

Local Plan Committee Meeting

**Online Meeting, Virtual Meeting Platform
Monday, 14 December 2020 at 18:00**

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

Information for Members of the Public

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Occasionally certain issues, for instance, commercially sensitive information or details concerning an individual have to be considered in private. When this is the case an announcement will be made, the live broadcast will end and the meeting will be moved to consider in private.

Have Your Say!

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E-mail: democratic.services@colchester.gov.uk

www.colchester.gov.uk

COLCHESTER BOROUGH COUNCIL
Local Plan Committee
Monday, 14 December 2020 at 18:00

The Local Plan Committee Members are:

| | |
|----------------------------|----------|
| Councillor Nick Barlow | Chairman |
| Councillor Lewis Barber | |
| Councillor Tina Bourne | |
| Councillor Phil Coleman | |
| Councillor Andrew Ellis | |
| Councillor Chris Hayter | |
| Councillor Patricia Moore | |
| Councillor Beverley Oxford | |
| Councillor Chris Pearson | |

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:

<https://www.youtube.com/user/ColchesterCBC>

1 Welcome and Announcements (Virtual Meetings)

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. The Chairman will, at regular intervals, ask Councillors to indicate if they wish to speak or ask a question and Councillors will be invited to speak in turn by the Chairman. A vote on each item of business will be taken by roll call of each Councillor and the outcome of each vote will be confirmed by the Democratic Services Officer.

2 Appointment of Deputy Chairman

To appoint a Deputy Chairman for the remainder of the Municipal Year

3 Substitutions

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

4 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.

The Chairman has agreed to consider a report on the Adoption of Section 1 of the Local Plan as an Urgent Item. The report will be considered under Item 8 Local Plan update. The urgency arises as this is the last scheduled meeting of the Local Plan Committee before the Council meeting scheduled to consider the adoption of the Local Plan on 1 February 2021.

5 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.

6 Have Your Say! (Virtual Local Plan Meetings)

At meetings of the Local Plan Committee, members of the public may make representations to the Committee members. Each representation, which can be a statement or a series of questions, must be no longer than three minutes when spoken (500 words maximum). One single submission only per person and a total limit of 30 minutes (10 speakers) per meeting. Members of the public may register their wish to address the Committee members by registering online by 12 noon on the working day before the meeting date. In addition, a written copy of the representation will need to be supplied for use in the event of unforeseen technical difficulties preventing participation at the meeting itself. The Chairman will invite all members of the public to make their representations at the start of the meeting.

These speaking arrangements do not apply to councillors who are not members of the Committee who may make representations of no longer than five minutes each.

7 Minutes of the Previous Meeting

7 - 14

Councillors will be asked to confirm that the minutes of the meetings held on 24 August 2020 are a correct record.

8 Local Plan Update

The Committee will be provided with a verbal update by Strategic Director, Ian Vipond and will consider the urgent report on the adoption of Section 1 of the Local Plan.

| | | |
|----|--|-----------|
| | Item 8 Local Plan Section 1 Adoption | 15 - 18 |
| | Item 8 Appendix 1 | 19 - 102 |
| 9 | Proposed Extension to Garrison Conservation Area The Committee will consider a report asking it to agree to consult for a period of 6 weeks, on a proposed extension to the existing Garrison Conservation Area to incorporate the Roman Circus House, ABRO site, the area of public open space to the south of the ABRO site and Artillery Folley. | 103 - 108 |
| 10 | Tiptree Neighbourhood Plan Examination The Committee will consider a report asking it to note the findings and overall recommendation of the Tiptree Neighbourhood Plan Examiners Report to not proceed to referendum and to endorse the Tiptree Neighbourhood Plan Joint Examination Response December 2020. The Committee is also asked to agree to publish the Tiptree Neighbourhood Plan Joint Examination Response alongside the Examiners Report and Regulation 18 Decision Statement. | 109 - 150 |
| 11 | Authority Monitoring Report The Committee is asked to consider a report asking it to approve the 2019-20 Authority Monitoring Report (AMR) for publication on the Council's website. | 151 - 224 |
| 12 | 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)

Local Plan Committee

Monday, 24 August 2020

Attendees: Councillor Nick Barlow, Councillor Tina Bourne, Councillor Andrew Ellis, Councillor Chris Hayter, Councillor Patricia Moore, Councillor Lee Scordis
Apologies: Councillor Gerard Oxford
Substitutes:

198 Substitutions

Councillor Luxford Vaughan attended for Councillor Coleman and Councillor Willetts attended for Councillor Barber.

199 Have Your Say! (Virtual Local Plan Meetings)

Councillor Lilley attended and with the consent of the Chairman addressed the Committee and stated that the White Paper was a developer's charter to build anywhere, anytime on anything and in particular would allow developers to return to previously rejected sites. Lack of infrastructure and too many homes were a concern. The new guidance would affect all Councillors in all areas and would be bad for rural areas. He urged all Councillors to work together and he proposed that the Committee write to the three Members of Parliament representing the borough to ask them to reject the White Paper.

Councillor Cory attended and with the consent of the Chairman addressed the Committee to stress the importance of ensuring local residents' involvement in planning and of local democracy steering the planning process. The figure of 1612 given for new homes in Colchester that would result from the changes proposed in the White Paper was too high; there was a need to protect communities and the environment from over development. He concurred that the Committee need to work together to reject the changes and make clear that Colchester already understands what good planning is.

200 Local Plan Committee Minutes 140720

RESOLVED that the minutes of the meeting held on 14 July 2020 be confirmed as a correct record.

201 Colchester Local List Report 2020

The following written submission had been received from Patricia Beech and was read to the Committee, pursuant to the provisions of Remote Meetings Procedure Rule 5(1).

"I am very pleased that the majority of the buildings and features identified in Marks Tey are being recommended for inclusion on to the Local List. There is a slight disappointment that the former goods shed located at the station will not be one of these because although I appreciate the building has been used for many functions since it was last used as a good shed the basic silhouette remains the same as when it was built in the 1840s. Underneath all those alteration some of the original brick work can still be found. Proposed building works for a bicycle park will result in a drastic change of the local skyline. Many of the buildings associated with Marks Tey Station have already been turned into rubble, such as the gas works and the main entrance, it will be a shame to lose this last remaining large structure at the site. Fingers crossed the waiting room between platforms 2 & 3 will be the sole surviving building for many years to come."

The Committee considered a report from the Assistant Director, Place and Client Services, setting out proposed amendments to the adopted Colchester Local List and seeking approval to a delegation of authority to the Lead Officer: Planning, Housing and Economic Growth, to add heritage assets to the Local List for an interim period prior to ratification by Committee.

Dr. Jess Tipper, Archaeological Adviser and Karen Syrett, Lead Officer: Planning, Housing and Economic Growth attended to present the report and assist the Committee. 64 nominations had been scrutinised against the criteria for addition to the Local List adopted last year. These nominations were across the Borough and included many outside Colchester town centre. Local volunteers had engaged through Neighbourhood Planning or as residents in bringing these forward, and Robert Mercer and Patricia Beech were thanked.

The report recommended the inclusion of most of the sites and assets nominated. It proposed that three nominations (Nos. 1, 48 and 58) be rejected as they did not meet the selection criteria, whilst as there was insufficient information about another (No. 51) it was proposed that it should be also rejected and/or until further information is provided.

Committee members were pleased that the list had been extended and many assets identified to be safeguarded for future generations and agreed some positive communications around this should be issued. Some concern was expressed about the concentration of assets in urban Colchester on the Local List and that more emphasis should be placed on assets in the rural wards. It was proposed that the list be renamed the Colchester *Borough* Local List, to make clear that the Local List relates to the entire Borough.

Councillor Moore requested that the decision regarding (1)12 Beach Road, West Mersea be reviewed as it was a good example of a building of its period and place in the development of Mersea and was at threat of demolition. It was confirmed that inclusion on the Local List would not prevent demolition. The Archaeological Adviser explained that this nomination had been carefully considered but had not met the criteria, but that he was content to review that decision again. The Lead Officer: Planning, Housing and Economic Growth proposed that an independent local expert be consulted as part of the review, which would be undertaken urgently.

RESOLVED (UNANIMOUSLY) that

- (a) The proposed amendments to the adopted Colchester Local List shown in the report be approved;
- (b) The decision not to include (1) 12 Beach Road, West Mersea on the Local List be reviewed urgently, with the review to include consulting with a local independent expert;
- (c) Authority be delegated to the Lead Officer: Planning, Housing and Economic Growth, to add heritage assets to the Local List for an interim period prior to ratification by Committee be approved;
- (d) Officers arrange that information on the approval of additions to the Local List be communicated widely;
- (e) The Local List be renamed the Colchester Borough Local List.

202

Adoption of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD)

Councillor Goacher attended and with the consent of the Chairman addressed the Committee and stated that too much weight had been given in the report to the approval of Natural England, an organisation that serious naturalists view as a government puppet. Colchester is a fast-growing town in one of the driest areas of England. There is a danger to bird mortality and a threat particularly to non-English migratory birds in terms of habitat outside the breeding season when they arrive to feed. Sea walls are a valuable habitat but not monitored regularly. The views of an unbiased ecologist were needed.

The Committee considered a report setting out a mitigation strategy to protect the internationally designated Essex Coast from the effects of increased recreational disturbance as a result of population growth throughout Essex. Karen Syrett, Lead Officer: Planning, Housing and Economic Growth attended to present the report and assist the Committee.

The Lead Officer: Planning, Housing and Economic Growth explained that the Committee had adopted a report in October last year and agreed the consultation that had taken place this February. Amendments could no longer be made. Should the Supplementary Planning Document (SPD) be adopted it contains an obligation on all residential development to pay a contribution of £125 per unit which will help to mitigate the effect to the Essex Coast and help protect birds and habitats. The project was in delivery phase with Chelmsford City Council as the accountable body to administer this, with another Local Authority to be determined to employ the rangers. Monitoring was carried out through membership of the Essex Coastal Forum, which included members and officers.

Some members of the Committee expressed concern about aspects of the SPD, particularly around the enforcement and monitoring of the policy. It was suggested that the pressure of tourism on the coastline was such that the level of contribution

from development was not enough to fund the necessary level of protection. The provision of two rangers was insufficient. It was suggested that there would be benefit in a full-time in-house ecologist but it was acknowledged funding was not available.

It was pointed out that Committee had already looked at the merits and demerits of partnership working. The SPD had been subject to extensive consultation and all points raised had been incorporated. The adoption of the SPD would be a considerable improvement on the existing position. Members expressed an interest in the level of contributions collected so far and stressed the need to ensure that these were spent on direct projects to protect the coastline. The Lead Officer: Planning, Housing and Economic Growth agreed to provide a financial update on contributions collected so far and confirmed that specialist ecological advice was sought where necessary.

RESOLVED (FIVE voted FOR, THREE ABSTAINED from voting) that –

(a) the RAMS SPD be adopted

(b) authority be delegated to the Lead Officer: Planning, Housing & Economic Growth to make minor changes to the RAMS SPD should it be necessary. Any changes considered by the Lead Officer and Group Spokespersons to be more than minor will be reported back to the Committee.

203

Consultation on Proposals for Reform of the Planning System and Changes to National Planning Policy and Regulations

Councillor Fox attended and with the consent of the Chairman addressed the Committee to stress that the paper on the consultations was of vital importance. Reforms were proposed that were not democratic and there was a risk to social housing funded by and controlled by developers that would lead to poor quality housing. The right homes, in the right place with facilities such as parks, roads and schools were needed: the right infrastructure. There was concern about sustainable development and where further development would be placed. The proposed changes to Permitted development rights allowed for small homes, some rooms without light and little outside space. Truly affordable homes were needed. He agreed that Colchester's 3 local Members of Parliament should be approached.

Councillor Goacher attended and with the consent of the Chairman addressed the Committee to express concern that these proposals would remove local democracy and accountability from the process and that countryside not in the green belt would be designated for renewal or growth. It threatened the fabric of the countryside and it supported mass development. It would be harder to deliver social housing where most needed. The Committee should ask the 3 Members of Parliament(MPs) representing Colchester to lobby the government to change direction and asked that members of the Conservative group lobby their MPs too.

Councillor J Young attended and with the consent of the Chairman addressed the Committee pointing out that whilst the local planning process was complex it was a democratic and thorough decision-making process. No proposed site was without

controversy. Three words that describe Colchester Borough Council planning now were Consultative, Professional and Democratic. A new body to support the delivery of design codes was proposed but it was a quango and not local. She expressed concern about the removal of section 106 payments, the calculations shown around housing numbers, and how to support those on the housing waiting list. She asked the Committee to shape a response that rejected these plans.

The Committee considered a report requesting comments on two Government consultation documents: “Changes to the Current Planning System” and “Planning for the Future” These comments would then be incorporated into a draft response for approval by the Portfolio Holder. Karen Syrett, Lead Officer: Planning, Housing and Economic Growth, presented the report.

The Lead Officer: Planning, Housing and Economic Growth highlighted some areas of concern: -

- Zonal planning – all land in the borough would be allocated for either growth, renewal or protection. Growth would imply automatic online planning permission and renewal also presumed development being granted. An alternative option was combining these two into one category and extending permission to all land in this area or limiting automatic permission in principle just in growth areas. Protection zones would likely be Areas of Outstanding Natural Beauty (AONB) and Conservation Areas.
- Development Management planning would change with an emphasis on policies being set at national level resulting in a loss of local distinctiveness
- Local plans to be completed in 30 months, which was considered unrealistic
- Permission in principle extended to major developments up to 150 dwellings (currently 10)
- Increase in housing numbers required from Colchester – methodology calculating need suggests 1612 new homes per annum.
- New infrastructure funding combines section 106 and Community Infrastructure Levy (CIL) and would be levied at the point of occupation, which could delay the receipt of contributions. Local authorities would be allowed to borrow against the levy
- Affordable housing and First Homes – 25 per cent of all affordable housing units secured through developer contributions should be First Homes. The price of First Homes would be discounted for first time buyers. This proportion of units required would trigger a knock-on effect of fewer affordable rental homes. Under the formula proposed this would mean a loss of around 150 affordable units in the borough.
- Delivery streamlined, no extensions of time given, so the likely outcome would be to see more refusals
- Consultation and Plan-making would be digital which could limit public access to the process and public opportunities to comment were limited.

The Lead Officer: Planning, Housing and Economic Growth considered that there were also some positive proposals in the consultation: -

- The proposals maintained a plan led system

- Single statutory sustainability test
- The removal of the requirement for a 5-year housing land supply to be constantly tested
- Review of Rural Exception sites policy
- Quicker framework for environmental impact assessments
- Greater scope for spending infrastructure levy (including contributing to lowering Council Tax)
- Stronger emphasis on design –with a requirement for each council to appoint a Chief Officer for Design and Place Making
-

Members were invited to give their views which would help inform the responses to the two consultation papers.

Members considered that whilst some of the aims of the consultation papers were laudable, the existing planning process, whilst not perfect, was not broken and did not require reform as extensive or far reaching as set out in the consultation papers.

Committee members acknowledged that there were some positives in the proposals put forward in the two consultations such as changes to engage the community and standardised maps. However, the evidence and data to strengthen the ideas being put forward was not complete and there were no suggestions of how the transition period would be managed or how new IT systems would be implemented, which was a concern given the emphasis on digital working.

Local Government Reform needed to be considered and the White Paper had not referenced or considered post COVID issues. It appeared that in the light of local government reform, it would be likely that plan-making will be taking place over larger areas than it does at present. A local framework was needed to support local needs rather than a larger or national framework. Considerable concern was also expressed about the lack of democratic accountability in the process as proposed, especially through the granting of automatic permission. The role of democratic elected representatives in decision making on applications, particularly in growth and renewal zones, would be reduced.

Members were concerned over how zoning would be implemented, if zoning would be designated differently in different areas and that the consequence of the new zones would be that residents would all wish the areas in which they resided to be designated as a protected zone where the planning process would be as it is now. Therefore, the process by which areas were zoned was likely to be particularly contentious. In the growth area plans proposed a lack of safeguards and oversight would lead to the building of poor-quality housing and an absence of social housing.

A key issue for all was the process for allocating new housing targets. It was noted that consultants had estimated that under the proposed methodology, Colchester's annual housing requirement would be 1612 homes per annum which was a very significant increase. The methodology for arriving at that number needed clarification as this target was too high. This would subject the borough to speculative and uncontrolled development that would not deliver the infrastructure necessary to support new housing. The proposed housing need formula was undeliverable. It was

suggested that no change in calculations for new house allocations was needed.

In the course of the discussion members also raised the following points: -

- Where development takes place in bordering authorities it was highlighted that these developments would impact on Colchester's infrastructure.
- There was a lack of green initiatives such as renewable energy, solar panels, insulation and recycled water.
- The changes to permitted development rights would impact builds and extensions to homes and the process would need to be very robust particularly as the possibility of little planning and design oversight of many buildings being converted into residential properties would lead to many poor-quality dwellings. The proposal on permitted development rights would not deliver fair and accessible housing for all; it would result in the provision of poor-quality housing for vulnerable people.
- The First Homes policy increasing the percentage of properties discounted for sale would impact on the provision of socially rented and affordable housing.

The Chair thanked members for their contributions, which would help inform the consultation responses. However, he suggested that it would be useful for the Committee to consider further with the Cabinet the responses to the consultations and proposed that a briefing be established for the Committee and Cabinet to consider and comment on the draft responses to the consultations.

The Committee also endorsed the suggestion made that the Committee should write to the three Members of Parliament representing the borough asking them to support the Council's views on the proposals in the consultation papers and asking them to lobby for appropriate changes to the proposals. The Chair indicated that he would draft a letter which would be circulated to the Group Spokespersons for comment.

RESOLVED (UNANIMOUSLY)

- (a) The Chair write to the Members of Parliament representing the borough of Colchester outlining the concerns of the Committee and requesting that they lobby for appropriate changes to the proposals.
- (b) The views of members be noted and used to inform the draft response and that a briefing be arranged for the Committee and Cabinet members to comment on draft responses to the consultations.

14 December 2020

| | | | |
|----------------|---|--------|--------------|
| Report of | Assistant Director of Place and Client Services | Author | Karen Syrett |
| Title | Adoption of Section 1 of the emerging Local Plan. | | |
| Wards affected | All | | |

1. Executive Summary

- 1.1 Planning Inspector Roger Clews has issued his final report on the soundness and legal compliance of Section 1 of the Local Plan for North Essex, having considered the consultation responses on his recommended Main Modifications and the latest government household projections.
- 1.2 With the incorporation of the Inspector's final set of recommended Main Modifications (which include the removal of the Colchester Braintree Borders Garden Community), the Section 1 Local Plan is sound and legally compliant.

2. Recommended Decision

- 2.1 To recommend to full council that it adopts the modified Section 1 Local Plan in accordance with section 23(2)(b) of the Planning and Compulsory Purchase Act 2004.

3. Reason for Recommended Decision

- 3.1 Adoption of Section 1 of the Local Plan will allow the Council to proceed to examination of Section 2 and will ensure the Council has an up to date plan which will provide a framework for planning decisions.

4. Alternative Options

- 4.1 The Committee could decide to defer making a decision which would impact on the timing of the Full Council meeting. The Council has a statutory duty to produce and maintain an up-to-date plan to guide development.

5. Background Information

- 5.1 Section 1 of the submitted Local Plan ('the Section 1 Plan') set out an overarching strategy for future growth across Braintree, Colchester and Tendring – the 'North Essex Authorities' ('NEAs'). As well as including policies setting the overall housing and employment requirements for North Essex up to 2033, the Section 1 Plan originally proposed three new cross-boundary 'Garden Communities' along the A120 corridor. In contrast, 'the Section 2 Plan' for each of the three authorities contains more specific local policies and proposals relevant only to their individual area. Before a Local Plan can be formally adopted by a Council, it must be examined by a government-appointed Inspector whose job it is to check that 1) the plan has been

prepared in line with various legal requirements and 2) that the policies and proposals in the plan comply with the 'tests of soundness' contained within the National Planning Policy Framework (NPPF).

- 5.2 Following examination hearings in 2018 and 2020 the Inspector concluded that, in its original form, the Section 1 Local Plan did not meet the government's tests of soundness. In particular, two of the three proposed Garden Communities had not been demonstrated to be economically viable or deliverable – thus making the overall plan unsound. Whilst the Inspector had found the plan to be unsound in its original form, he advised that it had the potential to be 'made sound' and that it could still progress to adoption if the Councils agreed to remove the Colchester Braintree Borders and West of Braintree Garden Communities and consult the public and other interested parties on this and other 'Main Modifications'. The alternative would have been to withdraw the Local Plan from the examination – effectively requiring all three Councils to start their plans again from scratch.
- 5.3 The three NEAs subsequently agreed to proceed with consultation on Main Modifications which took place between 28th August and 9th October 2020, resulting in 382 responses from 117 individuals or groups. The inspector also invited participants in the examination to comment on the very latest 2018-based household projections that had been published by the Office for National Statistics in 2020 to help determine whether or not they represented a meaningful change that might justify alterations to the housing targets in Policy SP3 of the Local Plan. 59 responses were received.
- 5.4 Having considered the comments received both in relation to the Main Modifications and the latest household projections, the Inspector has issued his report which contains his final conclusions on the legal compliance and soundness of the Section 1 Local Plan. The Inspector has concluded that, subject to the incorporation of his final set of Main Modifications, the Section 1 Local Plan will meet the required tests which enable it to proceed to formal adoption.
- 5.5 The final Main Modifications are mostly unchanged from those published for consultation with just a small number of fairly minor 'adjustments' that respond to certain comments that were received and recent changes to government policy and legislation – namely changes in the Use Classes Order which affect policies on employment land.
- 5.6 Now that the Councils have received a final report on the legal compliance and soundness of the Section 1 Local Plan, Officers recommend that the Local Plan Committee endorse the Inspector's final Main Modifications and their incorporation into the Section 1 Local Plan. If agreed, the modified version of the plan (tracked changes version attached as Appendix 1 to this report) will be forwarded to Full Council and recommended for formal adoption. Officers of all three of the North Essex Authorities will be making similar recommendation to their respective elected Members in January.

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:

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

7. Strategic Plan References

- 7.1 The Strategic Plan is relevant in particular contributing to priorities under the themes:

- Delivering homes for people who need them; and
- Growing a fair economy so everyone benefits.

8. Consultation

- 8.1 The Local Plan has been through a comprehensive consultation programme as set out in the Council's Statement of Community Involvement (SCI).

9. Publicity Considerations

- 9.1 The Council has coordinated press releases on the Inspector's report and Section 1 of the Local Plan given its high level of importance for guiding the future of the Borough and consequential high level of press attention.

10. Financial implications

- 10.1 Adoption of the Local Plan has no direct financial implications.

11. Health, Wellbeing and Community Safety Implications

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

12. Health and Safety Implications

- 12.1 There are no direct health and safety implications.

13. Risk Management Implications

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

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.

Appendices

Appendix 1 – Tracked changes version of Section 1

Main & Minor Amendments to the Publication Draft Braintree, Colchester and Tendring Local Plans:

Section One

DRAFT v2

December 9th 2020

MM =Main Mods

MM - Additional Main Mods

AM = Additional Minor Amendemnts

Tendring
District Council



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Introduction

1 Introduction

Structure of the Document - text needs updating

Braintree District Council, Colchester Borough Council and Tendring District Council and with the support of Essex County Council, have been working together to plan strategically for growth across the North Essex area.

This work has resulted in a shared Strategic Plan, (Section One) which covers major sub-regional issues and providing a guiding framework in which local policies can then be formed. The document includes 10 policies that start with an 'SP' reference.

The document was submitted to the Planning inspectorate in October 2017. The Plan is currently subject to a joint examination by Planning Inspector Mr. Roger Clews (BA MSc DipEd DipTP MRTPI).

Each of the three authorities has also submitted a separate Section Two document which relates to the specific authority only. The examination and this consultation relates only to the shared Section One.

What Happens Next?

