crossing point of the Boulevard over the Northern Approach Road;
- The A12 crossing point and principal access into the gateway;
- Parkland for informal recreation around the principal sports areas on the northern side and
- Strong urban form with frontages creating focal points for views, landmarks and nodes for public art.

Robert Johnstone addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He referred to paragraph 75 of the National Planning Policy Framework which provided for the protection and enhancement of public rights of way and for Local Authorities to seek opportunities to extend the public rights of way network. He also referred to the need for the Definitive Map of Public Rights of Way to be publicly available and he was concerned that it was not yet accessible electronically. He was concerned that these provisions were not being used by the Council in its assessment of planning applications. He also referred to the need for the Essex County Council Guidance on Public Rights of Way which had been adopted as Supplementary planning Guidance to be made publicly available.

The Place Strategy Manager confirmed the successful partnership work which had been undertaken in relation to the Green Orbital Route and that she had recently attended a meeting looking to improve rights of way within a specific site. As such she was confident that the inclusion of rights of way implications within the assessment of planning applications would be better moving forward. In order to address the issue of public availability of documents, she confirmed that it would be possible, with the Committee's consent, to incorporate the additional documents referred to by Mr Johnstone within the Local Development Scheme. Accordingly, in the interests of accuracy, the Chairman, on behalf of the Committee, consented to these additions being made to the Local Development Scheme.

In discussion, Members of the Committee commented, in particular, in relation to:

- The amount of land to be allocated for open space following the development of the land currently occupied by Colchester Rugby Club, which had been previously identified in the Myland Neighbourhood Plan as being 11 acres / 4.6 hectares;
- Concern regarding the implications of the Northern Gateway development for the residents of Stanway who were supportive of the planning application for Tollgate Village and the confusion experienced by these residents who remained unclear as to why the development at Tollgate had been refused planning permission despite considerable support from local residents;
- The illustrations of the area to be known as the Boulevard gave the impression of a High Street whilst the illustration of an outdoor cinema screen, both of which could be deemed to be in direct competition with the Town Centre, which had been material considerations considered to be reasons to refuse the Tollgate Village application;
- Concern regarding the expansion of Colchester north of the A12, the line of this major trunk road having not hitherto been breached by development;
- The need for adequate weight to be given to the Myland Neighbourhood Plan within the review of the Northern Gateway Masterplan;
- Concern that some of the content of the Masterplan requires more considered thought and a more visionary approach
- Concern regarding development also breaching the Boxted Parish boundary which was likely to lead to adverse noise nuisance for the village;
- The Masterplan contained a number of typographical and factual errors which needed to be corrected such as references to local villages as through routes to Sudbury

and Ipswich, Langham Road being wrongly identified as a bus route; Boxted being referred to as Boxford as well as footpaths being incorrectly illustrated crossing farmland and incorrectly located access points to the Country Park;

- The costs associated with the Masterplan document were questioned and the need for the inaccuracies in the textual content to be corrected and for alternative illustrations to be sought;
- Acknowledgement that the Masterplan was attempting to show an indicative , yet ambitious, view for the area which was hoped would be attractive for young people, in particular;
- An indication of from where the funding for the development was being sourced;
- The potential impact of the development on volumes of traffic, parking problems and the safety of the traffic network;
- Concerns regarding the location of theses sporting facilities all on the north side of the town which would be inaccessible for many residents such as those who lived in East and West Mersea and also the impact of the proposals on the Council's sporting facilities based at leisure World;
- The need for the Park and Ride hours and days of operation to be extended and for consideration to be given to attracting more users to the scheme to increase visitor numbers to the town centre;
- Reference also to the addition of a lorry / Heavy Goods Vehicle parking facility for the north of the town and whether it would be possible to use the area adjacent to the BP petrol filling station next to the Park and Ride car park;
- The potential for light pollution from the Northern gateway to cause nuisance issues for residents.

In the light of the representations made the Major Development and Projects Manager and the Project Manager gave detailed comments in relation to the following issues:

- The document enclosed with the report was a review of the Masterplan and, as such, referred to details within the original plan which may now be subject to updating and also the Masterplan was a high level document meaning that diagrams were indicative and aspirational in nature;
- The Tollgate Village application was for a retail let scheme whereas for the Northern Gateway development, which benefitted from an extant outline planning permission, any retail elements were ancillary to other predominantly leisure uses;
- The images within the document were intended to illustrate place making and to be indicative only; as such, some may have been misleading in terms of their depiction of streets and shops, however there was no intention to imply that retail development at the Northern Gateway would be acceptable;
- Expansion north of the A12 had been required to meet the need for a replacement location for Colchester Rugby Club as well as the plans to extend the range of indoor sporting choices for residents;
- Discussions had taken place with various sporting governing bodies which had led to proposals to work with key sports to deliver extra capacity for the rugby club, an indoor cricket centre and other indoor/courts users together with a cycling and potential

BMX track;