The key stages in the Local Plan preparation, and the planned timetable, are:

1. **End of consultation:** Forward responses to the Inspector (October 2019)
2. **Further hearings** to be held by the Inspector (Autumn/Winter 2019)
3. **Adoption**

Shared Strategic Plan

1.1 North Essex is a vibrant and attractive place to live and work. It has a rich archaeological, natural and built heritage that continues to influence local character, which is distinguished by its extensive legacy of human habitation from Palaeolithic times onwards. The area has experienced significant population, housing and employment growth in recent years and this is forecast to continue. The local authorities and their partners wish to respond to this opportunity by planning positively for the area as a whole. Working together to address some of the key strategic issues in North Essex will get the best outcomes for current and future communities. In particular, it will deliver sustainable development that respects local environments and provides new jobs and essential infrastructure.^{AM2}

1.2 For these reasons Braintree District Council, Colchester Borough Council and Tendring District Council have agreed to work together to address strategic planning matters across their areas. Collectively they are known as the North Essex authorities.

1.3 The North Essex local authorities border a large number of other local authorities who will continue to be engaged and involved on an active and ongoing basis on strategic cross border issues. These authorities include Babergh Chelmsford, Maldon Mid Suffolk, St Edmundsbury, South Cambridgeshire, Uttlesford, and Suffolk and Cambridgeshire County Councils.

1.4 Essex County Council (ECC) is a key partner in its strategic role for infrastructure and service provision and as the Highway Authority, Lead Local Flood Authority, Local Education Authority and Minerals and Waste Planning Authority.

1.5 An initial outcome of this collaboration is this strategic planning chapter, which each of the local planning authorities have included in their Publication Local Plan. The Local Plans together with the Essex Minerals Local Plan and the Essex and Southend-on-Sea Waste Local Plan (prepared by ECC) and any Neighbourhood Plans, form the Development Plan for the respective areas.

The Need for a Strategic Approach

1.6 In Essex, as elsewhere, the influences of population and economic growth do not stop at administrative boundaries. Settlement patterns, migration flows, commuting and strategic infrastructure needs all have significant influences within and between local authority areas.

1.7 Local Plans are the main vehicle for conveying an area's growth requirements and how these will be accommodated. However, individual local authority boundaries cannot encapsulate the geographies of issues that transcend those boundaries. Through active and on-going collaboration the authorities can jointly plan, manage and review strategic objectives and requirements for the effective implementation of sustainable development (including minerals and waste) and enhanced environments.

1.8 The geographic and functional relationship between the authorities' areas is demonstrated by the fact that, with Chelmsford City Council, they form a single Housing Market Area (HMA) for planning purposes; and they are a major part of the Haven Gateway, an established economic partnership. Within this context, the forecast levels of future population growth together with the geography of

North Essex means that considerations for future growth will include options that have clear cross-boundary implications. These include both the expansion of existing towns and villages as well as possible new communities.

1.9 Consequently, Braintree, Colchester and Tendring, **together referred to in this plan as the North Essex Authorities**, have agreed to come together **and prepare a common Section 1 Local Plan** because of their shared desire to promote a sustainable growth strategy for the longer term; and the particular need to articulate the strategic priorities within the wider area and how these **priorities** will be addressed. Central to this is the effective delivery of planned strategic growth, particularly housing and employment development, with the necessary supporting infrastructure.^{AM3}

1.10 Uttlesford District Council, Maldon District Council as well as other neighbouring authorities, sit within separate housing market areas. However the authorities are actively and continuously engaged to ensure that cross-boundary and strategic issues are dealt with.

1.11 The Localism Act 2011 places a Duty to Co-operate on local planning authorities and other public bodies. This requires them to engage constructively, actively and on an on-going basis in the preparation of plans where this involves strategic matters. The National Planning Policy Framework (NPPF) adds to this statutory duty as it expects local planning authorities to demonstrate evidence of having co-operated effectively to plan for issues with cross-boundary impacts.

1.12 This strategic ~~chapter~~ **Section 1** of the authorities' Local Plans reflects the Duty to Co-operate as it concerns strategic matters with cross-boundary impacts in North Essex. **Section 2 of each plan contains policies and allocations addressing authority-specific issues.**^{AM4}

1.13 Against this background, the main purposes of this strategic chapter of the Local Plan are to:

- Articulate a spatial portrait of the area, including its main settlements and strategic infrastructure, as a framework for accommodating future planned growth;
- Provide a strategic vision for how planned growth in North Essex will be realised; set strategic objectives and policies for key growth topics;
- Set out the numbers of additional homes and jobs across the area that will be needed covering the period to 2033. The choices made, particularly in relation to the location of garden communities, will also set the framework for development well beyond the plan period; and
- Highlight the key strategic growth locations across the area and the necessary new or upgraded infrastructure to support this growth.

Spatial Portrait

1.14 Braintree, Colchester and Tendring districts are located to the north of Essex between the east coast ports and London Stansted airport. The principal towns are Braintree, Colchester and Clacton-on-Sea and a number of secondary settlements: Witham, Halstead, Wivenhoe, Tiptree, Brightlingsea, Manningtree, Harwich, Walton and Frinton. Map 10.1 identifies the settlements that link with the main road and/or rail infrastructure.

1.15 Beyond these settlements much of the area has a rural character.

1.16 The area covered by this strategic planning approach comprises a large part of the Haven Gateway, an established partnership area which is identified in a range of existing strategy and investment documents. The Haven Gateway includes the Essex administrative areas of Braintree, Colchester, Maldon and Tendring Councils and extends northwards into parts of Suffolk.

1.17 The area's strategic road and rail network is heavily used, particularly given the proximity to and connectivity with London. The principal roads are the A12 and A120, while the A130, A131, A133 and A414 also form important parts of the strategic road network.

1.18 The Great Eastern Main Line provides rail services between London Liverpool Street and the East of England, including Witham, Chelmsford, Colchester and Clacton-on-Sea. It also carries freight traffic to and from **the Haven Ports including** Harwich International Port, which handles container ships and freight transport to and from the rest of the UK. Harwich is also one of the major UK ports for ferry and cruise departures. ^{AMS}

1.19 Crossrail is expected to start operating in the first part of this plan period with services commencing just south of Chelmsford in Shenfield. The opportunities that Crossrail will bring in terms of additional capacity and quicker journeys to a wider choice of destinations will be a contributor to the continued attractiveness of north Essex as a place to live and to do business.

1.20 The growing demand for the use of airports, including London Stansted, will create additional associated pressures on road and rail infrastructure. The County Council, along with South East Local Enterprise Partnership, local and national agencies and other organisations, will also need to work collaboratively with the Local Planning Authorities to ensure infrastructure meets demand for enhanced economic growth.

1.21 Braintree and Colchester are the major centres of employment within the strategic area. While there are high levels of commuting to London, many residents work and live within the area with significant commuting across borough and district boundaries, reflecting a functional economic geography.

1.22 The area has a mixed economy focused on the service sector, including wholesale and retail, business services, tourism, health and education, alongside manufacturing, logistics and construction. Due to the extensive rural area outside urban settlements, agriculture and its related industries play an important part in the overall economy.

1.23 This rurality also means that there are large areas of open countryside, including protected natural and historic landscapes. Areas of importance for nature conservation are to be found particularly along the coast and river estuaries, while the villages and towns include many built heritage assets.

1.24 A more detailed assessment of the characteristics of each area is provided in the second part of this Local Plan.

Key Strategic^{AM6} Issues: Opportunities and Challenges

1.25 Due to its strong economic base, proximity to London and attractiveness as a place to live and work, North Essex has seen significant growth over recent years. The area is well-placed and connected to key growth points in the wider region including London, Cambridge and Stansted Airport and as a result is likely to continue to be a successful location for growth. In particular Braintree and Colchester have regularly exceeded planned house building targets and this is expected to continue. Planning for and managing future population growth requires an appropriate response from the local authorities to ensure that sufficient homes, employment premises and land, and supporting social and other infrastructure are provided in a sustainable way.

1.26 Notwithstanding its strong economic base and steady growth, the North Essex area faces a range of challenges, notably the need to improve economic and social conditions across the area and reduce health inequalities, pockets of deprivation, infrastructure deficits and low skills; the need to ensure that the infrastructure needed to support continued housing and jobs growth is in place at the right time; and the need to ensure that continued growth ~~does not erode the special environment, heritage and urban assets and qualities of the area or exacerbate pressure on natural resources~~ continues to conserve and where possible enhance the historic and natural environment including landscape and habitat creation, and will also seek net environmental gains, possibly making use of the Defra biodiversity accounting metric 2.0 to account for possible effects.^{AM7}

1.27 The education, health and other service needs of a growing population must be addressed, requiring careful planning to assess future needs such as pupil numbers and further adult education needs. The assessed need must in turn be translated into new or expanded education, health and other facilities which are available to meet the needs of new communities at the appropriate time. The ageing profile of residents also requires a proactive response to provide the right type of homes, including independent living and supporting services; as well as sufficient healthcare facilities to support both older residents and the population as a whole.

1.28 New development should be located and designed so that day-to-day needs of residents can be met locally and be accessible by sustainable forms of transport, including walking and cycling, and wherever possible reduce the number of car based trips. Growth will create demand for additional road and rail use with the associated need for new and upgraded infrastructure. Future planned growth provides the opportunity to address some of these infrastructure needs, although growth locations and sites need to be considered carefully with regard to the balance of providing necessary infrastructure and the viability and deliverability of development.

1.29 The NPPF expects local authorities to set out the strategic priorities for the area in the Local Plan. Of those listed in the Framework and based on the above key issues, this strategic plan chapter addresses:

- the homes and jobs needed in the area
- the provision of infrastructure for transport and telecommunications
- the provision of education, health, and community infrastructure, and
- conservation and enhancement of the natural and historic environment, including landscape

Vision for the Strategic Area

1.30 It is important that addressing growth at any spatial scale is founded on a clear vision of how and where change should occur. The vision for North Essex sets this out at a strategic level and provides a context for the more detailed vision for the growth of each individual authority's area. ~~The joint vision set out below should be read in conjunction with the vision for each local authority set out in Part 2 of each Local Plan.~~ ~~The NPPF (paragraph 52) sets out that the supply of new homes can sometimes be best achieved through planning for larger scale development.~~ The high housing need identified for North Essex, constraints in many existing urban areas and the desire to support a sustainable form of development in the long term, as part of the strategy for the development ~~has led to the~~ Local Plans ^{AM8} are proposing standalone new settlements that follow the principles of Garden Communities.

Vision for North Essex

North Essex will be an area of significant growth over the period to 2033 and beyond, embracing positively the need to build well-designed new homes, create jobs and improve and develop infrastructure for the benefit of existing and new communities.

It will continue to be an attractive and vibrant area in which to live and work, making the most of its rich heritage, town centres, natural environment, coastal resorts, excellent educational facilities and strategic transport links which provide access to the ports, Stansted Airport, London and beyond. Rural and urban communities will be encouraged to thrive and prosper and will be supported by adequate community Infrastructure. ^{MM1 (Mod A)}

*Sustainable development principles will be at the core of the strategic area's response to its growth needs, balancing social, economic and environmental issues. Green and blue infrastructure and new and expanded education and health care facilities ~~enabling healthy and active lifestyles~~ ^{MM1 (Mod B)} will be planned and provided along with other facilities to support the development of substantial new growth; while the ~~undeveloped~~ countryside ^{MM1 (Mod C)} and ~~heritage assets~~ ^{MM1 (Mod D)} ~~the natural and historic environment~~ will be ~~protected~~ ^{MM1 (Mod E)} ~~conserved~~ and enhanced. ^{MM1 (Mod F)} *Key to delivering sustainable development is that new development will address the requirement to protect and enhance ~~be informed by an understanding of the historic environment and settlement character~~**

At the heart of our strategic vision for North Essex ~~are~~ ^{MM1 (Mod G)} ~~is a new garden community~~ ^{MM1 (Mod H)} ~~ies, to be sensitively integrated within the existing historic built and natural environment, the delivery of which is~~ ^{MM1 (Mod I)} ~~and based on Garden City principles covered by policy SP7.~~

The garden community ^{MM1 (Mod J)} ~~ies~~ ^{MM1 (Mod K)} ~~provide an opportunity to create the right balance of jobs, housing and Infrastructure in the right locations and~~ ^{MM1 (Mod L)} ~~will attract residents and businesses who value innovation, community cohesion and a high quality environment, and who will be provided with opportunities to take an active role in managing the garden community to ensure its continuing success.~~

Residents will live in high quality, innovatively designed, contemporary homes, (MM1Mod H) accommodating a variety of needs and aspirations, located in well-designed neighbourhoods where they can meet their day-to-day needs. There will be a network of tree-lined streets and green spaces, incorporating and enhancing existing landscape features and also accommodating safe and attractive routes and space for sustainable drainage solutions; and leisure and recreation opportunities for both residents and visitors of the garden community^{ies}.^{MM1}

*Suitable models for the long term stewardship of community assets will be established and funded to provide long term management and governance of assets. All Garden City principles as specified in the North Essex Garden Communities Charter will be positively embraced including **where appropriate**, new approaches to delivery and partnership working **and sharing of risk and reward** for the benefit of the new community^{ies}. **Central to this will be the comprehensive planning and development of the garden community, and the aligned delivery of homes and supporting infrastructure.**^{MM1(Mod I)}*

Strategic Objectives

Originally only the first paragraph was numbered (1.31) - should they all be individually numbered as below?

1.31 The following strategic objectives are designed to support the vision for the area and provide a basis for the development of strategic topic-based policies that will help in achieving the vision.

1.32 ~~1.31~~ Providing Sufficient New Homes – to provide for a level and quality of new homes to meet the needs of a growing and ageing population in North Essex; to achieve this by ensuring the availability of developable land in appropriate locations and that the market delivers a suitable mix of housing types and tenures.

1.33 ~~1.31~~ Fostering Economic Development – to strengthen and diversify local economies to provide more jobs; and to achieve a better balance between the location of jobs and housing, which will reduce the need to travel and promote sustainable growth.

1.34 ~~1.31~~ Providing New and Improved Transport & Communication Infrastructure – to make efficient use of existing transport infrastructure and to ensure sustainable transport opportunities are promoted ~~in all new development~~. **to support new and existing communities**. Where additional capacity is required in the form of new or upgraded transport infrastructure to support new development, ensuring that this is delivered in a phased & timely way to minimise the impact of new development. To ensure that enabled communication is provided as part of new developments as enabled communication is essential for modern living and broadband infrastructure and related services will be critical for business, education and residential properties.^{MM2(Mod A)}

1.35 ~~1.31~~ Addressing Education and Healthcare Needs – to provide good quality educational opportunities as part of a sustainable growth strategy, including practical vocational training and apprenticeships linked to local job opportunities. To work with partners in the NHS, Public Health and local health partnerships to ensure adequate provision of healthcare facilities to support new and growing communities.

1.36 4.31 Ensuring High Quality Outcomes – to promote greater ambition in planning and delivering high-quality sustainable new communities. Overall, new development must secure high standards of urban design and green infrastructure which creates attractive and sustainable places where people want to live and spend time. New development needs to be informed by an understanding of the historic environment resource gained through the preparation of Historic Impact Assessments, and to conserve and enhance the significance of ~~the~~ heritage assets **and, including any contribution made to their significance by** their settings. ^{MM2(Mod B)}

Strategic Issues and Policies

1.37 4.32 This section includes the Councils' response to the opportunities and challenges facing the wider area, in the form of strategic policies that will help to deliver the vision and objectives. These policies only cover those matters that are of strategic relevance to all three authorities. Policies that address local matters are included in the following section of the plan. The Plan as a whole, including both Sections 1 and 2, will supersede previous Local Plan Policies and allocations upon its adoption. A list of the policies superseded by Section 1 and Section 2 of the Plan respectively is included as an appendix to each section. ^{MM3}

Presumption in Favour of Sustainable Development

2 Presumption in Favour of Sustainable Development

Presumption in Favour of Sustainable Development

2.1 The authorities will apply a presumption in favour of sustainable development in accordance with guidance in the National Planning Policy Framework.

Policy SP 1

Presumption in Favour of Sustainable Development

When considering development proposals the Local Planning Authorities will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. They will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

~~Sustainable development in North Essex will demonstrably contribute to the strategic and local vision and objectives and will accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans). Development that complies with the Plan in this regard will be approved without delay, unless material considerations indicate otherwise.~~

~~Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:~~

- ~~• Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole or~~
- ~~• Specific policies in that Framework or the Plan that indicate that development should be restricted.~~ ^{MM4}

2.2 A Habitats Regulations Assessment (HRA) was completed for Section 1 of the Plan. The loss of off-site habitat, water quality and increased recreational disturbance were identified as issues with the potential to result in likely significant effects on European Sites, without mitigation to address the effects.

2.3 The Appropriate Assessment (AA) identified a number of avoidance and mitigation measures to be implemented, to ensure that development proposals in the Plan will not result in adverse effects on the integrity of any Special Area of Conservation, Special Protection Area or Ramsar site, and are HRA compliant.

2.4 To mitigate for the loss of off-site habitat, the AA identified the need for wintering bird surveys for the Tendring/Colchester Borders Garden Community as part of any project level development proposals and masterplanning (see also paragraph 8.4 and Policy SP8 paragraph F.21 below).

2.5 To protect water quality, the AA recommended the inclusion of policy safeguards to ensure that adequate water and waste water treatment capacity or infrastructure upgrades are in place prior to development proceeding.

2.6 Recreation activities can potentially harm Habitats Sites. The AA identified disturbance of water birds from people and dogs, and impacts from water sports/watercraft as the key recreational threats to Habitats Sites.

2.7 To mitigate for any increases in recreational disturbance at Habitats Sites, the AA identified the need for a mitigation strategy. Natural England's West Anglian Team identified the Essex coast as a priority for a strategic and proactive planning approach as it is rich and diverse ecologically, and many of the coastal habitats are designated as Habitats Sites. Consequently, 12 local planning authorities in Essex have prepared an Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS).

2.8 The Essex Coast RAMS sets out specific avoidance and mitigation measures by which disturbance from increased recreation can be avoided and mitigated thus enabling the delivery of growth without adversely affecting Habitats sites. These measures are deliverable, realistic, underpinned by robust up to date evidence, precautionary and provide certainty for developers around deliverability and contributions. The Essex Coast RAMS Strategy Document was completed in 2019 and will be supported by a SPD.^{MM5}

Policy SP 1A

Recreational disturbance Avoidance and Mitigation Strategy (RAMS)

Contributions will be secured from development towards mitigation measures in accordance with the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy 2018-2038 (RAMS).^{MM6}

Spatial Context (was Strategy)

3 Spatial strategy Context ^{AM9}

3.1 Future growth will contribute to maintaining and enhancing a well-connected network of sustainable settlements across North Essex. New homes, jobs, retail and leisure facilities serviced by new and upgraded infrastructure will be accommodated as part of existing settlements according to their scale, sustainability and role, and by the creation of a strategic scale new settlements embracing the principles in the North Essex Garden Community Charter. The countryside will be protected and enhanced. ^{AM10}

3.2 For the majority of settlements these issues are addressed in the second part of the Local Plan dealing with each authority's area. However, it is relevant here to set out ~~the spatial~~ ^{at an appropriate level}, spatial context of the North Essex Area as it relates to the main settlements and strategic-scale new development. ^{AM11}

3.3 In Braintree District the growth will be mainly addressed via a mixture of urban extensions and new communities. Braintree town, as the largest service centre in the District, will have a number of new urban extensions. Over 4,000 new homes will be allocated in this area. The other main focus for development will be the A12 corridor with the main town of Witham and service villages of Hatfield Peverel, Kelvedon and Feering with allocations of over 2,000 new homes. Other parts of the District, including the town of Halstead, will have smaller allocations to reflect a more local need and make the best use of brownfield sites, recognising that these areas are not as sustainable. A new strategic scale garden community will be located to the west of Braintree, on the boundary with Uttlesford DC and on the eastern boundary with Colchester BC.

3.4 In Colchester Borough, the urban area of Colchester will continue to be a focus for growth due to its pre-eminent role as a centre for jobs, services and transport, with 4,000 new homes expected to be delivered over the Local Plan period. The urban area of Colchester, however, has a limited and diminishing supply of available brownfield sites, so new communities are included in the spatial hierarchy as a sustainable option for further growth of homes and jobs, in locations both to the east and west of Colchester on the borders with Tendring and Braintree Districts. Approximately 1,200 new homes will be allocated in the Rural District Centres of Tiptree, West Mersea and Wivenhoe. Smaller sustainable settlements will receive limited allocations proportionate to their role in the spatial hierarchy.

3.5 In Tendring District the spatial hierarchy promotes growth in settlements that are the most accessible to the strategic road network, public transport and offer a range of services. Clacton and Harwich with Dovercourt are classified as strategic urban settlements and will accommodate around 5,000 new homes. A new cross-boundary garden community will be located in the west of the district and to the east of Colchester. The smaller urban settlements of Frinton with Walton and Kirby Cross, Manningtree with Lawford and Mistley, Brightlingsea and Weeley will accommodate between 1,500 and 2,500 new homes. The rural service centres and smaller rural settlements will accommodate around 1,500 new homes including a windfall allowance.

3.6 The new Garden Community is identified as new a new settlement in Colchester and Tendring Section 2 settlement hierarchies. Over time the Garden Community will grow to influence the area's spatial hierarchy and will be included in the tiers underneath the sub-regional centre role played by Colchester. Future reviews of the plans will address this point, but the Garden Community will not grow to a size that will affect the spatial hierarchy within the plan period to 2033.^{AM12}

Policy SP 2

Spatial Strategy for North Essex

Existing settlements will be the principal focus for additional growth across **the North Essex Authorities area** within the Local Plan period.^{MM7(Mod A)} Development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role both within each individual district and, where relevant, across the wider strategic area.

Future growth will be planned to ensure **existing** settlements maintain their distinctive character and role, **to avoid coalescence between them and to conserve their setting**.^{MM7(Mod B)} Re-use of previously-developed land within settlements is an important objective, although this will be assessed within the broader context of sustainable development principles, particularly to ensure that development locations are accessible by a choice of means of travel.

In Section 2 of its Local Plan Each local **planning** authority will identify a hierarchy of settlements where new development will be accommodated according to the role of the settlement, sustainability, its physical capacity and local needs.^{MM7(Mod C)}

Beyond the main settlements the authorities will support diversification of the rural economy and conservation and enhancement of the natural environment.

~~Three new~~ **As part of the sustainable strategy for growth, the Tendring / Colchester Borders** ~~Garden e~~ **Communities** will be developed and delivered ~~as part of the sustainable strategy for growth, at the~~ **broad** locations shown on Map 3.3 **10.2** below ~~and on the Colchester and Tendring Local Plans Policies Maps~~. ~~These new communities~~ will provide **a** strategic locations for at least 7,500 additional homes **and employment** within the Plan period in North Essex. Employment development will also be progressed with ~~t~~ **The expectation is** that substantial additional housing and employment development will be delivered in **each the Garden e** Community beyond the current Local Plan periods. ~~They will be planned and developed drawing on Garden City principles, with necessary infrastructure and facilities provided and a high quality of place-making and urban design~~^{MM7(Mod D)}

Meeting the need for New Homes

4 Meeting the need for New Homes

4.1 Provision of sufficient housing is critical to meet the needs of a growing population and for the effective functioning of local economies.

4.2 The North Essex authorities are committed to plan positively for new homes and to significantly boost the supply of housing to meet the needs of the area, including the need to provide a workforce for forecast jobs. To meet the requirements of national policy to establish the number and type of new homes, the authorities commissioned Peter Brett Associates to produce an Objectively Assessed Housing Need Study building on earlier work. This was first published in July 2015 and updated in November 2016. It meets the requirements of the NPPF to prepare a Strategic Housing Market Assessment (SHMA).

4.3 Detailed analysis in the report suggests that a Housing Market Area comprising Braintree, Colchester, Chelmsford and Tendring Council areas forms a sound basis for assessing housing need.

4.4 Demographic projections are the starting point for assessing how much housing will be required across an area. Based on 2014 national projections covering the period 2013 to 2037, the conclusion reached is that the objectively assessed need across the Housing Market Area is 2,999 new homes a year over the period 2013 – 2037. The total requirement across north Essex, excluding Chelmsford City Council's area, is 2,186 new homes per year.

4.5 This figure includes a figure of 550 new homes per year for Tendring. Calculation of housing need in the District is complicated by uncertainty arising from unattributed population change (UPC).

4.6 Evidence on overall levels of affordable housing provision elsewhere in the Districts will be set out in more detail within the individual Local Plans and will take account of identified needs. **The Tendring Colchester Garden Communities** needs to be mixed and balanced communities and will be expected to provide 30% affordable housing. ^{AM13}

4.7 Each Garden Community will be expected to provide suitable sites for Gypsies and Travellers. Additional requirements for sites to meet District wide needs will be set out in Section Two of each District/Borough Local Plan.

4.8 The North Essex authorities will identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their individual housing requirements set out in Policy SP3 below. Each authority will incorporate an additional buffer as required by national planning policy to ensure choice and competition for land. ^{AM14}

Policy SP 3

Meeting Housing Needs

The local planning authorities will identify sufficient deliverable sites, **developable sites and/or** broad locations for their respective plan period, **against to meet the housing requirements** in the table below, **and will incorporate additional provision to ensure flexibility and choice and competition for land.** ^{MM8(Mod A)}

Each authority will maintain a sufficient supply of deliverable sites to provide for at least five years' worth of housing, **plus an appropriate buffer in accordance with national policy**, and will work proactively with applicants to bring forward sites that accord with the overall spatial strategy and relevant policies in the plan. **The annual housing requirement figures set out below will be used as the basis for assessing each authority's five-year housing land supply, subject to any adjustments in Section 2 of each plan to address any undersupply since 2013.** ^{MM8(Mod B)}

The authorities will review their housing requirements regularly in accordance with national policy requirements, and in doing so will have regard to the housing needs of the wider area. ^{MM8(Mod C)}

| Local Authority | Objectively Assessed Need for Housing requirement per annum | Total minimum housing supply in requirement for the plan period (2013 – 2033) ^{MM8(Mod D)} |
|-----------------|--|---|
| Braintree | 716 | 14,320 |
| Colchester | 920 | 18,400 |
| Tendring | 550 | 11,000 |
| Total | 2,186 | 43,720 |

Providing for Employment

5 Providing for Employment

5.1 A key objective for the area is to strengthen and diversify local economies to provide more jobs and to achieve a better balance between the location of jobs and housing, which will reduce the need to travel and promote sustainable growth.

5.2 Braintree District's employment is relatively focused on industrial-type sectors, including construction and manufacturing. London Stansted airport, in neighbouring Uttlesford, plays a significant role in employing residents of the District and through the indirect economic benefits associated with proximity to such a large employment hub.

5.3 Retail is the second largest sector by employment and plays an important role in sustaining the District's three key town centres. The financial and insurance sector, where Braintree District traditionally has a relatively small proportion of employment, has seen some strong growth in recent years. This may be a growth sector in the future.

5.4 Colchester is the dominant urban centre within the Essex Haven Gateway. The Borough has developed a strong economy, linked to its "central place" functions and to the town's historic character, cultural activities and the university. Major retail and leisure services are also located both within and adjacent to Colchester town.

5.5 Health, education and retail each provide over 10% of employee jobs and collectively contribute 42% to the Borough's total employment. A further six major Groups each account for between 5 – 10% of total jobs: Manufacturing; Construction; Accommodation and Food Services; Professional, Scientific & Technical; Business Administration & Support Services; and Arts, entertainment, recreation, etc.

5.6 Tendring District has a diverse economy with local employment across a range of activities. Health, retail and education are the largest sectors in terms of the number of jobs and together represent 45% of the District's total employment.

5.7 Within the western part of Tendring district, the economy and labour market of Manningtree is influenced by its relative proximity to Colchester and good transport links to London. The interior of the District is largely rural and is characterised by a high-quality environment, interspersed with small settlements.

5.8 Opportunities have been identified for Tendring to develop potential future strengths in offshore wind and the care and assisted living sector.

5.9 As part of the work to assess housing requirements, an analysis of economic forecasts was undertaken together with demographic projections to establish the inter-relationship between population growth, forecasts of new jobs and the number of new homes needed to accommodate these levels of growth. **Employment forecasts have been developed using two standard models (East of England Forecasting Model (EEFM) and Experian 2016) which forecast total job growth for each of the local authorities based on past trends. Each local authority has been advised on the most appropriate modelling figure to use in the context of reconciling job and housing demand. The forecast growth figures for the housing area for the period 2013-2037 are as set out in Policy SP4. Employment Land**

Needs Assessments have been carried out by each authority which set out the amount of employment land that is required within the Plan period. In terms of specific B use land provision, each local authority has undertaken work to establish what quantum of employment land would be required within the Plan period to meet the demand identified below for additional B use employment land. These B use employment areas are distributed between each local authority area and based on achieving a sustainable balance between jobs and the available labour force through population growth. As noted above, calculations of employment land required are affected by a range of issues that lead to different employment land portfolios for each local authority area, resulting in a proportionately greater quantum of new floorspace per job in Braintree and Tendring than in Colchester. This is a function of the prominence of higher density office requirements in Colchester and lower density logistics and industrial uses in Braintree and Tendring. The table in Policy SP4 below sets out the three authorities' employment land (B Class uses) requirements for the period 2016 – 33 for two plausible scenarios, baseline and higher growth. These two bookends provide flexibility to allow for each authority's supply trajectory to reflect their differing requirements. Site specific employment allocations meeting the needs of different sectors in each local authority are set out in section 2 of their Local Plan.^{AM15}

5.10 Braintree, Colchester and Tendring commissioned work to explore the employment opportunities associated with the development of innovative Garden Communities based on the likely demographic profile of these new communities and to develop quantified scenarios for future employment growth. The consultants concluded that assuming political commitment and proactive delivery on the part of local authorities, Garden Communities had the potential to deliver one job per household, in line with the Garden Communities charter, and to support employment growth in surrounding areas. The Tendring Colchester Border Garden Community is considered to perform the best in employment terms given the opportunities provided by its location adjacent to the University Essex. ,but the other two Garden communities also are well-placed to take advantage of employment opportunities in new technology-based businesses, construction of the Garden Communities, access to employment opportunities in Colchester and Braintree town centres, meeting the growing need for local services, and accommodating elements of the logistics supply chain^{AM16}

5.11 Employment forecasts for the three authorities accordingly factor in the longer-term aspirations for employment growth arising from the positive spin-offs associated with Garden Communities. It is important to note, however, that while job numbers can be expected to grow at a consistent rate, current trends point to overall lower requirements for additional B1 floorspace. This reflects the growth of home working enabled by enhanced digital connectivity; the continuing decline of manufacturing with its need for large floor areas; and the prevalence of 'hot desking' leading to lower requirements for office floorspace.

Policy SP 4

Providing for^{AM17} Employment and Retail^{MM9(Mod A)}

A strong, sustainable and diverse economy will be promoted across North Essex with the Councils local planning authorities^{MM9(Mod B)} pursuing a flexible approach to economic sectors showing growth potential across the Plan period.

Employment forecasts have been developed using two standard models (East of England Forecasting Model (EEFM) and Experian 2016) which forecast total job growth for each of the local authorities based on past trends. Each local authority has been advised on the most appropriate modelling figure to use in the context of reconciling job and housing demand. These figures are set out for the housing market as follows for the period 2013-2037:

Annual Jobs Forecast:

| | |
|---------------------|-----|
| Braintree (EEFM) | 490 |
| Colchester (EEFM) | 928 |
| Tendring (Experian) | 490 |

In terms of specific B use land provision, each local authority has undertaken work to establish what quantum of employment land would be required within the Plan period to meet the demand identified below for additional B use employment land. These B use employment areas are distributed between each local authority area and based on achieving a sustainable balance between jobs and the available labour force through population growth. As noted above, calculations of employment land required are affected by a range of issues that lead to different employment land portfolios for each local authority area, resulting in a proportionately greater quantum of new floorspace per job in Braintree and Tendring than in Colchester. This is a function of the prominence of higher density office requirements in Colchester and lower density logistics and industrial uses in Braintree and Tendring. The table below sets out the three authorities' employment land requirements for the period 2016 – 33 for two plausible scenarios, baseline and higher growth. These two bookends provide flexibility to allow for each authority's supply trajectory to reflect their differing requirements. ^{MM9(Mod C)}

In order to meet the requirements for **B-class employment office, research & development, industrial, storage and distribution** uses and to maintain appropriate flexibility in provision to meet the needs of different sectors, Section 2 of each plan will allocate employment land to ensure that provision is made within the ranges set out in the table below. ^{MM9(Mod D)}

Hectares of **B-use** employment land required **for office, research & development, industrial, storage and distribution uses:**

| | Baseline (2012 Based SNPP) | Higher Growth Scenario |
|--------------------|----------------------------|---|
| Braintree | 23 20.9 | 43.3 |
| Colchester | 22.0 | 55.8 30 |
| Tendring | 20.0 12.0 | 38.0 20.0 |
| North Essex | 65ha 54.9 | 137.1 93.3 ^(MM9Mod E) |

Infrastructure and Connectivity

6 Infrastructure and Connectivity

6.1 A coordinated and integrated approach to infrastructure planning and delivery is required to implement the vision for North Essex. Provision of appropriate and timely infrastructure to support growth will be central to the area's continuing prosperity, attractiveness and sustainability. ~~Plan-led growth that includes proposed large scale garden community infrastructure with a particular focus will be on transport , education, healthcare, and telecommunications (including broadband).~~ **Section 1 of the Local Plan highlights strategic and cross-boundary infrastructure, identifying the strategic transport infrastructure projects required to underpin delivery of the planned growth in the area including the proposed Garden Community, and sets priorities for other infrastructure requirements such as education, healthcare, digital connectivity, water supply and wastewater infrastructure and treatment. Section 2 of the Local Plan contains the infrastructure requirements for allocations made in that section of the plan. The Infrastructure Delivery Plan (IDP) provides more detail about the phasing and costing of infrastructure requirements for the Garden Communities and the Section 2 allocations required within the plan period. The infrastructure planning process will include the identification of funding sources, and may include using appropriate mechanisms of shared public sector delivery financing mechanisms and the implementation of a strategic infrastructure tariff or other suitable mechanisms to apply across North Essex.** ^{AM18}

A Garden Communities ^{AM19}

6.2 ~~6.23~~ The challenge in the Garden Community~~ies~~ will be to create a community in which people move in around in a different way to which most of the existing towns in North Essex currently do. ^{AM20} Networks need to give priority to people for short everyday trips to link people to work, education, retail, leisure, creating an independent safe environment.

6.3 ~~6.24~~ The new garden community~~ies~~ will seek to manage travel demand, providing retailing, jobs, services and facilities within the site to help reduce the need to travel, and integrate and connect with the rest of North Essex and beyond through public transport **infrastructure and measures that** to promote sustainable travel patterns and reduce adverse impacts on the highway network. The North Essex Garden Communities Charter seeks to ensure that land use planning of the new community~~ies~~ maximises the provision and use of sustainable transport internally and connects externally to key urban centres. **Given the Charter's commitment to the timely delivery of infrastructure, policies SP7-8 will ensure that key transport projects align with housing and employment delivery.** ^{AM21}

6.4 ~~6.25~~ To maximise the use of public transport new forms of high quality rapid transit networks will be provided to serve existing urban centres such as Colchester and Braintree; key destinations such as the University of Essex; and key transport interchanges in North Essex. To achieve the desired step change in sustainable transport, **policy will require that** this infrastructure will need to be funded and **its delivery phased to align with provided early in with** the development phases ^{AM22}.

A B Transportation and Travel ^{AM23}

6.5 ~~6.2~~ North Essex is well placed in the context of connections by road, rail, air and sea to the wider region and beyond, and these connections will need to be strengthened as part of developing sustainable transport networks. ~~The A12 and A120 trunk road network form part of the Trans-European~~

~~Network carrying international vehicular traffic. The Great Eastern Main Line (GEML) and branch lines, link the major towns and cities via a high capacity, high frequency rail line radiating from London. The strategically important London Stansted Airport lies to the west within a 60km radius of key urban centres in North Essex. Access via sea is provided by the port at Harwich.~~^{AM24}

6.6 6.3 The challenge is to provide North Essex with a sustainable transport system that provides good access to jobs and services, to support economic growth. Growth promoted through the new Local Plans, particularly via large scale new developments where delivery will extend beyond the plan period, provides an opportunity to prioritise, facilitate and deliver larger scale transport infrastructure projects that can significantly improve connectivity across and within the area. **A focus on sustainable transport in and around urban areas and the Garden Community will** and positively alter travel patterns and behaviour to reduce reliance on the private car.^{AM25}

6.7 6.4 The Local Plans seek to improve transport infrastructure **to enable the efficient movement of people, goods** and ensure that new development is accessible by sustainable forms of transport. Measures designed to encourage people to make other sustainable travel choices such as better public transport provision, car clubs, electric vehicle charging points and provision of cycle links and **walk foot** ways will also be required to achieve such a change. It will also help to enhance air quality and improve health and well-being.^{AM26}

6.8 6.5 Braintree, Colchester and Tendring will continue to work closely with government departments, Highways England, Essex County Council, Network Rail, rail **and bus** operators, **developers** and other partners to better integrate all forms of transport and improve roads and public transport and to promote cycling and walking. Key projects during the plan period will see improvements to the A12, A120, Great Eastern Main Line including rail services, and provision of rapid transit connections in **and around urban areas and the Garden Communities and the adjacent urban areas**. An integrated and sustainable transport system will be delivered that supports economic growth and helps deliver the best quality of life. ~~Although the funding for some of these improvements is not guaranteed the authorities will work with providers to ensure that investment will be made at the appropriate time to support the proposed growth.~~^{AM27}

The Inter-Urban Road Network

~~6.6 On the inter-urban road network, traffic levels have increased significantly in recent years with parts of the A12 around Colchester and Marks Tey carrying up to 90,000 vehicles per day, which is high for an A class trunk road.~~^{AM28}

~~6.7 Most of the inter-urban road network, particularly the capacity of the A12, is constrained by the operation of the junctions and sub-standard slips, and periods of congestion. The East of England Route Based Strategy (March 2017) provides a review of the state of the network in the East of England (including A120 Harwich to the A12 and A12 from the M25 to A14), and will inform a Strategic Road Network Initial Report (late 2017), which will outline the ambitions for the network across 2020 – 2025 (ie RIS2 period) and beyond. Consultation on plans to improve both the A12 and A120 has taken place, and the decisions made on these proposals should be informed by the planned growth, identified in Local Plans given the connection between new planned growth and the infrastructure needed to support it.~~^{AM29}

6.9 6.8 The A12 is set to have major improvements as part of the Government's Roads Investment Strategy (2015-2020) (RIS1 and RIS), with the aim of improving capacity and relieving congestion. The A12 is being widened between junction 19 (Chelmsford) and junction 25 (A120 interchange) to increase safety, improve journey time reliability, provide a benefit to the local road network, and in doing so support long term sustainable growth. Highways England (HE) has announced its preferred route between junction 19 and 23 (October 2019) and between junction 23 and 25 in August 2020. The A12 J19 to J25 widening scheme will go ahead as part of the Road Investment Strategy 2 (RIS2) programme, and is now a fully funded scheme. It is expected the route will be open for traffic in 2027 – 2028. RIS2 stated that the A12 scheme will need to take account of the evolving proposals for the A120 Braintree to A12 improvements, and any potential future road link to the improvements for the A120 will be incorporated into the A12 scheme. The plans were announced in December 2014 and will represent the largest investment in road infrastructure received by Essex. The RIS confirmed

- investment in a technology package for the length of the A12 from the M25 to the junction with the A14;
- phased improvement of the road to a consistent dual 3 lane standard; and
- improvement to the A12/M25 junction.

Consultation on route improvement options between 19 and junction 25 of the A12 concluded in March 2017. A decision by the Planning Inspectorate on the preferred improvement option is expected in 2019. ^{AM30}

6.10 6.9 The A120 is a key east-west corridor across Essex providing access to London Stansted Airport in the west to the Harwich ports in the east and serving the economies of Braintree, Colchester and Tendring, with links to Chelmsford via the A130. Upgrading the strategically important road will unlock greater economic potential for not only North Essex, but also the county and wider South East. It will provide tangible benefits to road users, businesses and local neighbourhoods. ^{AM31}

6.11 6.10 Consultation on A120 route improvement options between Braintree and the A12 ended in March 2017. and ECC has identified a favoured route which has been recommended to Highways England and the Department of Transport for inclusion in Road Investment Strategy 2 (RIS2), which is the next funding period for the strategic road network and will make a recommendation for a preferred option to the Secretary of State for Transport and Highways England in Autumn 2017. ECC will recommend the preferred route to Government for inclusion in the next RIS, which will run from 2020 to 2025. In addition a series of short term interventions will be delivered along the route to improve safety and relieve congestion. The final alignment may influence the final boundaries and scale of the proposed Garden Community on the Colchester Braintree border. The A120 from the A12 to Harwich is subject to a Highways England Route Based Strategy and improvements to this section of road are expected over the plan period. ECC and Highways England have progressed work with regards a new and improved A120 between Braintree and the A12. The new A120 is necessary to help address the volume of existing A120 movements which by far exceeds the current standard of carriageway provision. The route will be instrumental in catering for growth in the corridor and will provide a better route for freight traffic, improve safety and relieve existing communities from a range of externalities such as through traffic, noise, severance and poor air quality. ECC has identified its favoured Route D which would join the A12 south of Kelvedon. 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 A120 dualling 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.^{AM32}

Essex County Council Route-Based Strategies

6.11 Route-based strategies are prepared and delivered by the County Council for strategic road corridors, in consultation with local authorities. The following strategies relevant to North Essex are currently being prepared for delivery post 2018/19: A131 - Chelmsford to Braintree; A131 Braintree to Sudbury; Colchester to Manningtree and A133 Colchester to Clacton. The key objective is to identify options that will support economic growth.^{AM33}

Rail

6.12 The Great Eastern Main Line (GEML) runs between London Liverpool Street and Norwich and carries a mixture of intercity services and commuter services serving the major urban settlements; and freight from the Haven Ports (Harwich and Felixstowe). Further branch lines provide connections to Braintree, Sudbury, Harwich, Clacton and Walton.^{AM34}

6.12 6.13 The Anglia Route Study prepared by Network Rail (March 2016) shows that while capacity varies along the Great Eastern Main Line, capacity to accommodate growth is limited and is particularly constrained in peak times from Chelmsford to London. Improvements are required along the line to accommodate growth and provide a faster more competitive service across the region.^{AM35}

6.13 6.14 The Study identifies a package of improvements necessary to respond to the need for increased capacity, which are seen as priorities to enable growth, improve services and journey reliability.

6.14 6.15 A new franchise has been awarded to Greater Anglia for passenger services in the region. New services will be provided which commencing in 2018 followed by the replacement of and the entire fleet of trains will be replaced and in service by 2020 to adding capacity.^{AM36}

Bus, Public Transport, Walking and Cycling^{AM37}

6.15 6.16 Alternative forms of transport to the private car (public transport, walking, and cycling and public transport) to travel to work and other trips are essential in managing congestion and to accommodate sustainable growth. The levels of growth proposed in the Local Plans will require that the consequent need to travel is managed. Travel planning and smarter choices initiatives will be promoted to ensure that all residents have good access to local jobs, services and facilities, preferably by either walking or cycling. For longer trips and in rural areas where there are fewer local services and employment opportunities, public transport will be promoted. By promoting travel by sustainable modes there are wider benefits to local people such as improved health and air quality.^{AM38}

6.16 6.17 Within the urban areas, bus networks are available although currently underutilised. Essex County Council will address this through a new passenger transport strategy that places emphasis on improving sustainable travel modes, i.e. creating viable public transport routes that operate smoothly and potentially have priority over private car travel, thus making public transport a more appealing method of travel. Essex County Council prioritises passenger transport (bus, minibus,

taxi and community transport) according to the 'Getting Around in Essex Strategy'. The County Council will work in partnership with stakeholders to improve bus services and their supporting infrastructure to provide a real alternative to the private car. This will be achieved by identifying opportunities for a better bus network (routes, frequency, community based services); integrating school and commercial bus networks; the implementation of travel planning (work, business, school and health); provision of digital information measures; provision of park and ride; and supporting the growth in key commuter and inter urban routes. Conventional local bus services, and in particular improving existing services, will be an important part of promoting sustainable travel across North Essex, and will complement the new high quality rapid transit network.^{AM39}

6.17 6.18-Through implementation of the Essex Cycling Strategy (2016), Cycling Action Plans ~~have been~~ will be prepared in all the NEAs to increase cycle levels; identify safety issues; identify gaps on key routes; identify ways of closing gaps; and create better cycle connectivity to key employment areas, development zones and schools. The provision of continuous cycle routes and a coherent cycle network will encourage people to make short trips by bicycle rather than by car.^{AM40}

Achieving Sustainable Transport Policies and Delivery Mechanisms for Sustainable Transport^{AM41}

6.18 6.19 Creating development that is accessible by different modes of transport, especially walking and cycling and the use of public transport is essential to promoting sustainable development as it reduces car dependency. An important policy tool to achieve this is a people orientated transport hierarchy i.e. prioritising walking and providing access for people with mobility impairment; cycling; public transport; cars (for occupiers on site and visitors); powered two wheelers; and commercial vehicles). The modal hierarchy will be used to ensure that if not all modes can be satisfactorily accommodated, those towards the top of the hierarchy are considered first and given greater priority.

6.19 6.20 Sustainable transport management will be based on promoting modes which minimise environmental impact and promote social inclusion. It is important that developments are well located in relation to existing walking, cycling and public transport networks, and where appropriate provide enhanced facilities, as this will ensure that there is the maximum potential to use these modes as attractive alternatives to cars.