- It was explained that the budget for the review of the Masterplan was £7,000 which was considered to be particularly low and covered a review of the existing document rather than new ideas and may therefore explain why certain inaccuracies had been identified;
- The comments regarding inaccuracies and poorly thought out illustrations were acknowledged and, as such, would be taken on board and reconsidered prior to publication of a final version, but overall the content in terms of the extant planning permission, the employment focus and the new sports elements accurately reflected the current status of the Northern Gateway;
- The vision for the Northern Gateway would require a significant level of funding and appropriate resources were actively being pursued from sporting governing bodies, European Union funds, bids to the Local Enterprise Partnership to deliver improvements to broadband locally;
- A full Transport plan would need to be included at the point when a planning application was submitted and the intention was to seek a pedestrian priority arrangement in the area to be known as the Boulevard whilst progress was being made in discussions with Essex County Council regarding possible use of the Park and Ride car parking facilities on some Saturday afternoons and Sundays;
- The sporting focus at the Northern Gateway was intended to be for sports clubs whilst the activities at Colchester Leisure World were generally more attractive to individual sporting users, the intention for each to complement the other rather than compete with the other.

RESOLVED, subject to appropriate changes being made to the illustrations, plans, maps, photographs and text to address the various concerns and inaccuracies identified by the Committee members, that -

- (a) The urban design principles set out in the proposed Masterplan Review for the Northern Gateway be endorsed through adoption of the Masterplan as guidance;
- (b) The review of the Masterplan forming the urban design framework and then become a material consideration in the consideration of planning proposals in the Northern Gateway Area be agreed;
- (c) Possible further amendments to the Masterplan may be required at a later date following the conclusion of the current Local Plan preferred options process and, following any significant amendment, the bringing back of Masterplan to the Committee for approval, be noted.

## **85 Community Infrastructure Levy - Consultation on Viability**

The Committee considered a report by the Head of Commercial Services giving details of the responses received following the conclusion of the recent consultation exercise

carried out on the latest update to the Community Infrastructure Levy (CIL) Viability Evidence Base.

Daniel Cameron, Planning and Contributions Officer, presented the report and responded to Councillors questions. Daniel explained that in 2011 the Council had started work on implementing a CIL but at the point of submission a number of Inspector decisions, which had a direct bearing on how the Levy was to be applied, were released which also led to the affordable housing policy being reviewed as part of the Core Strategy Focussed Review in 2014. Concurrent concerns over the impact of CIL on development viability for small housebuilders also led to a review of the CIL viability evidence base. Updated CIL viability evidence base conclusions had been presented to the Committee earlier this year, advocating the following CIL charges:

- Residential development outside of Colchester - £150/m<sup>2</sup>;
- Residential development within Colchester - £0/ m<sup>2</sup>;
- All other uses would be CIL exempt.

Over the six week CIL consultation period which had run through March and April 2016, eight formal consultation responses were received which came mainly from Planning Agents and Housing Developers. The report examined the consultation responses in detail and explained that a number of issues needed to be addressed before progressing further with a CIL strategy, namely:

- The approach to CIL charges for strategic sites;
- Whether a retail CIL can be supported;
- Reviewing the work behind the charging zones map;
- Investigating whether a lower blanket CIL across the entire borough is achievable;
- Review of the assumptions and methodologies sitting behind the calculations within the BPS evidence base document;
- What the CIL infrastructure list will contain;
- The nature of any instalment policy utilised and
- Whether CIL will affect the delivery of affordable housing.

It was explained that, in relation to charges on strategic sites, an infrastructure list and an instalment policy, these would all be considered as part of a Draft Charging Schedule. Strategic sites would also be identified through the Local Plan site allocation process and a response would be determined once the Local Plan was progressed further. An infrastructure list and an instalment policy would also be brought forward in line with the Draft Charging Schedule, whilst the instalment policy, allowing for large CIL contributions to be paid over a period of time, would give developers of large sites the confidence to more accurately manage the cash flow of a given project and approach any CIL due with greater confidence. Further work into the blanket CIL, a possible retail CIL, the charging zones map and the background assumptions within the BPS report could all be taken forward and discussed with the Council's consultants, and the suggestion to allow for a nuanced understanding of house prices within the borough to be created was of particular interest. All viability calculations for determining potential

CIL charges had been calculated to ensure that 20% affordable housing was still deliverable on site, thus providing for sites to deliver both CIL and affordable housing.

In discussion, Members of the Committee commented, in particular, in relation to:

- The charging regime proposed being at a higher rate than that set by Chelmsford;
- The potential to undertake a review of the charging zones;
- Concern regarding the implications of the high rate being proposed for the rural areas and whether this cost would ultimately be reflected in higher costs for homeowners;
- The potential to reduce the proposed charge to £130/m<sup>2</sup> to incentivise developers or to introduce a CIL charge for retail development;
- The potential need for some information to be provided to give reasoning for the two tier charging proposals;
- Disappointment in relation to the low level of response to the proposals and the fact that comments generally were from smaller developers.

In the light of the representations made, the Place Strategy Manager gave detailed comments in relation to the following issues:

- The intention was to look into the potential of a review of charging zones;
- It was likely that the larger scale developers were all familiar with the introduction of CIL elsewhere so had considered there was nothing to be gained from submitting representations at this stage.

RESOLVED that the responses received following the Community Infrastructure Levy (CIL) consultation exercise which ran over six weeks in March and April 2016, together with the areas identified for further investigation as a result of both consultation responses and officer recommendation, be noted.