Sustainable travel & major new developments^{AM41}

~~6.21 Proposals for major new development set out in this plan provide an opportunity to create a step change in establishing sustainable travel modes, particularly in the case of the proposed new garden communities. Management of travel demand will occur through providing retailing, jobs, services and facilities within the new communities to help reduce the need to travel, and the communities will be integrated and connected with the rest of North Essex and beyond through excellent public transport links providing a step change in sustainable travel patterns and will also reduce any adverse impact they might have on the highway network. Provision for car travel will include an emphasis on the use of new technology such as electric and ultra low emission vehicles. Strategies for car usage will include car sharing, car clubs and appropriate car parking strategies.~~^{AM42}

~~6.22 To maximise the use of public transport new forms of high quality rapid transit networks will be provided to connect the proposed garden communities to existing urban centres such as Colchester and Braintree; key destinations such as the University of Essex; and key transport interchanges in~~

~~North Essex. To achieve the desired step change in sustainable transport this infrastructure will be identified in subsequent development plan documents and need to be funded and provided early in the development phase.~~^{AM43}

~~Garden Communities-~~ **re-ordered**^{M19}

~~6.23 The challenge in the Garden Communities will be to create a community in which people move in around in a different way to which most of the existing towns in North Essex currently do. Networks need to give priority to people for short everyday trips to link people to work, education, retail, leisure, creating an independent safe environment.~~

~~6.24 The new garden communities will seek to manage travel demand, providing retailing, jobs, services and facilities within the site to help reduce the need to travel, and integrate and connect with the rest of North Essex and beyond through public transport to promote sustainable travel patterns and reduce adverse impacts on the highway network. The North Essex Garden Communities Charter seeks to ensure that land use planning of the new communities maximises the provision and use of sustainable transport internally and connects externally to key urban centres.~~

~~6.25 To maximise the use of public transport new forms of high quality rapid transit networks will be provided to serve existing urban centres such as Colchester and Braintree; key destinations such as the University of Essex; and key transport interchanges in North Essex. To achieve the desired step change in sustainable transport this infrastructure will need to be funded and provided early in the development phase.~~

~~6.26 Consistent with healthy living, safe, attractive and convenient walking and cycling routes will maximise active mode choice. Connectivity will be improved across barriers such as rail lines and major roads to bring together communities Provision for car travel will include an emphasis on the use of new technology such as electric and ultra-low emission vehicles. Strategies for car usage will include car sharing, car clubs and appropriate car parking strategies.~~

~~B Education~~ **C Social Infrastructure**^{AM44}

Education

6.20 ~~6.27 New development must provide for the educational needs of new communities and this is set out in more detail within the Infrastructure Delivery Plan. This will involve the expansion of existing schools where feasible and the construction of new schools, together with provision for special educational needs, early years and childcare places. Education requirements will need to be based on a strong understanding of future pupil numbers, with co-operation between county, district and borough councils. A range of educational opportunities will need to be addressed as part of a sustainable growth strategy, including practical vocational training, apprenticeships, and further and higher education.~~

6.21 ~~New schools are an important place-making component of Garden Communities where early provision is usually critical in providing core social infrastructure to help a new community thrive, improve social integration and support the creation of sustainable travel patterns and a healthy environment.~~^{AM45}

G Healthcare

6.22 6.28 Local authorities have a role in creating a healthy community. The North Essex authorities will work closely with relevant stakeholders such as ~~The authorities will need to work with the NHS, Public Health and local health partnerships, developers and communities~~ to ensure that future development in North Essex takes into account the need to improve health and wellbeing of local residents (and workers) including access to appropriate health and care infrastructure ~~adequate provision and range of healthcare facilities to support new and growing communities and this is~~ **Requirements** are set out in more detail within the Infrastructure Delivery Plan. This will be particularly important given the ageing profile of existing and future residents. There is already a need for more and better quality health care facilities across North Essex with some areas having relatively poor access to health care facilities. **The Garden Community will provide the conditions for a healthy community Health** through the pattern of development, good urban design, good access to local services and facilities; green open space and safe places for active play and food growing, and which is accessible by walking and cycling and public transport. ~~objectives will also be delivered through providing safe, attractive and convenient routes for walking and cycling, and maximising participation in active modes of travel.~~ Support will be given to to meet cross-boundary need for hospice facilities. ^{AM46}

D ~~Broadband~~ **Digital Connectivity** ^{AM47}

6.23 6.29 The NPPF indicates how high quality communications infrastructure is **essential for economic growth and social well-being** ~~crucial for sustainable growth~~. The availability of high speed and reliable broadband, particularly in rural areas, is a key factor in unlocking new development opportunities and ensuring that people can access services online and work from home. **The Government is committed to making gigabit-enabling connectivity available to all premises in the UK by 2025 and the Local Plan can contribute towards achieving this goal by requiring developers to ensure such technology is in place.** ^{AM48}

6.24 6.30 Fast broadband connections and telecommunications are an increasingly important requirement to serve all development. New development should contribute to the creation of a comprehensive and effective network in both urban and rural areas to promote economic competitiveness and to reduce the need to travel. The priority is to secure **gigabit-enabling connectivity** ~~the earliest availability for universal broadband coverage and fastest connection speeds for~~ to all existing and new developments. Developers are encouraged to engage with broadband **communication network** providers **at the earliest opportunity**. Where provision is possible **preference is indicated for open-access infrastructure, enabling multiple service providers access to end users.** ~~broadband must be installed on an open access basis and which will need to provide be directly accessed from the nearest British Telecom exchange and threaded through resistant tubing to enable easy access to the fibre optic cable for future repair, replacement or upgrading.~~ ^{AM49}

E Water Supply and Wastewater

6.25 The authorities will need to work with Anglian Water, Affinity Water, Environment Agency and developers to ensure sufficient capacity and provision of an adequate water supply and foul drainage and wastewater treatment to support growing communities as outlined in the Integrated Water Management Strategy and Infrastructure Delivery Plan. This will be particularly important as water supplies continue to be threatened by climate change and pressures from continuing growth and

development. Water provisions need to be protected and it is essential for adequate water and wastewater infrastructure to be in place to accommodate the demands of growth and development in accordance with the Water Framework Directive and the Habitats Directive. The new Garden Community has the opportunity to minimise demand and wastewater generation, through exploring opportunities at both the strategic and local level.^{AM50}

Policy SP 5

Infrastructure & Connectivity

All development must be supported by the provision of the infrastructure, services and facilities that are identified to serve the needs arising from new the development.

The requirements in section A of this policy apply only to the Tendring / Colchester Borders Garden Community, whilst the remaining sections B, C, D and E apply to all allocations and development proposals in the North Essex Authorities area.

~~The following are strategic priorities for infrastructure provision or improvements within the strategic area:~~^{MM10}

A. Tendring / Colchester Borders Garden Community

1. The Development Plan Document (DPD) for the Tendring / Colchester Borders Garden Community will include:

- a) An infrastructure delivery strategy and phasing plan that sets out how infrastructure, services and facilities will be provided. Infrastructure delivery will align with each development phase and be supported by suitable mechanisms to deliver the infrastructure both on and off-site;
- b) Details of the design and delivery of Route 1 of the rapid transit system, and a programme for the integration of the garden community into the system. The route will be designed to accommodate future route enhancements and technology improvements; and
- c) Target modal shares for each transport mode and details of sustainable transport measures to support their achievement.

2. Before any planning approval is granted for development forming part of the Tendring / Colchester Borders Garden Community, the following strategic transport infrastructure must have secured planning consent and funding approval:

- a) A120-A133 link road: and
- b) Route 1 of the rapid transit system as defined in the North Essex Rapid Transit System: From Vision to Plan document (July 2019).

3. Sustainable transport measures will be provided from first occupation at the Tendring / Colchester Borders Garden Community to support the achievement of the target modal shares as defined in the DPD for the garden community.

4. Other strategic infrastructure requirements for the Tendring / Colchester Borders Garden Community are set out in sections D, E and F of Policy SP8, and will be further defined in the DPD for the garden community.^{MM11}

B. Transportation and Travel

The local planning authorities will work with government departments, Highways England, Essex County Council, Network Rail, rail and bus operators, developers and other partners to deliver the following:

- Changes in travel behaviour by applying the modal hierarchy and increasing opportunities for sustainable modes of transport that can compete effectively with private vehicles;
- A comprehensive network of segregated walking and cycling routes linking key centres of activity;
- New and improved infrastructure required to support economic growth, strategic and site-specific priorities outlined in the second part of each Local Plan
- Substantially improved connectivity by promoting more sustainable travel patterns, introducing urban transport packages to increase transport choice, providing better public transport infrastructure and services, and enhanced inter-urban transport corridors;
- Increased rail capacity, reliability and punctuality; and reduced overall journey times by rail
- Support changes in travel behaviour by applying the modal hierarchy and increasing opportunities for sustainable modes of transport that can compete effectively with private vehicles
- Prioritise Improved urban and inter-urban Ppublic transport, particularly in the urban areas, including, and new and innovative ways of providing public transport, including:
 - high quality rapid transit networks and connections in and around urban areas with links to the new garden community;
 - maximising the use of the local rail network to serve existing communities and locations for large-scale growth;
 - a bus network providing a high-frequency, reliable and efficient service, that is high quality, reliable, simple to use, integrated with other transport modes serving and offers flexibility to serve areas of new demand;
 - promoting wider use of community transport schemes;
- Increased rail capacity, reliability and punctuality, and reduced overall journey times by rail;
- New and improved road infrastructure and strategic highway connections to reduce congestion and provide more reliable journey times along the A12, A120 and A133 to improve access to markets and suppliers for business, widen employment opportunities and support growth, specifically:
 - Improved access to and capacity of junctions on the A12 and other main roads to reduce congestion and address safety;

- A dualled A120 ~~between the A12 and~~ from Braintree to the A12.
- A comprehensive network of segregated walking and cycling routes linking key centres of activity contributing to an attractive, safe, legible and prioritized walking/cycling environment
- Develop innovative strategies for the management of private car use and parking including the promotion of car clubs and car sharing, and provision of support for electric car charging points. ^{MM12}

C. Social Infrastructure

The local planning authorities will work with relevant providers and developers to facilitate the delivery of a wide range of social infrastructure required for healthy, active and inclusive communities, minimising negative health and social impacts, both in avoidance and mitigation, as far as is practicable.

Education

- Provide sufficient school places will be provided in the form of expanded or new primary and secondary schools together with early years and childcare facilities that are phased with new development, with larger developments setting aside land and/or contributing to the cost of delivering land for new schools where required.
- Facilitate and support provision of practical vocational training, apprenticeships, and further and higher education will be provided and supported.

Health and Wellbeing

- Ensure that essential healthcare infrastructure will be provided as part of new developments of appropriate scale in the form of expanded or new healthcare facilities including primary and acute care; pharmacies; dental surgeries; opticians; supporting community services including hospices, treatment and counselling centres.
- Require new development to maximise its positive contribution in creating healthy communities and minimise its negative health impacts, both in avoidance and mitigation, as far as is practicable.
- The conditions for a healthy community will be provided through the pattern of development, good urban design, access to local services and facilities; green open space and safe places for active play and food growing, and which are all accessible by walking, cycling and public transport. ^{MM13}

D. Digital Connectivity

Comprehensive digital access to support business and community activity will be delivered through the roll-out of superfast ultrafast broadband across North Essex to secure the earliest availability for of full fibre connections universal broadband coverage and fastest connection speeds for all existing and new developments (residential and non-residential), where a. All new properties will allow for the provision for superultrafast broadband in order to allow connection to that network as and when it is made available. ^{MM14}

E. Water & Waste water

The local planning authorities will work with Anglian Water, Affinity Water, the Environment Agency and developers to ensure that there is sufficient capacity in the water supply and waste water infrastructure to serve new development. Where necessary, improvements to water infrastructure, waste water treatment and off-site drainage should be made ahead of the occupation of dwellings to ensure compliance with environmental legislation.^{MM15}

Transport

- New and improved infrastructure required to support economic growth, strategic and site-specific priorities outlined in the second part of each Local Plan
- Substantially improved connectivity by promoting more sustainable travel patterns, introducing urban transport packages to increase transport choice, providing better public transport infrastructure and services, and enhanced inter urban transport corridors
- Increased rail capacity, reliability and punctuality; and reduced overall journey times by rail
- Support changes in travel behaviour by applying the modal hierarchy and increasing opportunities for sustainable modes of transport that can compete effectively with private vehicles
- Prioritise public transport, particularly in the urban areas, including new and innovative ways of providing public transport including;
 - high quality rapid public transit networks and connections, in and around urban areas with links to the new Garden Communities
 - maximising the use of the local rail network to serve existing communities and locations for large-scale growth
 - a bus network that is high quality, reliable, simple to use, integrated with other modes and offers flexibility to serve areas of new demand
 - promoting wider use of community transport schemes
- Improved road infrastructure and strategic highway connections to reduce congestion and provide more reliable journey times along the A12, A120, and A133 to improve access to markets and suppliers for business, widen employment opportunities and support growth
- Improved junctions on the A12 and other main roads to reduce congestion and address safety
- A dualled A120 between the A12 and Braintree
- A comprehensive network of segregated walking and cycling routes linking key centres of activity contributing to an attractive, safe, legible and prioritised walking/cycling environment
- Develop innovative strategies for the management of private car use and parking including support for electric car charging points.

Education

- Provide sufficient school places in the form of expanded or new primary and secondary schools together with early years and childcare facilities, with larger developments setting aside land and/or contributing to the cost of delivering land for new schools where required
- Facilitate and support provision of practical vocational training, apprenticeships, and further and higher education

Health

- Ensure that essential healthcare infrastructure is provided as part of new developments of appropriate scale in the form of expanded or new healthcare facilities including primary and acute care; pharmacies; dental surgeries; opticians, supporting community services including hospices, treatment and counselling centres.
- Require new development to maximise its positive contribution in creating healthy communities and minimise its negative health impacts, both in avoidance and mitigation, as far as is practicable.

Broadband

Roll-out of superfast broadband across North Essex to secure the earliest availability for universal broadband coverage and fastest connection speeds for all existing and new developments (residential and non-residential), where all new properties allow for the provision for superfast broadband in order to allow connection to that network as and when it is made available.

Creating Quality Places

7 Creating Quality Places

7.1 The North Essex area has a great variety of natural environments, and wonderful towns and villages. It is critical that new development must incorporate high standards of place-making along with urban and architectural design to respect the character of these environments. Major new developments will be planned carefully with the use of masterplans and design codes where appropriate.

7.2 Networks of green and blue infrastructure should be provided across new developments, linking new developments within existing networks of open space. These areas can be multi use, providing space for natural species and habitats as well as space for informal recreation, and walking, cycling and equestrian links.^{AM51}

7.3 This requirement for high design standards will apply across all scales of new development as well as to infrastructure projects. Enhancements to the public realm, landscaping measures and attention to architectural detail will be important features that the authorities will wish to see included in new developments. Strategic scale and more local green infrastructure can make a vital contribution to quality of place, biodiversity gains, alleviating recreational pressure, and health outcomes if properly integrated into the design and delivery of new development. The Defra biodiversity accounting metric 2.0, or future iterations of this, can be used to accurately assess habitat impacts. Sustainable Drainage Systems (SuDS) provide abundant opportunities to introduce wildflower strips and soft landscaping to a development or urban area. This not only brings an attractive feature to the area for people but acts as a wildlife corridor, connecting the rivers, ditches, hedges, verges and gardens, allowing movement of wildlife throughout an area, connecting to the wider environment and therefore greatly enhancing the biodiversity value of the site.^{AM52}

Policy SP 6

Place Shaping Principles

All new development must meet the highest ~~high~~^{MM16(Mod A)} standards of urban and architectural design. ~~The local authorities encourage the use of development frameworks, masterplans, design codes, and other design guidance documents and will be prepared in consultation with stakeholders where they are needed to support this objective.~~^{MM16(Mod B)} use design codes where appropriate for strategic scale developments.

All new development should reflect the following place shaping principles, where applicable:^{MM16(Mod C)}

- Respond positively to local character and context to preserve and enhance the quality of existing ~~communities~~ ~~places~~^{MM16(Mod D)} and their environs;
- Provide buildings that exhibit individual architectural quality within well-considered public and private realms;
- Protect and enhance assets of historical or natural value;
- ~~Incorporate biodiversity creation and enhancement measures.~~^{MM16(Mod E)}
- Create well-connected places that prioritise the needs of pedestrians, cyclists and public transport services above use of the private car;
- ~~Where possible, provide~~ ~~a mix of land uses, services and densities with well-defined public and private spaces to create sustainable well-designed neighbourhoods;~~
- Enhance the public realm through additional landscaping, street furniture and other distinctive features that help to create a sense of place;
- Provide streets and spaces that are overlooked and active and promote inclusive access;
- Include parking facilities that are well integrated as part of the overall design and are adaptable if levels of private car ownership fall;
- Provide an integrated ~~and connected~~ network of ~~multi-functional~~ ~~biodiverse~~ public open space and green and blue infrastructure, ~~that connects with existing green infrastructure where possible thereby helping to alleviate recreational pressure on designated sites~~^{MM16(Mod F)};

- Include measures to promote environmental sustainability including addressing energy and water efficiency, and provision of appropriate water and wastewater and flood mitigation measures including the use of open space to provide flora and fauna rich sustainable drainage solutions;^{MM16(Mod G)} and
- Protect the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing^{MM16(Mod H)} and overlooking.

Cross Boundary Garden Communities

8 Cross Boundary Garden Communities

8.1 A key element of the spatial growth strategy for North Essex is the development of new sustainable garden communities.

8.2 Garden communities were amongst a range of options which were considered by the local authorities to deliver their housing and employment needs. A number of sites of sufficient scale to accommodate a garden community were identified through the Call for Sites, the Strategic Land Availability Assessment (SLAA) and wider evidence gathering processes by each of the local authorities. All these options were evaluated and the assessments can be seen as part of the Sustainability Appraisal.

8.3 An Appropriate Assessment has also been completed to consider the effects of proposals in Section 1 on the integrity of the European sites either alone or in combination with other plans and projects. At the Screening Stage the likely significant effects on European Sites, either alone or in combination with other plan and projects, were loss of offsite habitat, recreational impacts and water quality. These issues were further considered through the Appropriate Assessment.

- **8.4 Loss of off-site habitat** - To mitigate for the loss of off-site habitat, the Appropriate Assessment identified the need for wintering bird surveys for the Tendring Colchester Borders Garden Community as part of any project level development proposals and masterplanning, to determine the sites individual importance for golden plover and lapwing and inform mitigation proposals and a commitment to mitigation and phasing of Tendring Colchester Borders Garden Community is required within the Section 1 Strategic Plan dependent on the findings of bird surveys. Depending on the findings of the wintering bird surveys, development may need to be phased to take into account the cumulative numbers of SPA birds. In the unlikely but possible event that cumulative numbers of SPA birds affected are likely to exceed the threshold of significance (i.e >1% of the associated European Site), appropriate mitigation in the form of habitat creation and management in perpetuity, either on-site or through provision of strategic sites for these species elsewhere, will be required. Where that mitigation requires the creation and management of suitably located habitat, feeding productivity for these SPA species should be maximised, and such mitigatory habitat would need to be provided and fully functional prior to development which would affect significant numbers of SPA birds.^{MM17}
- **8.5 Recreational Impacts** - To mitigate for any increase in recreational pressures at the European sites, the Appropriate Assessment recommended the production for Recreational Avoidance and Mitigation Strategies (RAMS) for the Colne & Blackwater, Stour and Orwell SPAS/Ramsar sites and Essex Estuaries SAC.
- **8.6 Water quality** – To ensure that the water quality of the European Sites are not adversely affected by growth proposals in Section 1, the Appropriate Assessment recommended the inclusion of policy safeguards to ensure that adequate water treatment capacity exists prior to developments proceeding and a commitment that the phasing of development would not exceed water and sewage infrastructure capacity and that the necessary infrastructure upgrades would be in place prior to developments coming forward.
- **8.7** The three authorities are committed to implementing the recommendations in the Section 1 Appropriate Assessment and these will be further progressed through the Strategic Growth DPDs.^{AM53}

8.4 8.8 Due to the scale of development proposed across North Essex and the infrastructure constraints which exist in many of the existing main settlements, new garden communities were considered the most deliverable and sustainable option, providing a major long-term supply of new homes if they could be delivered to the right standards at the right time. Locations for three new garden communities were selected based on the evidence gathered and assessments undertaken.

8.5 8.9 These new communities will accommodate a substantial amount of the housing and employment growth planned for North Essex within the plan period and beyond in a sustainable way that meets the vision and strategic objectives, and provides a quality of development and community that would not occur in the absence of a holistic approach to planning and delivery. In the absence of commitment and a policy framework that secures the principles of garden communities development in the identified locations would not be acceptable. Other options for meeting the growth would have to be considered.

~~8.10~~ **8.7** The North Essex Garden Community^{ies} will be ^a planned new settlements that respond directly to their regional, local and individual site context and opportunities to create developments underpinned by a series of interrelated principles which are based on the Town and Country Planning Association (TCPA) Garden City Principles, adapted for the specific North Essex context as set out in the North Essex Garden Communities Charter.^{AM54}

~~8.11~~ **8.8** ~~At least two of the three garden communities will be cross-boundary, and continued close joint working between the authorities involved will be required to secure their successful delivery. Each of the authorities is committed to ensuring that the new garden communities are as sustainable and high quality as possible and that the infrastructure needed to support them is delivered at the right time. This will require the local authorities to work very closely with the landowners within the proposed garden community locations to develop and put in place a robust delivery mechanism that will ensure a fair and equitable distribution of the costs and land requirements needed to secure the ambitions for these garden communities and create a long term legacy appropriate to the scale of this ambition. The Councils have developed and incorporated Local Delivery Vehicles (LDV) that could be used to deliver the garden communities. The Councils are aware of the emerging Government proposals for locally led new town development corporations that may offer an alternative means of delivery. Other delivery models are also being considered, and an appropriate tailored approach will need to be used in relation to each community. The Councils are confident that the LDV models viable and can deliver successful and sustainable garden communities, but will continue to explore other ways of achieving the vision that offer similar levels of confidence that the right quality of development will be delivered at the right time. The North Essex Garden Communities Charter has provided a good starting point in creating a framework for this approach.~~^{AM55}

~~8.12~~ **8.9** ~~As noted earlier in this Part 1 of the Local Plan, Uttlesford are in a separate housing market area and are therefore not formal partners in this Strategic Plan for North Essex. There will continue to be ongoing discussions with Uttlesford regarding the extent of the garden community at West of Braintree. The Uttlesford Issues and Options Plan published in October 2015 included an area of search to the west of Braintree. Uttlesford District Council is proposing to undertake preferred options consultation on its Local Plan in the summer of 2017 and the eventual scale of the west of Braintree option may depend on the conclusions that Uttlesford reach.~~^{AM56}

8.6 ~~8.13-8.10~~ The Garden Community~~ies~~ ^{is} located within a Minerals Safeguarding Area. In line with the Essex Minerals Local Plan, the Mineral Planning Authority requires a Minerals Resource Assessment to be undertaken to assess if the sites contain a minerals resource that would require extraction prior to development. Should the viability of extraction be proven, the mineral shall be worked in accordance with the phased delivery of the non-mineral development. ^{AM57}

~~8.14-8.11~~ At least two of the three garden communities will be cross-boundary, and the continued close joint working between the authorities involved will be required to secure their successful delivery. Each of the authorities is committed to ensuring that the new garden communities are as sustainable and high quality as possible and that the infrastructure needed to support them is delivered at the right time. Development Plan Documents will be developed for each of the garden communities. These will set out the design, development and delivery principles of each new community based on the principles set out in SP7 'Development and Delivery of New Garden Communities in North Essex' as well as the mechanism for attributing house completions to the local planning authorities' housing targets. ^{AM58}

~~8.15~~ Based on the partnership wording between the North Essex authorities to date and their continuing commitment to the projects, each of the three proposed garden communities is planned to deliver 2,500 dwellings during the Local Plan to 2033. Delivery of 2,500 dwellings in the cross-border garden communities, no matter where they are physically built, within the Local Plan period to 2033 will be attributed as set out in section 2 of each of the individual Local Plans, or if more dwellings are built then 50:50 between the two districts concerned. A detailed mechanism will be developed to attribute housing completions to the local planning authorities to deal with the possibility that fewer than 2,500 dwellings are completed in any of the communities during the plan period to 2033; it will be informed by the DPD and agreed through a Memorandum of Understanding. It will take into account a range of factors including;

- The resources, including finance, committed to the partnership by the councils to support delivery of high quality garden communities and achieve the projected housing delivery in both districts;
- The wider benefits of the garden communities to the districts;
- The burdens to the infrastructure of the districts generated by communities; and
- The proportion of the housing built in each district ^{AM59}

Policy SP 7

Development & Delivery of New Garden Communities in North Essex

The following ~~three~~ new garden communities ~~is~~ are proposed in ~~North Essex~~ at the broad location shown on Map 10.2. ^{MM18(Mod A)}

Tendring/Colchester Borders, a new garden community ~~which~~ will deliver ~~between 2,200 and 2,500 homes, 7 hectares of employment land and provision for Gypsies and Travellers~~ within the Plan period (as part of an ~~expected~~ overall total of between 7,000 and 9,000 homes ~~and 25 hectares of employment land~~ to be delivered beyond 2033). ^{MM18(Mod B)}

~~Colchester/Braintree Borders, a new garden community will deliver 2,500 within the Plan period (as part of an overall total of between 15,000 – 24,000 homes to be delivered beyond 2033).~~ ^{MM18(Mod C)}

~~West of Braintree in Braintree DC, a new garden community will deliver 2,500 homes within the Plan period (as part of an overall total of between 7,000– 10,000 homes to be delivered beyond 2033).~~ ^{MM18(Mod D)}

Each of these ~~The garden community~~ will be an holistically and comprehensively planned new community with a distinct identity that responds directly to its context and is of sufficient scale to incorporate a range of homes, employment, education & community facilities, green space and other uses to enable residents to meet the majority of their day-to-day needs, reducing the need for outward commuting. ~~It will be comprehensively planned from the outset, with delivery of each new community will be phased to achieve the whole development, and will be~~ underpinned by a comprehensive package of infrastructure. ^{MM18(Mod E)}

~~A Development Plan Document (DPD) will be prepared for the garden community, containing policies setting out how the new community will be designed, developed and delivered in phases, in accordance with the principles in paragraphs i-xiv below. No planning consent for development forming part of the garden community will be granted until the DPD has been adopted. All development forming part of the garden community will comply with these principles.~~ ^{MM18(Mod F)}

~~The Councils will need to be confident, before any consent is granted, that the following requirements have been secured either in the form of appropriate public ownership, planning agreements and obligations and, if necessary a local infrastructure tariff.~~

~~The design, development and phased delivery of each new garden community will conform with the following principles~~ ^{MM18(Mod G)}

- i. Community and stakeholder empowerment ~~participation~~ in the design and delivery of each ~~the~~ garden community from the outset and a long-term community engagement and activation strategy ^{MM19}

ii. The public sector working pro-actively and collaboratively with the private sector to design, and bring forward these garden community^{ies}, deploying new models of delivery **where appropriate** sharing risk and reward and ensuring that the cost of achieving the following is borne by landowners and those promoting the developments: (a) securing a high-quality of place-making, (b) ensuring the timely delivery of both on-site and off-site infrastructure required to address the impact of these new community^{ies}, and (c) providing and funding a mechanism for future stewardship, management, maintenance and renewal of community infrastructure and assets. **Where appropriate, developers will be expected to contribute towards publicly-funded infrastructure, including a contribution towards the A120-A133 link road.** Given the scale of and time period for development of these new garden community^{ies}, the appropriate model of delivery will **need to** secure a comprehensive approach to the delivery of each new community in order to achieve the outcomes outlined **in points (a) - (c) in this paragraph** above, avoid a piecemeal approach to development, provide the funding and phasing of both development and infrastructure, and be sustainable and accountable in the long term. ^{MM20}

iii. Promotion and execution of the highest quality of planning, design and management of the built and public realm so that the Garden Community^{ies} are **is** characterised as **a** distinctive places that capitalises on local assets, **respects its context**, and establishes **an** environments that promotes health, happiness and well-being. This will involve developing a cascade of design guidance including concept frameworks, detailed masterplans and design codes and other guidance in place to inform and guide development proposals and planning applications. Planning applications and any local development orders or other consenting mechanisms for the garden communities will be expected to be consistent with approved design guidance ^{MM21}

iv. Sequencing of development and infrastructure provision (both on-site and off-site) to ensure that the latter is provided ahead of or in tandem with the development it supports to address the impacts of the new garden community^{ies}, meet the needs of **its** residents and establish sustainable travel patterns. **To ensure new development does not have an adverse effect on any European Protected or nationally important sites and complies with environmental legislation (notably the Water Framework Directive and the Habitats Directive), the required waste water treatment capacity including any associated sewer connections** must be available including any associated sewer connections ahead of the occupation of dwellings in advance of planning consent. ^{MM22}

v. Development that provides for a truly balanced and inclusive community and meets the housing needs of local people including a mix of dwelling sizes, tenures and types including provision for self- and custom-built homes and provision for the aging population; **and provision for Gypsies and Travellers; and that** to meets the requirements of those most in need including **the provision of 30% affordable housing in each** the garden community. ^{MM23}

vi. Provide and promote opportunities for employment within **the** each new community and within sustainable commuting distance of it ^{MM24}

vii. Plan the new community^{ies} around a step change in integrated and sustainable transport systems for the North Essex area that put walking, cycling and rapid public transit networks and connections at the heart of growth in the area, encouraging and incentivising more sustainable active travel patterns ^{MM24}

viii. Structure the new communities to create sociable, vibrant and walkable neighbourhoods with equality of access for all to a range of community services and facilities including health, education, retail, culture, community meeting spaces, multi-functional open space, sports and leisure facilities^{MM24}

ix. Develop specific garden community parking approaches and standards that help promote the use of sustainable transport and make efficient use of land.

x. Create distinctive environments which are based on comprehensive assessments of relate to the surrounding environment and that celebrate natural and historic environments and systems, utilise a multi-functional green-grid to create significant networks of new green infrastructure including a new country parks at each the garden community, provide a high degree of connectivity to existing corridors and networks and enhance biodiversity^{MM25}

xi. Secure a smart and sustainable approach that fosters climate resilience and a 21st century environment in the design and construction of each the garden community to secure net gains in local biodiversity, highest standards of energy efficiency and innovation in technology to reduce the impact of climate change, the incorporation of innovative water efficiency/re-use measures (with the aim of being water neutral in areas of serious water stress), and sustainable waste and mineral management^{MM26}

xii. Ensure that the costs and benefits of developing a garden community are shared by all landowners, with appropriate measures being put in place to equalise the costs and land contributions

xiii. Consideration of potential on-site mineral resources through a Minerals Resource Assessment as required by the Minerals Planning Authority.

xiv. Establishment at an early stage in the development of the garden communities, of appropriate and sustainable long-term governance and stewardship arrangements for community assets including green space, public realm areas and community and other relevant facilities; such arrangements to be funded by the developments and include community representation to ensure residents have a stake in the long term development, stewardship and management of their community.^{MM24}

~~These principles are elaborated upon in the North Essex Garden Community Charter.~~

~~A Development Plan Document will be developed for each of the garden communities to set out the principles of their design, development and phasing as well as a mechanism to appropriately distribute housing completions to the three Councils and this will be agreed through a Memorandum of Understanding.~~^{MM27}

8.16 ~~8.13~~⁵ The following three policies relate to each of the new garden communities.^{AM2}

Policy SP 8

Tendring/Colchester Borders Garden Community

~~The adopted policies map identifies the broad location for the development of a new garden community of which the details and final number of homes will be set out in a Strategic Growth Development Plan Document to be prepared jointly between Colchester BC and Tendring DC and which will incorporate around 2,500 dwellings within the Plan period (as part of an overall total of between 7,000-9,000 homes) and provision for Gypsy and Travellers.~~^{MM28}

~~The Strategic Growth~~ **Development Plan Document (DPD) required for the Tendring / Colchester Borders Garden Community by Policy SP7 will define the** ~~will set out the nature, form and boundary of the new community and the amount of development it will contain. The adoption of the DPD will be contingent on the completion of a Heritage Impact Assessment carried out in accordance with Historic England guidance. The Heritage Impact Assessment will assess the impact of proposed allocations upon the historic environment, inform the appropriate extent and capacity of the development and establish any mitigation measures necessary. The document~~ **DPD** ~~will be produced in consultation with the local community and stakeholders and will include a concept plan showing the disposition and quantity of future land-uses, and give a three dimensional indication of the urban design and landscape parameters which will be incorporated into any future planning applications; together with a phasing and implementation strategy which sets out how the rate of development will be linked to the provision of the necessary social, physical and environmental infrastructure to ensure that the respective phases of the development do not come forward until the necessary infrastructure has been secured. The DPD will provide the framework for the subsequent development of more detailed masterplans and other design and planning guidance for the Tendring / Colchester Borders Garden Community. The DPD and any application for planning permission for development forming part of the garden community must be consistent with the requirements set out in this policy.~~^{MM29}

~~For the Plan period up to 2033, housing delivery from the garden community, irrespective of its actual location, will be distributed equally between Colchester Borough Council and Tendring District Council. If, after taking into account its share of delivery from the garden community, either of those authorities has a shortfall in delivery against the housing requirement for its area, it will need to make up the shortfall within its own area. It may not use the other authority's share of delivery from the garden community to make up the shortfall.~~^{MM30}

The DPD and any planning application will address the following principles and requirements in the design, development and delivery of the new garden community:

A. Place-Making and Design Quality

1. The development of a new garden community to high standards of design and layout drawing on its context and the considerable assets within its boundaries such as woodland, streams and changes in topography, as well as the opportunities afforded by the proximity of the University of Essex campus to create a new garden community that is innovative,

contemporary and technologically enabled, set within a strong green framework with new neighbourhood centres at its heart. It will be designed and developed to have its own identity and be as self-sustaining as possible recognising its location close to the edge of Colchester. It will secure appropriate integration with Colchester and the nearby University of Essex campus by the provision of suitable walking and cycling links and rapid public transport systems and connections to enable residents of the new community to have convenient access to town centre services and facilities in Colchester as well as Elmstead Market. Clear separation will be maintained between the new garden community and the nearby villages of Elmstead Market and Wivenhoe. Safeguarding the important green edge to Colchester will be essential with a new country park provided along the Salary Brook corridor and incorporating Churn Wood.

2. Detailed masterplans and design guidance, **based on a robust assessment of historic and natural environmental constraints and opportunities for enhancement**, will be **adopted** ~~put in place~~ to inform and guide development proposals and planning applications **for the garden community**. ~~Planning applications for this garden community will be expected to be consistent with approved DPDs and subsequent masterplans and design and planning guidance.~~ ^{MM31}

B. Housing

3. A mix of housing types and tenures including self- and custom-build and starter homes will be provided on the site, including a minimum of 30% affordable housing. The affordable housing will be phased through the development;

4. New residential development will seek to achieve appropriate densities which reflect both context, place-making aspirations and opportunities for increased levels of development around neighbourhood centres and transport hubs.

C. Employment and Jobs

5. **The garden community will make** ~~P~~provision for a wide range of job, skills and training opportunities ~~will be created in the garden community~~. **The DPD will allocate about 25 hectares of B use employment land within the garden community.** This may include **provision for B1 and/or non-B class office, research & development, light industrial and/or other** employment generating uses towards the south of the site in proximity to the existing University of Essex and Knowledge Gateway and provision for **B1, B2 and B8 businesses office, research & development, industrial, storage and distribution uses** **towards** the north of the site close to the A120, ^{MM32}

6. High speed and reliable broadband will be provided and homes will include specific spaces to enable working from home

D. Transportation

7. A package of measures will be introduced to encourage smarter transport choices to meet the needs of the new community and maximise the opportunities for sustainable travel. **Policy SP5 requires planning consent and full funding approval for the A120-A133 link road and Route 1 of the rapid transit system to have been secured before planning approval is granted for any development at the garden community.**

Additional transport priorities including the provision of a network of footpaths, cycleways and bridleways to enhance permeability within the site and to access and to access the adjoining areas; development of a public rapid transit system connecting the garden community to Essex University and Colchester town centre; park and ride facilities and other effective integrated measures to mitigate the transport impacts of the proposed development on the strategic and local road network. Longer term transport interventions will need to be carefully designed to minimise the impacts on the strategic and local road **transport** network and fully mitigate any environmental or traffic impacts arising from the development. These shall include bus (or other public transit provisions) priority measures between the site, University of Essex, Hythe station and Colchester Town Centre;^{MM33}

8. Foot and cycle ways shall be provided throughout the development and connecting with the surrounding urban areas and countryside, including seamlessly linking key development areas to the University of Essex, Hythe station and Colchester Town Centre;

9. Primary vehicular access to the site will be provided off the A120 and A133. **Any other road improvements required to meet needs arising from the garden community will be set out in the DPD and further defined as part of the masterplanning process.**^{MM34}

10. Other specific transport-related infrastructure requirements identified through the Strategic Growth Development Plan Document and masterplans for this garden community will be delivered in a phased manner.

E. Community Infrastructure

11. District and neighbourhood centres of an appropriate scale will be provided to serve the proposed development. The centres will be located where they will be easily accessible by walking, cycling and public transit to the majority of residents in the garden community.

12. Community meeting places will be provided within the local centres.

13. **Increased** primary healthcare facilities **capacity** will be provided to serve the new development **as appropriate. This may be by means of new infrastructure or improvement, reconfiguration, extension or relocation of existing medical facilities.**^{MM35}

14. A secondary school, primary schools and early-years facilities will be provided to serve the new development;

15. A network of multi-functional green infrastructure will be provided within the garden community incorporating key elements of the existing green assets within the site. It will include community parks, allotments, a new country park, the provision of sports areas with associated facilities; and play facilities;

16. Indoor leisure and sports facilities will be provided with the new community, or contributions made to the improvement of off-site leisure facilities to serve the new development

F. Other Requirements

17. The delivery of smart, innovative and sustainable water efficiency/re-use solutions that fosters climate resilience and a 21st century approach towards water supply, water and waste water treatment and flood risk management. Taking a strategic approach to flood risk through the use of Strategic Flood Risk Assessments and the updated Climate Projections 2019 and identifying opportunities for Natural Flood Risk Management. Provision of improvements to waste water treatment plant including an upgrade to the Colchester Waste Water Treatment Plan and off-site drainage improvements aligned with the phasing of the development within the plan period and that proposed post 2033. To ensure new development does not have an adverse effect on any European Protected or nationally important site and complies with environmental legislation (notably the Water Framework Directive and the Habitats Directive), the required waste water treatment capacity **including any associated sewer connections** must be available ahead of the occupation of dwellings.^{MM36}

48. ~~Provision, management and on-going maintenance of sustainable surface water drainage measures to manage and mitigate the risk of flooding on site and which will reduce the risk of flooding to areas downstream or upstream of the development. To ensure new development does not have an adverse effect on any European Protected or nationally important sites and complies with environmental legislation (notably the Water Framework Directive and the Habitats Directive), the required waste water treatment capacity including any associated sewer connections must be available ahead of the occupation of dwellings.~~^{MM37}

49. **18** Landscape buffers between the site and existing development in Colchester, Wivenhoe and Elmstead Market;

20. **19** Conserve and where appropriate enhance the significance of heritage assets (including any contribution made by their settings) both within and surrounding the site. Designated heritage assets within the garden community area include Grade II listed Allen's Farmhouse, Ivy Cottage, Lamberts, and three buildings at Hill farmhouse. Designated heritage assets nearby include the grade I listed Church of St Anne and St Lawrence, grade II* listed Wivenhoe House, Elmstead Hall and Spring Valley Mill and numerous grade II listed buildings as well as the grade II listed Wivenhoe Registered Park and Garden. Harm to the significance of a designated heritage asset should be avoided in the first instance.^{MM38}

20.21 **20** Avoidance, Protection and/or enhancement of heritage and biodiversity assets within and surrounding the site; including Bullock Wood SSSI, Ardleigh Gravel Pits SSSI, Wivenhoe Pits SSSI and Upper Colne Marshes SSSI and relevant European protected sites. Contributions will be secured towards mitigation measures in accordance with the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy. Wintering bird surveys will be undertaken at the appropriate time of year as part of the DPD preparation to identify any offsite functional habitat. Should any be 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.^{MM39}

21.22 **21** Provision of appropriate buffers along strategic road and rail infrastructure to protect new development

22.23 22 Provision of appropriate design and infrastructure that incorporates the highest standards of innovation in energy efficiency and technology to reduce impact of climate change, water efficiency (with the aim of being water neutral in areas of serious water stress), and sustainable waste / recycling management facilities.

23.24 23 Measures to support the development of the new community including provision of community development support workers (or other provision) for a minimum of ten years from initial occupation of the first homes and appropriate community governance structures

24.25 24 Establishment at an early stage in the development of the garden community, of appropriate and sustainable long-term governance and stewardship arrangements for community assets including green space, public realm areas and community and other relevant facilities; such arrangements to be funded by the development and include community representation to ensure residents have a stake in the long term development, stewardship and management of their community.

26 25 Allocation of additional land within the garden community, to accommodate University expansion, which is at least equivalent in size to the allocation in the Colchester Local Development Framework Site Allocations document October 2010.^{MM40}

Policy SP 9

Colchester/Braintree Borders Garden Community

The adopted policies map identifies a strategic area for development of a new garden community of which the details and final number of homes will be set out in a Strategic Growth Development Plan Document to be prepared jointly between Colchester BC and Braintree DC and which will incorporate provision of around 2,500 dwellings within the Plan period (as part of an overall total of between 15,000 to 24,000 homes) and provision for Gypsy and Travellers:

The Strategic Growth DPD will set out the nature, form and boundary of the new community. The document will be produced in consultation with stakeholders and will include a concept plan showing the disposition and quantity of future land uses, and give a three dimensional indication of the urban design and landscape parameters which will be incorporated into any future planning applications; together with a phasing and implementation strategy which sets out how the rate of development will be linked to the provision of the necessary social, environmental and physical infrastructure to ensure that the respective phases of the development do not come forward until the necessary infrastructure has been secured. The DPD will provide the framework for the subsequent development of more detailed masterplans and other design and planning guidance for the Colchester/Braintree Borders Garden Community.

The DPD and any planning application will address the following principles and requirements in the design, development and delivery of the new garden community:

A. Place-Making and Design Quality

1. The development of a new garden community to high standards of design and layout drawing on its context and the assets within its boundaries including streams, land drains and ditches, mature hedgerows and field boundaries, woodland, existing and re-established habitats, and historic buildings. A mixed use district centre will provide a vibrant heart to this new community supplemented by neighbourhood centres to form foci for new neighbourhoods. The design of the community will also address the challenges offered by other features in particular the severance created by the A12 and A120 and maximise the opportunities afforded through integration with the existing community of Marks Tey, and the presence of the railway station, all underpinned by a strong green-grid of connected green space that provides great recreational opportunities for residents and connection to the wider countryside. The garden community will be designed and developed to have its own identity and be as self-sustaining as possible. Clear separation will be maintained between the new garden community and the nearby settlements of Coggeshall, Stanway, Easthorpe and Feering.

2. Detailed masterplans and design guidance will be put in place to inform and guide development proposals and planning applications. Planning applications for this garden community will be expected to be consistent with approved DPDs and subsequent masterplans and design and planning guidance.

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B. — Housing

3. — A mix of housing types and tenures including self- and custom-build and affordable housing will be provided on the site, including a minimum of 30% affordable housing. The affordable housing will be phased through the development;

4. — New residential development will seek to achieve appropriate densities which reflect both context, place-making aspirations and opportunities for increased levels of development around neighbourhood centres and transport hubs.

C. — Employment and jobs

5. — Provision for a wide range of job, skills and training opportunities will be created in the garden community. This may include B1 and/or non B class employment generating uses around the rail station as part of mixed use urban development to provide for a wide range of local employment opportunities where appropriate;

6. — High speed and reliable broadband will be provided and homes will include specific spaces to enable working from home

D. — Transportation

7. — A package of measures will be introduced to encourage smarter transport choices to meet the needs of the new community and maximise the opportunities for sustainable travel including the provision of a network of footpaths, cycleways and bridleways to enhance permeability within the site and to access the adjoining area; development of a public rapid transit system connecting this new garden community to the wider Colchester context; development of opportunities to improve accessibility to Marks Tey rail station (or provide for its relocation to a more central location within the garden community); and effective measures to mitigate the transport impacts of the proposed development on the strategic and local road network. Longer term transport interventions will need to be carefully designed to minimise the impacts on the strategic road network and fully mitigate any environmental or traffic impacts. Other specific transport-related infrastructure requirements identified through the subsequent Strategic Growth Development Plan Document and masterplans for this garden community will be delivered in a phased manner

8. — Primary vehicular access to the site will be provided via the strategic road network.

9. — Improvements to the local road infrastructure will be necessary to mitigate adverse traffic impacts and serve the new development. These shall include bus/rapid transit priority measures between the site, Colchester and Braintree town centres, employment areas and rail stations;

10. — Foot and cycle ways shall be provided throughout the development and existing communities and surrounding countryside, including seamlessly linking key development areas to the wider network

11. — Opportunities will be explored to establish how Marks Tey rail station can be made more accessible to residents of the new community including relocation of the station to a more central location and improvement of walking, cycling and public transport links to the station.

E. — Community Infrastructure

12. — District and local centres of an appropriate scale will be provided to serve the proposed development. The centres will be located where they will be easily accessible by walking, cycling and public transit to the majority of residents in the garden community including residents of the existing Marks Tey village.

13. — Community meeting places will be provided within the district and local centres.

14. — Primary healthcare facilities will be provided to serve the new development

15. — At least one secondary school, primary schools and early-years facilities will be provided to serve the new development;

16. — A network of multi-functional green infrastructure will be provided within the garden community incorporating key elements of the existing green assets within the site. It will include community parks, allotments, a new country park and the provision of sports areas with associated facilities and play facilities;

17. — Indoor leisure and sports facilities will be provided with the new community, or contributions made to the improvement of off-site leisure facilities to serve the new development

F. — Other Requirements

18. — Provision of improvements to waste water treatment including an upgrade to the Colchester Waste Water Treatment Plant and off-site drainage improvements;

19. — Provision, management and on-going maintenance of sustainable surface water drainage measures to manage and mitigate the risk of flooding on site and which will reduce the risk of flooding to areas downstream or upstream of the development;

20. — Landscape buffers between the site and Coggeshall, Feering, Stanway and Easthorpe;

21. — Protection and/or enhancement of heritage and biodiversity assets within and surrounding the site including the SSSI at Marks Tey brick pit, Marks Tey Hall, Easthorpe Hall Farm, Easthorpe Hall and the habitats along and adjoining the Domsey Brook and Roman River corridors.

22. — Provision of appropriate buffers along strategic road and rail infrastructure to protect new development

23. — Provision of appropriate design and infrastructure that incorporates the highest standards of innovation in energy efficiency and technology to reduce impact of climate change, water efficiency (with the aim of being water neutral in areas of serious water stress), and sustainable waste / recycling management facilities.

24.—— Measures to support the development of the new community including provision of community development support workers (or other provision) for a minimum of ten years from initial occupation of the first homes and appropriate community governance structures

25.—— Establishment at an early stage in the development of the garden community, of appropriate and sustainable long-term governance and stewardship arrangements for community assets including green space, public realm areas and community and other relevant facilities; such arrangements to be funded by the development and include community representation to ensure residents have a stake in the long term development, stewardship and management of their community.^{MM41}

Policy SP 10

West of Braintree Garden Community

The adopted policies map, identifies a strategic area for development of a new garden community of which the details and final number of homes will be set out in a Strategic Growth Development Plan Document to be prepared jointly between Braintree DC and Uttlesford DC if applicable and which will incorporate provision of around 2,500 homes within the Plan period (as part of an overall total of between 7,000 – 10,000 homes) in North Essex and provision for Gypsy and Travellers

Broadfield Farm lies within the garden community search area and is an allocated minerals extraction site within the Essex County Council adopted Minerals Local Plan. The mineral extraction, restoration and after care of the minerals site will need to be planned alongside the wider development of the garden community.

The Strategic Growth DPD will set out the nature and form of the new community. The DPD will be produced in consultation with stakeholders will include a concept plan showing the disposition and quantity of future land-uses, and give a three dimensional indication of the urban design and landscape parameters which will be incorporated into any future planning applications; together with a phasing and implementation strategy which sets out how the rate of development will be linked to the provision of the necessary social and physical infrastructure to ensure that the respective phases of the development do not come forward until the necessary infrastructure has been secured. The DPD will provide the framework for the subsequent development of more detailed masterplans and other design and planning guidance for the West of Braintree Garden Community.

The DPD and any planning application will address the following principles and requirements in the design, development and delivery of the new garden community:

A. Place-Making and Design Quality

1. The development of a new garden community to high standards of design and layout drawing on its context and the assets within and close to its boundaries including Boxted Wood, Golden Grove, Rumley Wood, Pods Brook and the historic airfield. The gently sloping topography to the south of the site also affords opportunities for long distance views. These key assets will provide a context to build a new green-grid upon to provide an attractive setting for the new community and linking to the wider countryside. The new community will also address the relationship with existing communities close to its boundaries and maintain a separation between them including Great Saling, Stebbing Green and Rayne.. The garden community will be designed and developed to have its own identity and be as self-sustaining as possible.

2. Detailed masterplans and design guidance will be put in place to inform and guide development proposals and planning applications. Planning applications for this garden community will be expected to be consistent with approved DPDs and subsequent masterplans and design and planning guidance.

B. — Housing

3. — A mix of housing types and tenures including self- and custom-build and starter homes will be provided on the site, including a minimum of 30% affordable housing. The affordable housing will be phased through the development;
4. — New residential development will seek to achieve appropriate densities which reflect context, place-making aspirations and opportunities for increased levels of development around neighbourhood centres and transport hubs.

C. — Employment and jobs

5. — Employment — additional wording pending further evidence base findings. Provision for a wide range of job, skills and training opportunities will be created within the garden community. This may include space for B1, B2 and B8 businesses in the southern part of the community close to the A120 as well as on non-employment park locations throughout the Garden Community to provide for a wide range of local employment opportunities
6. High speed and reliable broadband will be provided and homes will include specific spaces to enable working from home

D. — Transportation

7. — A package of measures will be introduced to encourage smarter transport choices to meet the needs of the new community and maximise the opportunities for sustainable travel including the provision of a network of footpaths, cycleways and bridleways to enhance permeability within the site and to access the adjoining area; development of an effective public transport system; development of opportunities to improve accessibility to local rail stations; and effective measures to mitigate the transport impacts of the proposed development on the strategic and local road network. Improvements to the local road infrastructure will be necessary to mitigate adverse traffic impacts and serve the new development. These shall include bus / rapid transit priority measures between the site, Braintree town centre, rail station and employment areas including the Skyline business park and London Stansted Airport. Longer term transport interventions will need to be carefully designed to minimise the impacts on the strategic and local road network and fully mitigate any environmental or traffic impacts arising from the development.
8. — Primary vehicular access to the site will be provided via the A120 and B1256.
9. — Foot and cycle ways shall be provided throughout the development, including linking the site to Braintree town through the existing Flitch Way linear country park;
10. — Other specific transport-related infrastructure requirements identified through the Strategic Growth Development Plan Documents and masterplans for this garden community will be delivered in a phased manner.

-

E. Community Infrastructure

- 11. District and local centres of an appropriate scale will be provided to serve the proposed new community. The centres will be located where they will be easily accessible by walking, cycling and public transit to the majority of residents in the garden community.
- 12. Community meeting places will be provided within the district and local centres.
- 13. Primary healthcare facilities will be provided to serve the new development.
- 14. Secondary school, primary schools and early-years facilities will be provided to serve the new development;
- 15. A network of multi-functional green infrastructure will be provided within the garden community. It will include community parks, allotments, the provision of sports areas with associated facilities and play facilities;
- 16. Indoor leisure and sports facilities will be provided with the new community, or contributions made to the improvement of off-site leisure facilities to serve the new development

F. Other Requirements

- 17. Provision of improvements to waste water treatment and off-site drainage improvements;
- 18. Provision, management and on-going maintenance of sustainable surface water drainage measures to manage and mitigate the risk of flooding on site and which will reduce the risk of flooding to areas downstream or upstream of the development;
- 19. Landscape buffers between the site and Great Saling, Stebbing, Stebbing Green and Rayne;
- 20. Protection and/or enhancement of heritage and biodiversity assets within and surrounding the site including Great Saling Hall conservation area and areas of deciduous woodland within and adjoining the site.
- 21. Provision of appropriate buffers along strategic road infrastructure to protect new development
- 22. Provision of appropriate design and infrastructure that incorporates the highest standards of energy efficiency and innovation in technology to reduce impact of climate change, water efficiency (with the aim of being water neutral in areas of serious water stress), and sustainable waste / recycling management facilities.
- 23. Measures to support the development of the new community including provision of community development support workers (or other provision) for a minimum of ten years from initial occupation of the first homes and appropriate community governance structures

24. ——— Establishment at an early stage in the development of the garden community, of appropriate and sustainable long-term governance and stewardship arrangements for community assets including green space, public realm areas and community and other relevant facilities; such arrangements to be funded by the development and include community representation to ensure residents have a stake in the long term development, stewardship and management of their community. ^{MM42}

Delivery, Implementation & Monitoring

9 Delivery, Implementation & Monitoring

9.1 The North Essex authorities will work together to deliver cross-authority strategic proposals contained in section 1 of their plans, including the garden community^{ies}. This entails consideration of appropriate models for the governance, funding and comprehensive delivery of these innovative large scale and long term growth projects in line with the principles set out in policy SP7. In view of the scale and long term nature of the proposed garden communities, the authorities intend to have a significant role in how the communities are phased and delivered and to ensure that the infrastructure and other supporting measures to support the residents of the new communities are delivered in advance of or at the same time as new homes. This should also help ensure delivery throughout different economic cycles. ^{AM60}

~~9.2 Without prejudice to the outcomes of the Local Plan approval process, the North Essex authorities have created an overarching governance body to be known as North Essex Garden Communities Limited (NEGC Ltd) to coordinate the development and delivery of the new communities. Further local delivery vehicles will be established in association with landowners for each proposed garden community with the capacity to lead the delivery of each community on a comprehensive basis and with proportionate local authority support to help secure the quality of place and delivery of infrastructure set out in the policies in this plan. In addition to strong local authority involvement and leadership, delivery of garden communities will also rely on active and sustained engagement with existing local communities and stakeholders. The Councils will explore other models of delivery if they can be confident that it will deliver the same quality and timing of outcomes for the community as a whole, both those in the new garden communities and the existing communities that will be affected.~~ ^{AM61}

9.2 9.3 The North Essex authorities will monitor these section 1 policies to ensure that they are effective and delivering the intended outcomes, including their collective implications for the area as a whole. Monitoring of Part 1 objectives and outcomes as outlined in the table below will be assessed regularly by the authorities in their annual Authority Monitoring Reports (AMR), in addition to the monitoring of the individual Part 2 of each Local Plan. It should be noted that where there is an unacceptable delay in delivery of development and/or infrastructure occurs, the local authorities will use mechanisms and powers including establishing locally-led Development Corporations and the use of Compulsory Purchase Orders, to intervene.

9.3 Table 1: Monitoring Requirements for of the Section 1 ^{AM63}

| Part One Objectives | Part One Policies | Targets | Key Indicators in Authority Monitoring Reports |
|---|---|--|---|
| Providing sufficient new homes | SP1 Presumption in favour of Sustainable Development | Delivery of new development in accordance with the Development Plan | Record of planning decisions including appeals |
| Fostering economic development | | | |
| Providing new and improved infrastructure | SP1A Recreational Disturbance Avoidance and Mitigation Strategy | Secure contributions from development towards mitigation measures for the loss of off-site habitat | Monitor levels of mitigation contributions received |
| Addressing education and healthcare needs | | | |
| Ensuring high quality outcomes | SP2 Meeting Housing Needs Spatial Strategy for North Essex | Deliver a new Garden Communities ^{AM63} as the most sustainable options for large scale, long term growth | Local authority agreement and delivery of governance, community involvement, stewardship arrangements and funding arrangements for the new Garden Communities |
| | SP3 Providing for Employment Meeting Housing Needs | Deliver new housing in line with spatial strategy and Objectively Assessed Need targets | Market and affordable housing completions per annum (net) |
| | SP4 Infrastructure and Connectivity Employment | Deliver new employment land in line with spatial strategy and evidence base targets | Amount of floorspace development for employment and leisure by type |

| Part One Objectives | Part One Policies | Targets | Key Indicators in Authority Monitoring Reports |
|---------------------|---|--|---|
| | SP5 Place Shaping Principles Infrastructure and Connectivity | <p>Delivery of identified infrastructure schemes including transport, education, community, healthcare, green/blue infrastructure and environmental protection</p> <p>Increase modal share of non-motorised transport</p> | <p>Identify and monitor progress of strategic infrastructure projects</p> <p>Monitor modal splits and self-containment via Census and measure traffic levels on key routes</p> |
| | SP6 Spatial strategy for North Essex Place Shaping Principles | <p>Approved DPDs, masterplans & other planning & design guidance in place for each community ^{AM63} prior to the commencement of development it relates to of the new Garden Community. Deliver communities that are sensitively integrated into the existing historic built and natural environment</p> | <p>Monitor availability of DPDs and other planning guidance relative to the submission & determination of planning applications for the development it relates to. Planning permissions granted without objection from relevant statutory consultees and local authority specialist advisors</p> |
| | SP7 Development and Delivery of a New Garden Community in North Essex | <p>Development and Delivery of a new Garden Community as the most sustainable options for large scale, long term growth</p> | <p>Local authority agreement and delivery of governance, community involvement, stewardship arrangements and funding arrangements for new Garden Communities</p> |

| Part One Objectives | Part One Policies | Targets | Key Indicators in Authority Monitoring Reports |
|---------------------|---|--|---|
| | SP8 Tendring/Colchester Borders Garden Community | Deliver a sustainable new community in accordance with guidance as adopted | Delivery rates of all development including supporting infrastructure as documented in housing trajectories and other monitoring data |
| | SP9 Colchester Braintree Borders Garden Community | | |
| | SP10 west Braintree Garden Community | | |

Monitoring Requirements for Section 1

Appendices & Maps

10 Appendices & Maps

Appendix A: List of policies superseded by Section 1 of the Plan

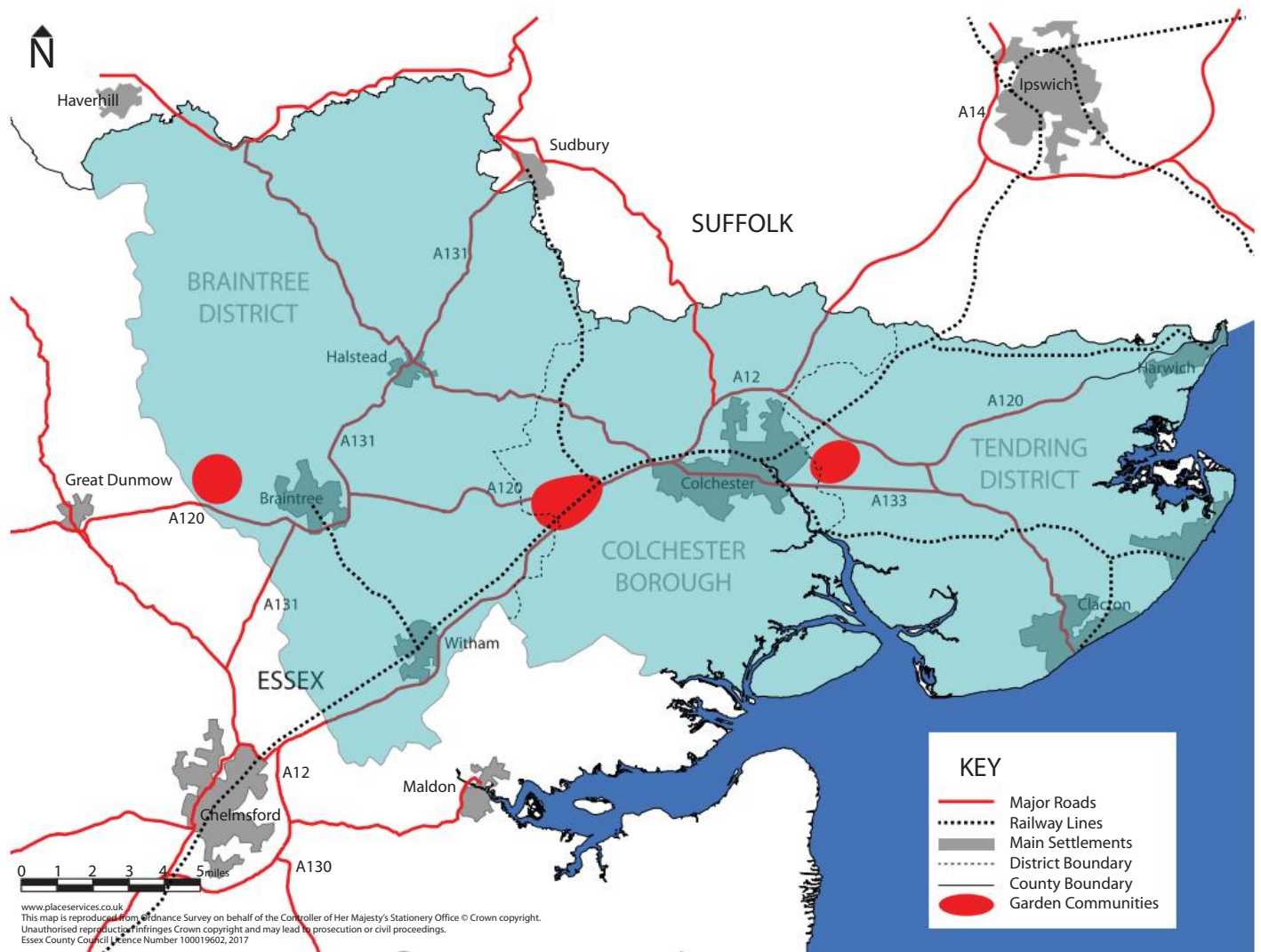
| Section 1 Local Plan Policy | | Policies superseded by the Section 1 Local Plan Policy | | |
|-----------------------------|---|--|--|---|
| Policy Number | Policy Title | Braintree District Council 2011 Core Strategy | Colchester Borough Council Adopted Core Strategy 2014 Focused Review | Tendring District Council Adopted 2007 Local Plan |
| SP1 | Presumption in Favour of Sustainable Development | - | - | - |
| SP1A | Recreational disturbance Avoidance and Mitigation Strategy (RAMS) | - | - | - |
| SP2 | Spatial Strategy for North Essex | CS1 | H1 | QL1 |
| SP3 | Meeting Housing Needs | CS3 | H1 | HG1 |
| SP4 | Providing for Employment | CS4 | CE1 | QL4 |
| SP5 | Infrastructure and Connectivity | CS11 | SD2 | - |
| SP6 | Place Shaping Principles | CS9 | - | QL8 / QL9 / QL10 / QL11 (in part) |
| SP7 | Development and Delivery of New Garden Communities in North Essex | - | - | - |
| SP8 | Tendring / Colchester Borders Garden Community | - | - | - |

MM46

Appendix 1: Recreational Pressures at Essex/Suffolk European Sites

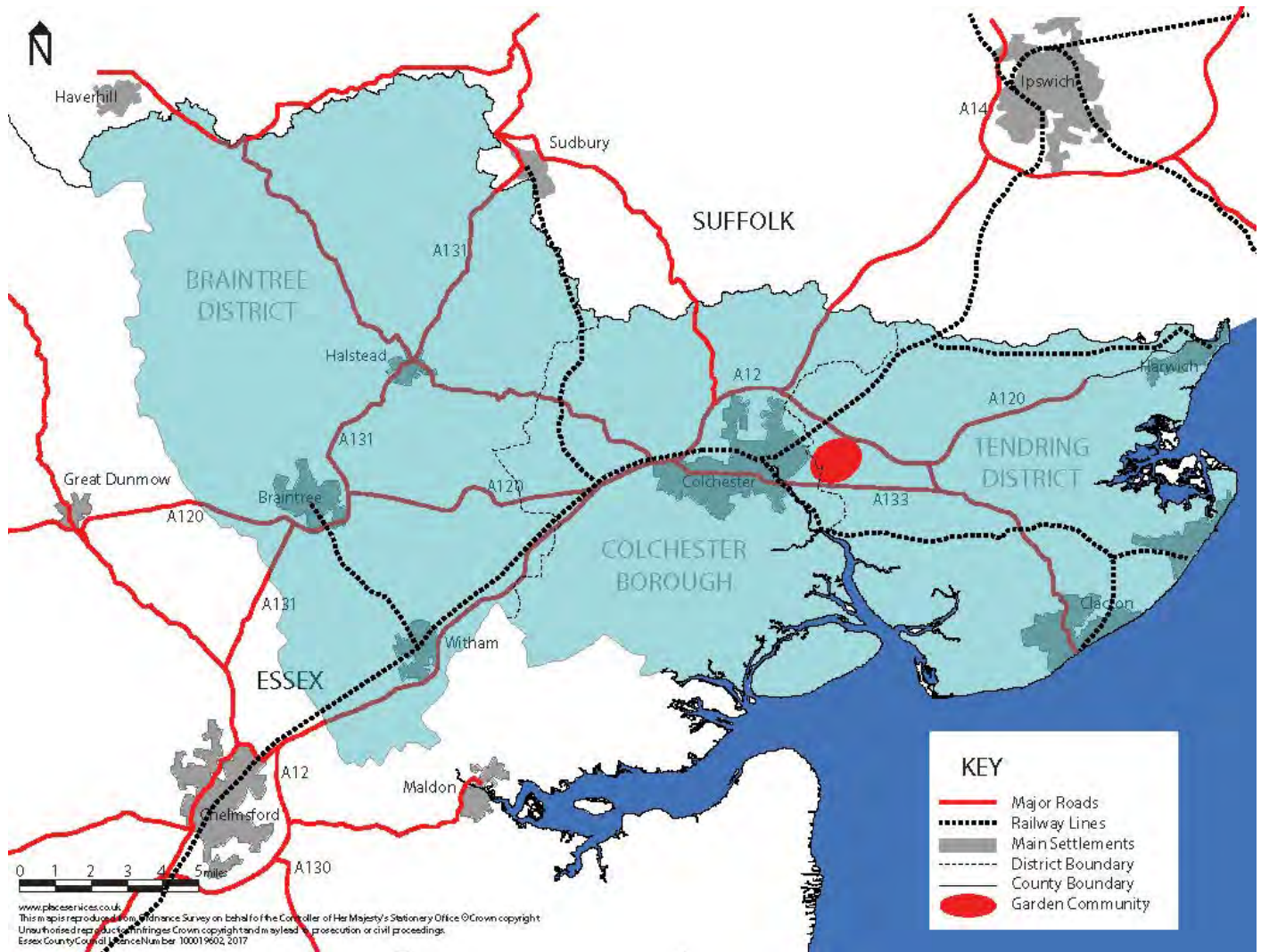
| European site | Recreational Pressure |
|---------------------------------------|---|
| Abberton Reservoir SPA/Ramsar | Recreational disturbance not a threat at this |
| Blackwater Estuary SPA/Ramsar | The key threat to this site relates primarily to disturbance of water birds from people and dogs, in addition to water sports such as use of jet skis and motorboats. |
| Colne Estuary SPA/Ramsar | The key threat to this site relates primarily to disturbance of water birds from people and dogs, in addition to water sports such as use of jet skis and motorboats. |
| Hamford Water SPA/Ramsar | The key recreational threat identified at the screening stage relates primarily to disturbance of water birds from people and dogs in addition to water sports such as use of jet skis and motorboats. |
| Stour and Orwell Estuaries SPA/Ramsar | Breeding and overwintering waterbirds are susceptible to human disturbance from a range of land and water-based activities, including boating and watersports; walking; bait- digging; fishing; wildfowling, and military overflight training. Some activities, such as powerboating, may produce physical disturbance to habitats. |
| Essex Estuaries SAC | The SAC is vulnerable to physical damage which can be caused by trampling and erosion associated with terrestrial recreation and wave damage caused by water based recreation. The SAC is also vulnerable to the effects of other negative factors associated with recreation such as littering, fire and vandalism ^{AM64} |

Recreational Pressures at Essex/Suffolk European Sites



Map 10.1 Garden Communities DELETED

MM43/MM44/MM45



10.1 Key Diagram

MM43/MM44/MM45

West of Braintree New Garden Community. Publication Draft Local Plan.

Inset A

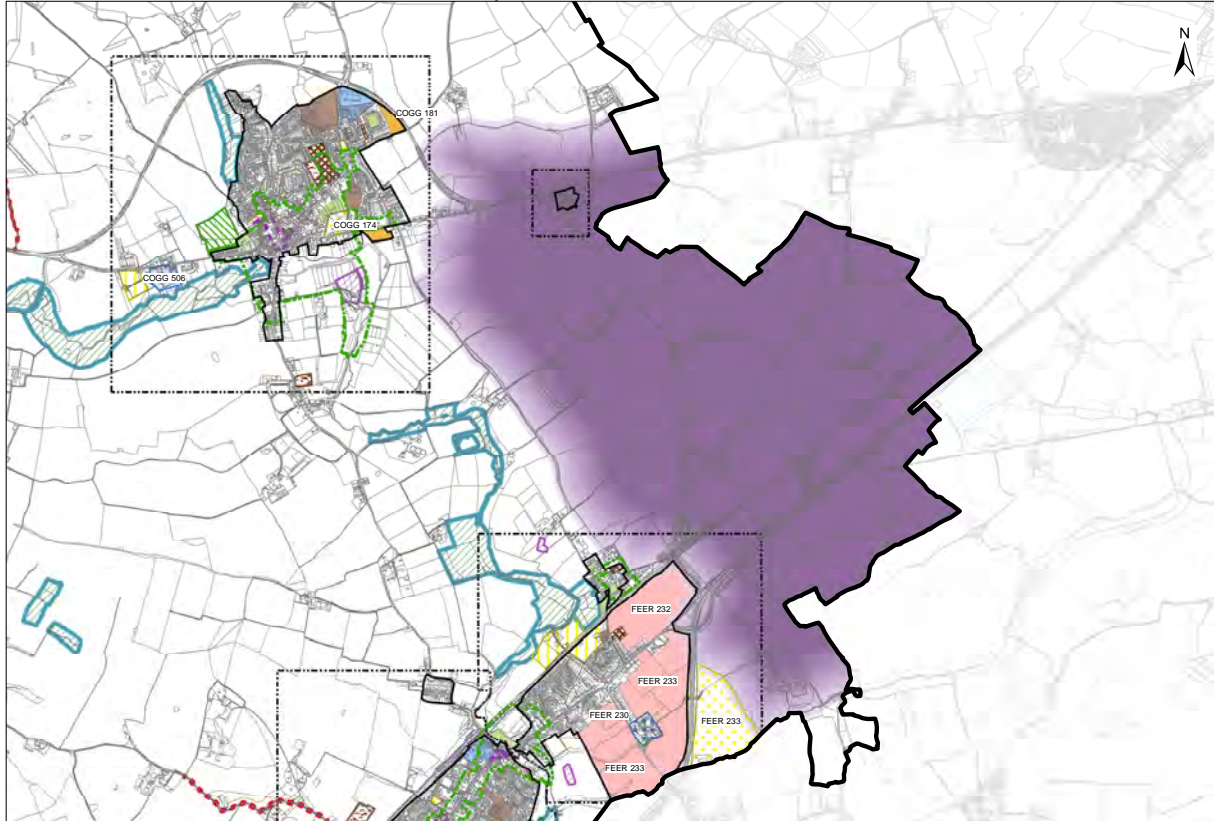


Map 10.2 A - West of Braintree DELETED

MM43

West of Colchester/East of Braintree New Garden Community. Publication Draft Local Plan.

Inset B



1:20,000

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Map 10.3 B - Colchester/Braintree Borders DELETED

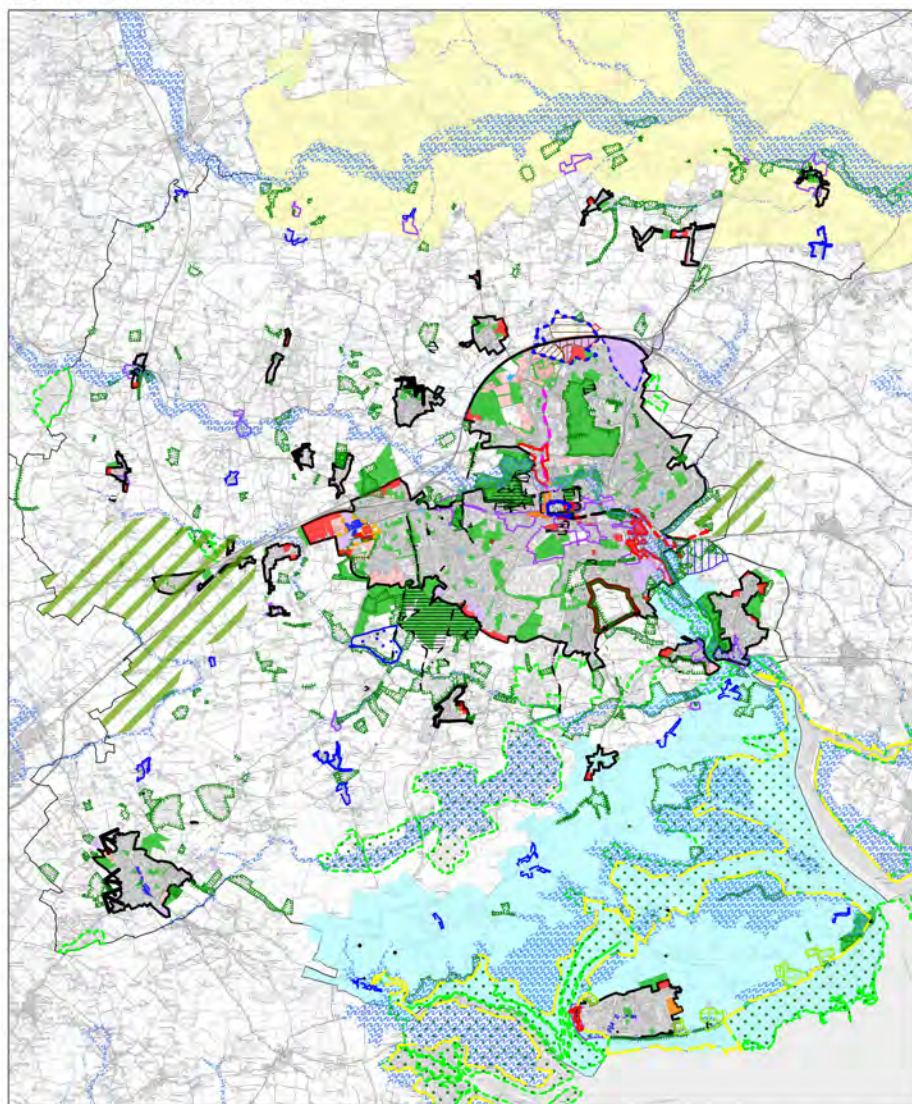
MM43

COLCHESTER BOROUGH

Local Plan Policies Map



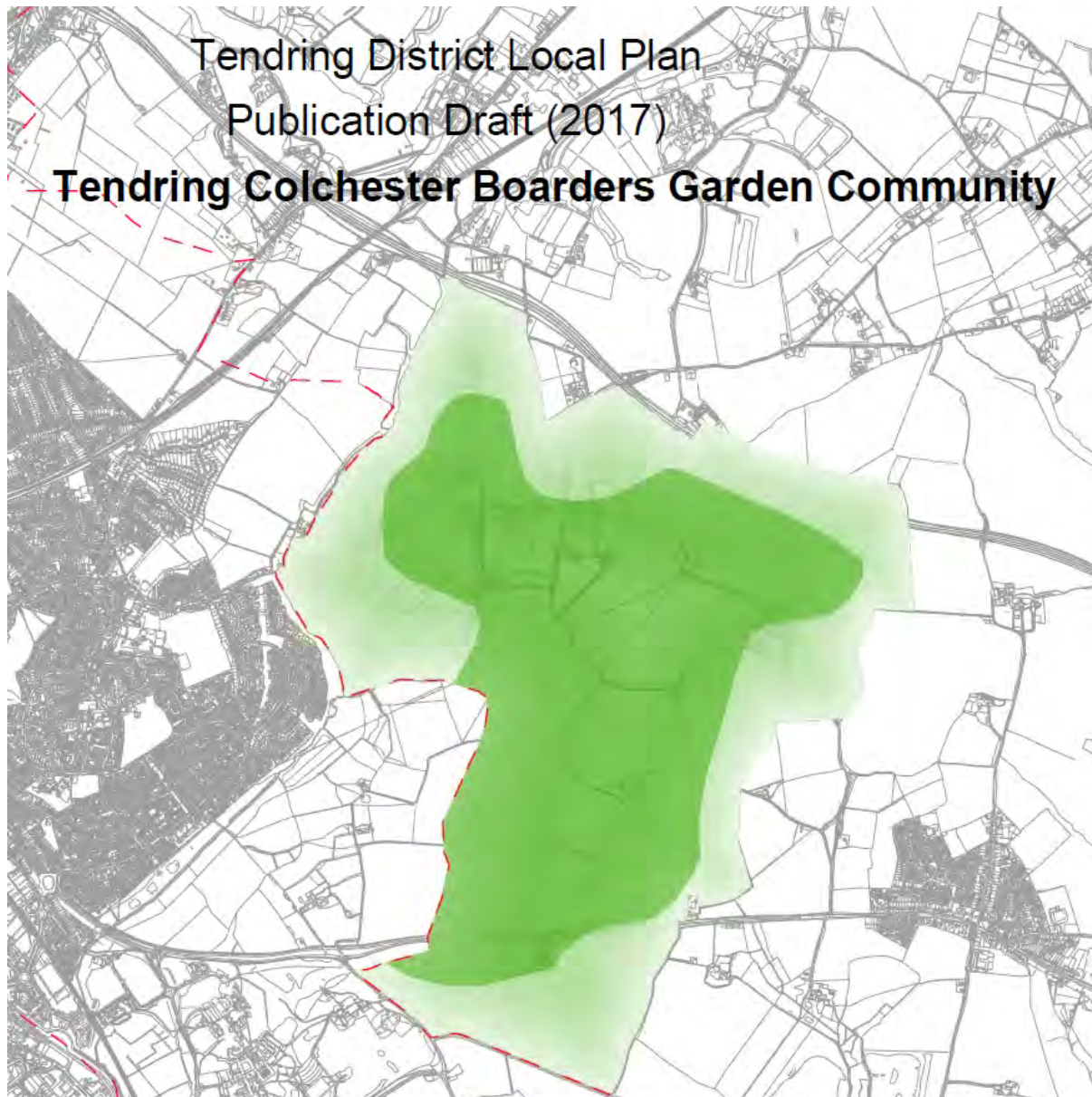
NB: see key for Borough-wide designations and respective Policies Maps for specific policy area designations (e.g. North Colchester, East Colchester, etc.).



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Map 10.4 C - Colchester REPLACED

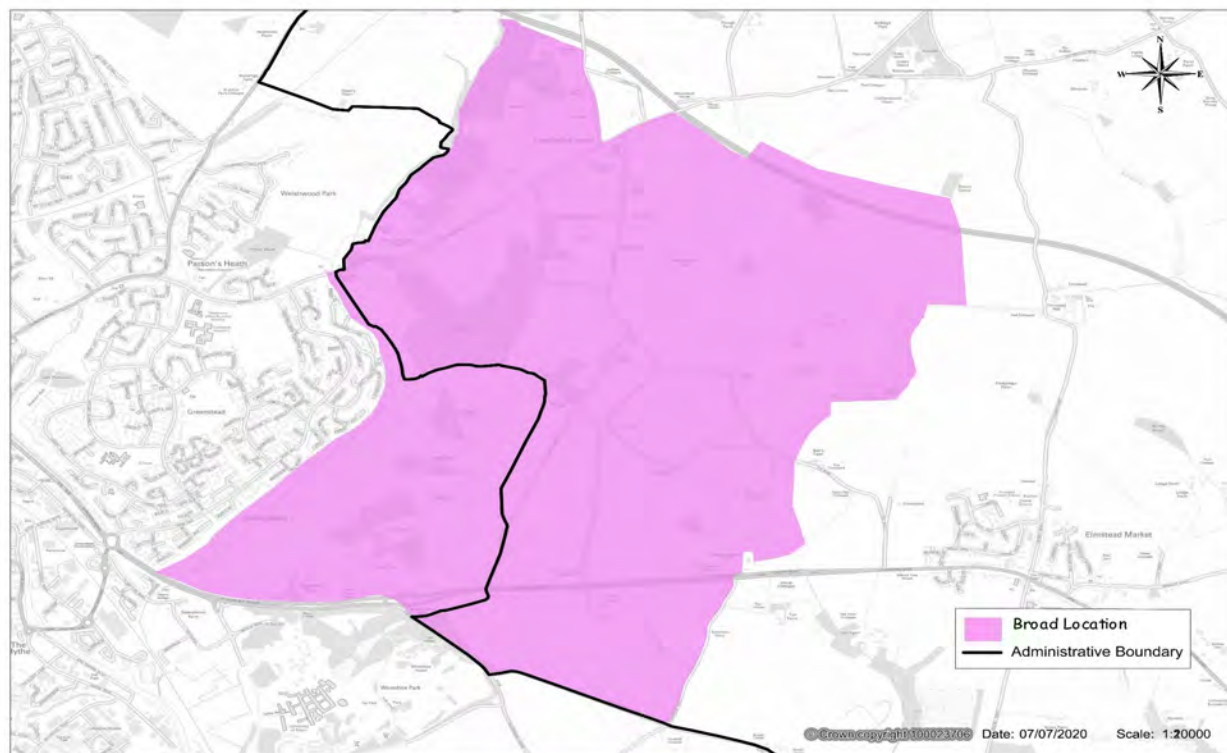
MM44



Map 10.5 Map D Tendring/Colchester Borders REPLACED

MM43/MM45

Tendring Colchester Borders Garden Community – Broad Location



10.2 Tendring Colchester Borders Garden Community - Broad Location

MM43/MM44/MM45

14 December 2020

| | | | |
|----------------|--|--------|--------------------------|
| Report of | Assistant Director of Place and Client Services | Author | Alistair Day ☎ 282479 |
| Title | Proposed Extension to Garrison Conservation Area | | |
| Wards affected | New Town and Christ Church | | |

1. Executive Summary

- 1.1 This report is seeking approval to commence consultation with a view to extending the Garrison Conservation Area.

2. Recommended Decision

- 2.1 To agree to consult for a period of 6 weeks, on a proposed extension to the existing Garrison Conservation Area to incorporate the Roman Circus House, ABRO site, the area of public open space to the south of the ABRO site and Artillery Folley

3. Reason for Recommended Decision

- 3.1 The MOD are expected to dispose of the ABRO site and given the site's historic importance it is considered appropriate to include this site (together with Roman Circus House, the public open space to the south of ABRO and Artillery Folley) within the Garrison Conservation Area. This will afford these sites with extra protection.

4. Alternative Options

- 4.1 Councillors could decide not to carry out the consultation or to extend the Garrison Conservation Area.

5. Background Information

- 5.1 Conservation Areas are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Local Authorities are required to review, from time to time, those parts of their area that are of special interest and to designate such areas as conservation areas. When making decisions in respect of buildings or land within a conservation area, a local authority must pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Conservation areas are subject to tighter planning controls and trees (above a certain size) are afforded temporary protection.
- 5.2 The Garrison Conservation Area was designated as a conservation area in May 2004. The conservation area covers the historic core of the old garrison and was established following the preparation and adoption of the Colchester Garrison Masterplan. The Garrison Conservation Area lies immediately south of St Johns Abbey Gatehouse and encompasses the greater part of the St Johns Abbey Scheduled Ancient Monument. It is bounded on the west by Butt Road and the Garrison boundary wall. The southern boundary follows Circular Road South and, to the south east, the edge of Abbey Fields as far as Mersea Road. An appraisal of the Garrison Conservation Area was prepared by Alan Stones in 2004 which can be viewed here: <https://colchesterheritage.co.uk/Source/SCC74367>
- 5.3 The Council has recently been informed that the MOD propose to dispose of the former vehicle workshop site known as ABRO (now renamed DSG). The ABRO site and Roman Circus House, which are located to the north of Le Cateau Road, fall outside the Garrison Conservation Area. It is proposed to extend the conservation area to include these sites together with the adjacent area of open space and Artillery Folley. The area of land that is proposed for inclusion within the Garrison Conservation Area historically formed part of the Royal Artillery Barracks (1874-5) and is the only part of the former Artillery Barracks site that is excluded from the conservation area. (The barracks were later renamed Le Cateau Barracks to commemorate the actions of British II Corps at Le Cateau, north-eastern France). Within the ABRO site, the Infirmary Stables and the boundary wall are the only surviving buildings from the first phase of the Royal Artillery Barrack's development. The stables are of a Neo-Georgian design and mirror the surviving buildings within the main area of the Le Cateau Barracks to the south. The stables appear to be in relatively good condition and retain some interesting architectural detailing. Officers are aware of only two other examples of military Infirmary Stables (Plymouth and Aldershot) both of which are listed grade II. The significance of the boundary wall lies in its use as a physical division between civilian and military land and as part of the original barracks. The wall and Artillery Folley that runs adjacent to it, are included on the Council's Local List. Other buildings within the ABRO site that are of potential interest include: the Carpenters & Telecommunications Shop, the Store and the Dining Room and Cook House. The significance of each of these buildings is primarily derived from their architectural interest as examples of Neo-Georgian designed military buildings that echo the styling of the surviving former military buildings to the south-east of this site. The buildings with the ABRO site have however suffered from alteration, although the exterior of the Carpenters & Telecommunications Shop building retains the greatest number original features. The drafted Development Brief for the ABRO site identifies the Infirmary Stables and the Carpenters & Telecommunications Shop as non-designated assets that should be retained as a part of the redevelopment of this site. In addition to the above, the area proposed for inclusion with the Garrison Conservation Area includes part of the remains of Colchester's Roman Circus. The Roman Circus was discovered during garrison redevelopment and was designated as a scheduled ancient monument on 13 November 2007. The Circus is one of only six proven locations for

Circus' within the north-western provinces of the Roman Empire. As a result, the Circus is of high significance as an important monument both nationally and internationally.

- 5.4 Officers have prepared a Development Brief for the ABRO site which sets out the parameters for any future development; this brief will also be the subject of public consultation. It would however also be useful to publicise the fact that the Council regards the ABRO site as being worthy for inclusion within the Garrison Conservation Area before the site is marketed. It is intended that the consultation will commence early in the new year for a period of 6 weeks, with the start date to be confirmed.
- 5.5 The public will be notified and given the opportunity to participate in the consultation exercise in two ways:
A) via the Council's Planning Consultation webpage; and
B) the owners or occupiers of the properties within the limits of the proposed Conservation Area will be notified by letter.

The webpage will set out the implications of Conservation Area designation and responsibilities for property owners due to the proposed designation and invite them to participate in the consultation process.

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

7. Strategic Plan References

- 7.1 The Strategic Plan is relevant, in particular in contributing towards priorities under the theme of Celebrating our Heritage and Culture and in particular:
- Protect, enhance and celebrate Colchester's unique heritage.

8. Consultation

- 8.1 Consultation will take place for a 6 week period. Representations received will be reported back to Committee to inform any decision about extending the Garrison Conservation Area.

9. Publicity Considerations

- 9.1 The proposal may attract attention from the media but should be seen in a positive light.

10. Financial implications

- 10.1 N/A

11. Health, Wellbeing and Community Safety Implications

- 11.1 None.

12. Health and Safety Implications

- 12.1 None.

13. Risk Management Implications

13.1 None.

14. Environmental and Sustainability Implications

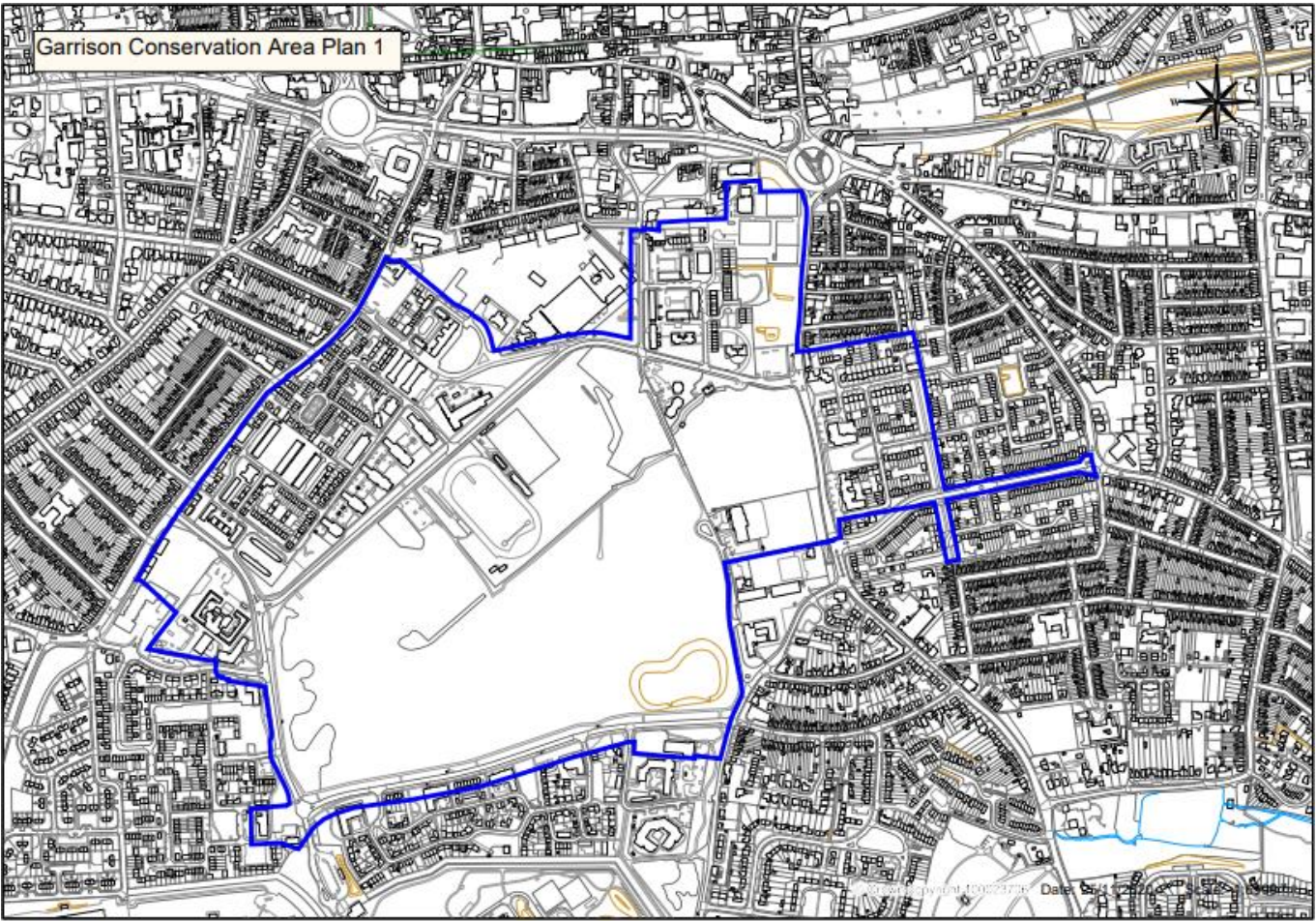
- 14.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. The purpose of the planning system is to contribute to the achievement of sustainable development as defined in the National Planning Policy Framework (the Framework). Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives.
- 14.2 This report has taken into account the Climate Emergency and the sustainable development objectives set out in the Framework. It is considered that the extension of the Conservation Area can contribute to achieving sustainable development.

Appendices

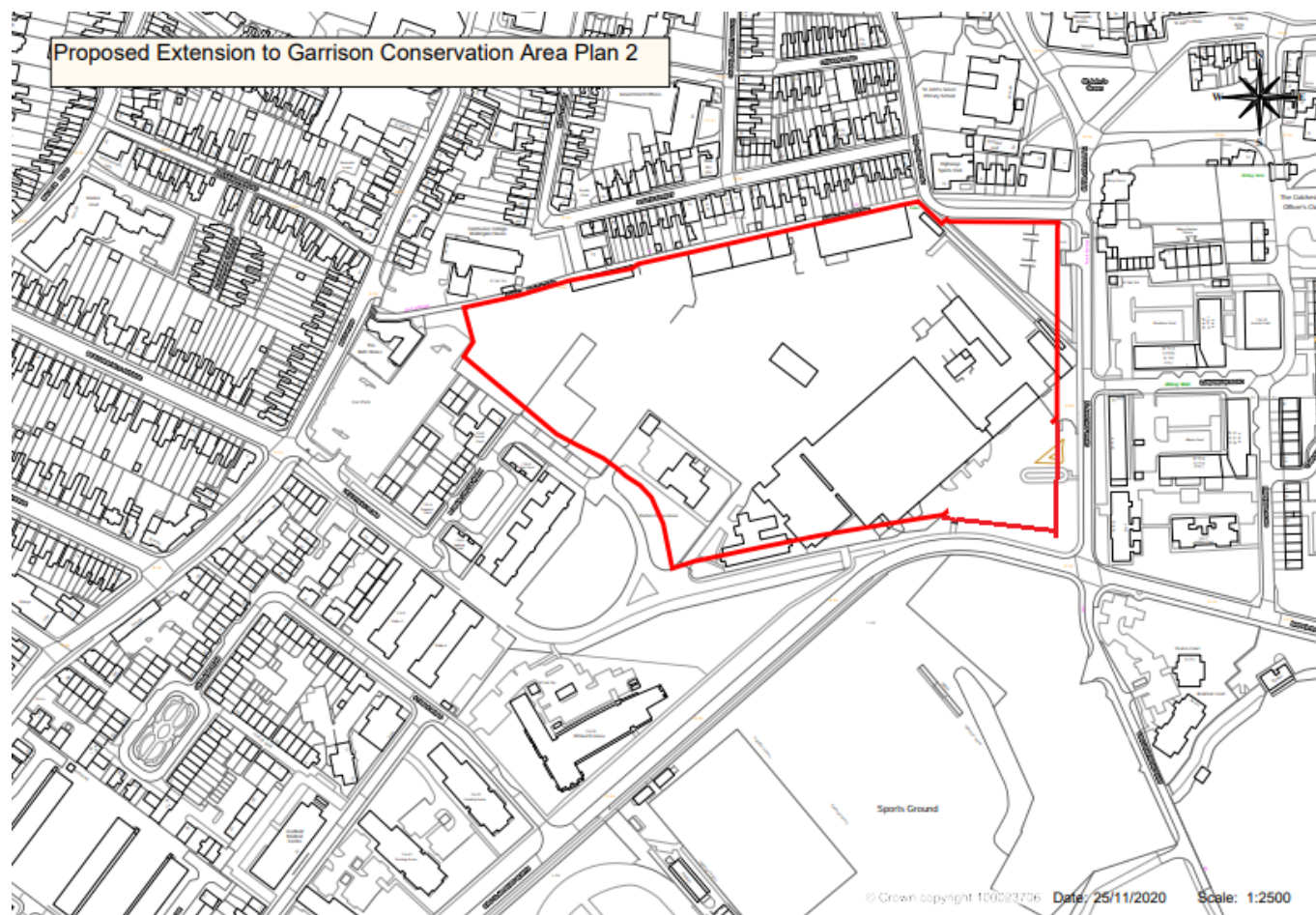
Appendix A – Map of existing Conservation Area

Appendix B – Map of proposed Conservation Area

Appendix A – Map of existing Conservation Area



Appendix B – Map of proposed Conservation Area



14 December 2020

| | | | |
|-----------------------|--|---------------|----------------------|
| Report of | Assistant Director of Place and Client Services | Author | Bethany Jones |
| Title | Tiptree Neighbourhood Plan Examination | | 282541 |
| Wards affected | Tiptree | | |

1. Executive Summary

- 1.1 Neighbourhood planning has remained high on the national government's agenda since regulations were introduced in 2012. Revisions to the Neighbourhood Planning Regulations in January 2018, the revised NPPF (February 2019) and changes to the National Planning Practice Guidance in May 2019 continue to demonstrate the importance of Neighbourhood Plans for housing provision and local planning matters.
- 1.2 Neighbourhood Planning remains active across the Borough, with the Tiptree Neighbourhood Plan having steadily progressed since area designation in 2014. The Tiptree Neighbourhood Plan was submitted to the Council in March 2020 and the second round of formal consultation (Regulation 16) was held for a seven week period from 20 June to 11 August 2020.
- 1.3 A Neighbourhood Plan examination is different to a Local Plan examination and is examined against the Basic Conditions listed in the Town and Country Planning Act 1990 (as amended). A neighbourhood plan does not need to meet the tests of soundness as outlined in the National Planning Policy Framework (NPPF).
- 1.4 Following the Regulation 16 consultation, John Parmiter FRICS, MRTPI was appointed to examine the Tiptree Neighbourhood Plan. In the Examiner's Report issued 9 October 2020, the Examiner recommended that the Tiptree Neighbourhood Plan could not proceed to referendum.
- 1.5 This recommendation was not anticipated by either CBC or Tiptree Parish Council, since there was no contact from the Examiner seeking clarification on any matters or indicating that he had such fundamental concerns. Despite the best efforts of CBC officers and the Parish Council, the Examiner's Report is considered to contain a number of inconsistencies and it appears unclear how certain conclusions were reached.
- 1.6 As a result, it is considered necessary to publish a joint Examination Response Statement prepared by CBC officers and Tiptree Parish Council to place on record these inconsistencies and the view of the LPA and QB. This statement would be published alongside the Examiner's Report and the Decision Statement, required by Regulation 18 of the Neighbourhood Planning (General) Regulations 2012.

2. Recommended Decision

- 2.1 To note the findings and overall recommendation of the Tiptree Neighbourhood Plan Examiners Report to not proceed to referendum.
- 2.2 To endorse the Tiptree Neighbourhood Plan Joint Examination Response December 2020.
- 2.3 To agree to publish the Tiptree Neighbourhood Plan Joint Examination Response alongside the Examiners Report and Regulation 18 Decision Statement.

3. Reason for Recommended Decision

- 3.1 The Examiner's Report and the Local Planning Authority Decision Statement must be published in accordance with Regulations 18 and 19 of the Neighbourhood Planning (General) Regulations 2012. It is considered appropriate to publish a Joint Examination Response alongside this to establish from the outset the inconsistencies within the Examiner's Report. This will also assist with future revisions to the Plan.

4. Alternative Options

- 4.1 Councillors could decide to disagree with the Examiner's recommendation not to proceed to referendum. This is not considered to be in the best interest of the Tiptree Neighbourhood Plan as there is a threat of legal challenge if the Examiner's recommendation is not followed. This would result in a significant amount of resources and money being spent through legal proceedings, would result in further delays to the progress of the neighbourhood plan and may not result in any change to the outcome. It would also require significant work immediately to justify the approach, it would necessitate further work to the Plan, and modifications all of which will need re-examination in any event and may not result in any different outcome.
- 4.2 It is Officers view that it is in the best interest of the Tiptree community to return to the Regulation 14 consultation stage, in as timely a manner as possible while addressing the concerns noted in the Examiner's report, with continued support from Officers in the Council's Planning Policy team.
- 4.3 Members could decide to amend the Joint Response or not to publish it alongside the Examiners Report and Decision Statement.

5. Background Information

- 5.1 Since the Neighbourhood Planning Regulations came into force in 2012, the commitment from national government and the appetite of local communities to neighbourhood planning has not diminished. At a national level the most intensive activity has been in the south of England to date.
- 5.2 The Neighbourhood Planning Regulations 2012 provides the backbone of the legislative framework for Neighbourhood Plans. The revised NPPF published in February 2019 introduces guidance in respect of the significance of neighbourhood plans in the context of the presumption in favour of sustainable development and housing delivery. Where the presumption in favour of sustainable development applies the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits. Developers will frequently try to challenge local authorities 5 year housing supply position to trigger the presumption in favour of sustainable development. For neighbourhood plans made within 2 years or less of the decision being made, the bar for this challenge is now set higher, only requiring the local authority to demonstrate a 3 year supply of deliverable housing sites. Updates to the national Planning Practice Guidance (PPG) in May 2019 recognise the importance of neighbourhood planning, with one of the updates being that an emerging neighbourhood plan 'is likely' to be a material consideration in many cases, as opposed to 'may be' in the previous version.
- 5.3 This further supported by the recent update to the PPG during the Covid-19 pandemic with the introduction of paragraph 107 on 7 April 2020, which states 'Decision-making: where the local planning authority has issued a decision statement (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send a neighbourhood plan to referendum, that plan can be given significant weight in decision-making, so far as the plan is material to the application'. This clearly demonstrates the emphasis and importance that Government places on Neighbourhood Planning, seeking to ensure that progress continues and that Neighbourhood Plans are given due consideration in the decision making process notwithstanding that referendums may not take place during this pandemic, until 6 May 2021 (in line with the Local Government and Police and Crime commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020).
- 5.4 The Examination of a Neighbourhood Plan is different to that of a Local Plan. The Examiner for a neighbourhood plan, remains independent, as with a Local Plan; however, in the case of a Neighbourhood Plan the Examiner is appointed by the Local Planning Authority (LPA) and Qualifying Body (QB).
- 5.5 The role of an Independent Examiner, when considering the content of a neighbourhood plan is limited to testing whether a draft neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended). The role is not to test the soundness of a neighbourhood development plan, or to examine other material considerations.
- 5.6 Paragraph 8 of Schedule 4B (2) to the Town & Country Planning Act 1990 (as amended), states that a Neighbourhood Plan must meet the following "basic conditions";
- it must have appropriate regard for national policy;
 - it must contribute towards the achievement of sustainable development;
 - it must be in general conformity with the strategic policies of the development plan for the local area;
 - it must be compatible with human rights requirements and

- it must be compatible with EU obligations.

5.7 In accordance with Schedule 4B, section 10 of the Town & Country Planning Act 1990 (as amended), the examiner must make a report on the draft plan containing recommendations and make one of the following three recommendations:

- that the draft order is submitted to a referendum, or
- that modifications specified in the report are made to the draft order and that the draft order as modified is submitted to a referendum, or
- that the proposal for the order is refused.

5.8 Within Colchester Borough there has been considerable neighbourhood planning activity with 5 'made' (adopted) Neighbourhood Plans (NP) across the borough which form part of the Development Framework. A further 5 neighbourhood plans are at various stages within the plan making process.

Tiptree Neighbourhood Plan

5.9 The Tiptree Neighbourhood Plan Area was designated in October 2014. Considerable consultation and evidence base work has been undertaken by the Steering Group for a number of years. A formal consultation on the draft neighbourhood plan took place in June/July 2019 (Regulation 14). Following consideration of all representations made to the formal consultation, the Tiptree NP was submitted to CBC in March 2020. The neighbourhood plan allocates sites for 625 dwellings and will make an important contribution to the borough's housing supply.

5.10 Following submission of the Plan, the Council publicised the Tiptree Neighbourhood Plan and submission documents for a seven week consultation which ran from 20 June to 10 August 2020. This followed an initial publication consultation which commenced on 20 April 2020 and was later withdrawn to allow for reconsideration of how best to respond to the restrictions brought by the Covid pandemic whilst continuing to progress the Plan expediently. This second formal consultation is known as the Regulation 16 Consultation.

5.11 The Tiptree Neighbourhood Plan will provide the planning policy framework for Tiptree until 2033. The purpose of the plan is to guide development within the parish and address as far as possible the challenges and opportunities that face the community. The Plan is divided into topics/themes with policies covering: Homes and Housing, Traffic and Movement, Tiptree Village Centre, Commercial Activity, Community Infrastructure, Site Allocations, Countryside and Green Spaces, Historic Environment and Non Policy actions.

5.12 As required by the Neighbourhood Planning Regulations, CBC confirmed that in the Planning Officers view the Basic Conditions had been met and the Plan was therefore able to proceed to Examination. CBC and the QB (Tiptree Parish Council) appointed John Parmiter FRICS MRTPI as the independent examiner to examine the Tiptree Neighbourhood Plan in July 2020. The Examiner was selected through the Neighbourhood Planning Independent Examiner Referral Service (NIPERS). NIPERS provides access to expert, impartial examiners and is designed to support communities through the neighbourhood plan examination process. The resource has been designed by a number of leading professional bodies including the Royal Town Planning Institute (RTPI), Royal Institute of Chartered Surveyors (RICS), Planning Officers Society (POS) and Locality. This service has been used by CBC to appoint other Examiners for the 'made' neighbourhood plans across the Borough and all examiners have been on the

NIPERS list of registered Examiners. Previous experience has always resulted in positive working relationships.

Tiptree Neighbourhood Plan Examination

- 5.13 The Neighbourhood Plan was submitted to the Examiner in August 2020. There was no correspondence between the Examiner and the Council or Qualifying Body during the Tiptree NP Examination other than the Council providing an update on the emerging Local Plan Section 1 Examination and two appeal decisions issued in Tiptree since submission of the NP (Barbrook Lane and Land South of Maldon Road). No engagement regarding specific detail of the Tiptree Neighbourhood Plan occurred in this Examination whatsoever.
- 5.14 In September, prior to publication of his report, the Council and QB were sent a draft for fact-checking. This was when it became apparent that the NP would not be able to proceed to referendum. CBC and TPC provided an extensive response to the fact checking report which led to the Examiner revising some of his conclusions but not the overall recommendation. The examiner issued his final report on 9 October 2020.
- 5.15 The Examiner has recommended that the Tiptree Neighbourhood Plan cannot proceed to referendum. This is summarised in paragraph 5.2 of the Examiner's Report: *"Overall, I find the dominating reliance on community objectives within the SEA process, without proportionate and robust evidence to support the spatial strategy, to be flawed. Therefore, coupled with the inclusion of a route across land in an adjoining parish, I **conclude** that the plan does not meet the Basic Conditions or the legal requirements".*
- 5.16 As the Plan cannot proceed to referendum, the Tiptree Neighbourhood Plan will need to return to the Regulation 14 stage in the plan making process.
- 5.17 TPC and CBC remain concerned that the Examiner's Report can appear inconsistent in places and it is unclear how his overall conclusions relate to comments elsewhere in the report. As a result of this, it is considered necessary to place on record alongside the Examiner's Report, a joint response which identifies these inconsistencies from the outset. A joint response has been prepared by CBC officers and TPC (Appendix B). In summary, the main issues identified in the Examiner's Report are:
- Availability and reference to evidence for the spatial strategy;
 - The Strategic Environmental Assessment (SEA) and considerations of alternatives; and
 - The apparent conflict between the Tiptree Neighbourhood Plan and Section 2 Emerging Local Plan.
- 5.18 There appears to be confusion, or a different interpretation, between the submission of documents as per Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 and submission of documents to the Examiner. Although the Examiner has accepted the spatial strategy evidence exists (Site Selection Process Report) and that this was provided to the LPA as a submission document he has not considered this and other evidence base documents within the Examination. Unfortunately, no opportunity was given to the parties to address this during the course of the Examination.
- 5.19 The Examiner also raised concerns that the Tiptree Neighbourhood Plan conflicts with Section 2 of the Emerging Local Plan and in particular Policy SS14 and the supporting Policies Map. Paragraph 4.3 of his report states *"I cannot see within the submitted NP*

itself why the spatial strategy diverges, albeit to some degree, from the eLP's 'broad areas of growth'. The Examiner does not provide his conclusion on this matter. CBC and TPC are in agreement that the NP **does not** diverge from the emerging Local Plan.

- 5.20 The Neighbourhood Plan allocates two sites to the north-west of Tiptree for 625 dwellings (Policies TIP13 and TIP14). These are shown as one of the broad areas for residential development in the Emerging Local Plan Policies Map SS14. The broad areas of growth direction arrows were included within the emerging Local Plan as a tool to guide the consideration of planning proposals if progress on a Neighbourhood Plans was such that it had not defined the proposed site allocations more specifically within a reasonable timescale. At the time of writing the emerging Local Plan, there was still a considerable amount of work to be undertaken for the Tiptree Neighbourhood Plan including further site analysis and public consultation. As a result, three broad areas of growth arrows were included on Policies Map SS14. However, the emerging Local Plan does not state that each of the three broad areas of growth will be included within the Tiptree Neighbourhood Plan, nor does it state that more than one broad area of growth is to be selected.
- 5.21 The Emerging Local Plan reflects the status of the emerging Tiptree NP at the time it was submitted (October 2017). The Tiptree NP does not need to reflect the broad areas of growth shown by Policy Map SS14, only to be 'in general conformity with the strategic policies' in the Emerging Local Plan. The Neighbourhood Plan is considered to be in general conformity.
- 5.22 Throughout the plan making process, it has been an aspiration of the neighbourhood plan to safeguard an indicative route between the two land parcels which form the Highlands Nursey and Elms Farm allocation (TIP 14). This is to relieve existing traffic congestion within the centre of Tiptree and to provide alternative routes from Tiptree to the surrounding area and the A12. Although this area is outside of the Neighbourhood Plan area, it was considered by CBC officers, the Parish Council and their Planning Consultant that including reference to this aspiration within the neighbourhood plan and to indicate the opportunity to safeguard the route would be in accordance with the basic conditions, particularly as the plan and supporting evidence did not suggest that it was reliant on this for the delivery of the houses. The Inspector disagreed with this approach.

Examination Process and Conduct

- 5.23 The recommendation to not proceed to referendum was not anticipated by either CBC or TPC and this outcome came without any warning. There has been a distinct lack of communication between the Examiner and CBC/TPC throughout the examination. It is officers view that the examination has not been undertaken in accordance with the 'NIPERS Guidance to service users and examiners'.
- 5.24 The guidance states that the Examiner will write to the LPA and QB in the event that a fundamental flaw has been identified with matters being addressed through writing or an exploratory meeting. Neither approach was taken in this examination.

The guidance further states that the Examiner can clarify points, with an example being where evidence to support a policy approach may be found. This would have been fundamental in the case of Tiptree, as there has been confusion and differing opinions regarding the availability of certain evidence base documents, most notably the Site Selection Process Report. The conduct of this examination has been at complete odds with paragraph 2.5.3 of the NIPERS guidance which states *"a report failing a neighbourhood plan should not come as a surprise to the qualifying body and local*

planning authority. Early actions including exchange(s) of correspondence (and/or an exploratory meeting) should proceed such a finding”.

- 5.25 It is worth noting that in the case of all other Examinations which the Council has been involved with, for successfully made Neighbourhood Plans, continued dialogue and information exchange has occurred between the Examiner, Council and Qualifying Body, in accordance with the Guidance referred to above. Previously, where there has been a need for clarification, or to be directed towards relevant evidence, or any more fundamental questions, the Examiner has engaged directly with the Council and QB.
- 5.26 In practice the guidance provides the opportunity to explore whether there are options which may address fundamental or minor concerns an Examiner may have and attempt to agree a way forward which could result in a better understanding of the issues and evidence, further work or recommended modifications. In the event that this constructive engagement does not resolve the concerns of the Examiner, the QB may then wish to consider withdrawing the Plan. Unfortunately, no opportunity for any of this was created during this Examination.
- 5.27 It has been agreed between the Parish Council and CBC officers, that if this Committee agrees, a joint letter will be sent to NIPERS to identify the concerns of how the examination has been undertaken. Although it is understood this will not change the overall recommendation in the case of the Tiptree Neighbourhood Plan, it is considered necessary to inform NIPERS of the experience to prevent any future neighbourhood plan examinations from being conducted in direct conflict with the guidance.

Next Steps

- 5.28 The immediate next step is to publish the Examiner's Report and Regulation 18 Decision Statement to confirm acceptance of the recommendation to not proceed to referendum. CBC Officers also consider it necessary to publish a jointly prepared Examination Response Statement alongside these documents to place on record the elements of the report which are considered inconsistent and unclear.
- 5.29 The Tiptree Neighbourhood Plan will need to return to the Regulation 14 stage. Aside from addressing the points raised by the Examiner in relation to the link road and providing a robust evidence base, there are other considerations to be taken into account.
- 5.30 The Barbrook Lane appeal decision was issued in April 2020, after submission of the Tiptree Neighbourhood Plan. This grants permission for 200 dwellings outside of the settlement boundary. The implications of this will need to be reconsidered in the future iterations of the neighbourhood plan. Currently, this could include either of the following options:
- Existing commitment of 200 dwellings towards the overall housing requirement of 600 dwellings, requiring the NP to allocate a lower number of dwellings;
 - Existing permission identified within the plan, but not counted towards the overall housing requirement, enabling the NP to continue to allocate 600 houses subject to evidence supporting this.
- 5.31 As the spatial strategy will need to be reviewed for the Tiptree Neighbourhood Plan it is currently unknown the full extent of the advantages and disadvantages of counting the 200 dwellings granted permission at Barbrook Lane towards the overall housing

requirement of the neighbourhood plan. There may be justification for the neighbourhood plan to continue to plan for a minimum of 600 dwellings, in addition to the 200 at Barbrook. Either way it will be indicated as a commitment in terms of housing delivery for plan making purposes.

- 5.32 It is anticipated that the Section 2 emerging Local Plan Examination is likely to commence in early 2021. During the Section 2 Examination and through the continued work for the Tiptree Neighbourhood Plan, Policy SS14 and the accompanying policies map will be further explored to ensure the two plans are aligned, informed by any updated evidence for the neighbourhood plan and demonstrating a united plan led approach.
- 5.33 Officers are aware that there are errors within the SS14 Policy Map, particularly relating to incorrect boundaries for Local Wildlife Sites, which were revised in the latest review of the evidence base. There will also be a need to identify the Barbrook Lane site as having extant planning permission and amend the settlement boundary accordingly. It may also be necessary to reconsider the 'broad areas of growth' shown within Tiptree, in accordance with any updated evidence for the neighbourhood plan as well as the Local Wildlife Sites Review. At present a broad area of growth arrow is shown crossing the Brook Meadow wildlife site. Although these are only indicative, they do need to be realistic.
- 5.34 The situation that has arisen in relation to the Tiptree NP is disappointing for both the Parish and Borough Councils, not least because if the Examination had been conducted in line with the NIPERS guidance some issues may have been resolved or re-visited back in August/September. Furthermore, had the concerns been shared with the QB and CBC early in the Examination, regardless of the eventual outcome, the QB would have undoubtedly advanced further work and be better placed with a revised Plan. However, there are now opportunities presented for Tiptree Neighbourhood Plan to reflect on decisions that have been made, recent guidance and ensure the Plan is robust and able to provide an appropriate planning framework for decision making for many years to come. The Planning Team will continue to support the QB and positively work together with them and their appointed Planning Consultant to deliver a Neighbourhood Plan for Tiptree as soon as possible which can proceed to Referendum and be successfully made.
- 5.35 The Planning Policy Team will take on board some lessons learnt from this and build this into processes and advice/guidance going forward as support continues to be provided to communities and we remain committed to Neighbourhood Planning.

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

7. Strategic Plan References

- 7.1 The Strategic Plan is relevant, in particular in contributing towards priorities under the themes:
- Creating safe, healthy and active communities; and
 - Delivering homes for people who need them.

8. Consultation

- 8.1 Neighbourhood Plans are subject to two formal consultation stages. Both stages of consultation were undertaken in accordance with the Neighbourhood Planning PPG, Neighbourhood Planning Regulations and the Council's Statement of Community Involvement (SCI).

9. Publicity Considerations

- 9.1 The recommendation of the Examiner for the Tiptree Neighbourhood Plan to not proceed to referendum is likely to attract attention from the media.

10. Financial implications

- 10.1 The Council is able to apply for funding at various stages of neighbourhood plan production to cover costs such as those associated with the examination and holding a referendum.

11. Health, Wellbeing and Community Safety Implications

- 11.1 None.

12. Health and Safety Implications

- 12.1 None.

13. Risk Management Implications

- 13.1 None.

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 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 the Tiptree Neighbourhood Plan can contribute to achieving sustainable development.

Appendices

Appendix A – Tiptree Neighbourhood Plan Examiner's Report - 9 October 2020

Appendix B - Tiptree Neighbourhood Plan Joint Examination Response – December 2020

Background Papers

Tiptree Neighbourhood Plan Regulation 16 Edition

<https://cbccrmdata.blob.core.windows.net/noteattachment/Tiptree%20Neighbourhood%20Plan/Tiptree%20NHP%20-%20Reg16%20Edn.pdf>

Neighbourhood Planning Independent Examiners Referral Service (NIPERS) Guidance to service users and examiners

<https://www.rics.org/globalassets/rics-website/media/upholding-professional-standards/regulation/drs/drs-services/npiers-planning-guidance-to-service-users-and-examiners-rics.pdf>

Tiptree Neighbourhood Plan

Report of Examination

Report to Colchester Borough Council

by the Independent Examiner:

John Parmiter FRICS MRTPI



9 October 2020

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Summary

1. From my examination of the submitted Tiptree Neighbourhood Plan, the supporting documents, and taking into account all the representations made, I have concluded that the Neighbourhood Plan should NOT proceed to a referendum.
2. I have concluded that the plan does NOT meet the Basic Conditions. In summary, the Basic Conditions are:
 - a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.
 - b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.
 - c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.
 - d. the making of the neighbourhood plan contributes to the achievement of sustainable development.
 - e. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area.
 - f. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
 - g. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the plan.
3. I have concluded that the neighbourhood plan would meet certain legal requirements in that:
 - It has been prepared and submitted for examination by a qualifying body;
 - It has been prepared for an area properly designated;
 - It does not relate to “excluded development”;
 - It specifies the period to which it has effect – to 2033; and
 - The policies relate to the development and use of land for a designated neighbourhood area.
4. However, as the plan covers one neighbouring plan area, by extending a proposal into the neighbouring parish, it does not meet the legal requirements.

1. Introduction

- 1.1 I am appointed by Colchester Borough Council, with the support of Tiptree Parish Council (the Qualifying Body), to undertake an independent examination of the Tiptree Neighbourhood Plan, as submitted for examination.
- 1.2 I am an independent planning and development professional of 40 years standing and a member of NPIERS' Panel of Independent Examiners. I am independent of any local connections and have no conflicts of interests.

The Scope of the Examination

- 1.3 It is the role of the Independent Examiner to consider whether making the plan meets the Basic Conditions. These are:
 - a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.
 - b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders.
 - c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.
 - d. the making of the neighbourhood plan contributes to the achievement of sustainable development.
 - e. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
 - f. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
 - g. prescribed conditions are met in relation to plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.
- 1.4 Regulations also require that the Neighbourhood Plan should not be likely to have a significant effect on a European Site or a European Offshore Marine Site either alone or in combination with other plans or projects.
- 1.5 In examining the Plan I am also required to establish if the plan complies with certain legal requirements; in summary, they are whether it:
 - Has been prepared and submitted for examination by a qualifying body;

- Has been prepared for an area that has been properly designated;
- Meets the requirements that they must not include excluded development;
- Relates to one Neighbourhood Area; and
- Relates to the development and use of land.

1.6 Finally, as independent Examiner, I must make one of the following recommendations in relation to the Plan proceeding to a Referendum:

- a) that it should proceed to Referendum on the basis that it meets all legal requirements; or
- b) that, once modified to meet all relevant legal requirements, it should proceed to Referendum; or
- c) that it should not proceed to Referendum on the basis that it does not meet the relevant legal requirements.

1.7 Second, if recommending that the Plan should go forward to Referendum, I am also then required to consider whether or not the Referendum Area should extend beyond the Neighbourhood Designated Area to which the Plan relates.

The Examination process

1.8 I was formally appointed to examine the Neighbourhood Plan in July 2020 and commenced the examination in August. The default position is that neighbourhood plan examinations are conducted by written representations. I have completed the examination from the submitted material. I conducted an unaccompanied site visit. I submitted a draft of this report, for purely fact-checking purposes, on 7th September; the QB and LPA responded on 9th October.

The Examination documents

1.9 In addition to the legal and national policy framework and guidance (principally The Town and Country Planning Acts, Localism Act, Planning and Compulsory Purchase Act, Neighbourhood Planning Act and Regulations, the National Planning Policy Framework, Written Ministerial Statements and the Planning Practice Guidance) together with the development plan, the relevant documents that were furnished to me - and were identified on the Council's website as the neighbourhood plan and its supporting documentation for examination - were:

- Proposed Neighbourhood Plan;
- Map showing Tiptree Neighbourhood Plan Area;
- Basic Conditions Statement;
- Consultation Statement, with 44 appendices;
- Strategic Environmental Assessment Report and 3 appendices; plus Non-Technical Summary;
- Habitat Regulations Assessment Report;

together with:

- 64 responses received under Regulation 16 (referred to later; I was sent 65 but Historic England was listed twice).

1.10 At the time I was sent the representations the Council and Qualifying Body updated me on two matters: a) the current position on the emerging Local Plan (see later); and b) the results of two planning appeals. On 7th April 2020 the Secretary of State allowed an appeal by Gladman Developments for up to 200 dwellings (30% of which to be affordable) on land at Barbrook Lane, outside but adjacent to the eastern settlement boundary in the adopted plan. Subsequently, on 18th August 2020, an appeal by Bloor Homes for 255 dwellings on land off Maldon Road, also located outside of the settlement boundary, was dismissed.

The Qualifying Body and the Designated Area

1.11 Tiptree Parish Council is the Qualifying Body. Colchester Borough Council, as the local planning authority, designated the neighbourhood area in 2015. The Neighbourhood Plan area is contiguous with the boundary of Tiptree parish. The neighbourhood plan has been prepared by the Tiptree Neighbourhood Plan Steering Group under the umbrella of Tiptree Parish Council.

The Neighbourhood Plan Area

1.12 The plan area is focused on the village of Tiptree, which lies on the south facing slopes of the Tiptree ridge, close to the south-west boundary of Colchester Borough, some 15km from the town itself. The village has a long history – which has left its mark on the landscape - though it only really grew in the 1800s. It saw much post-war development as a GLC overspill location; today it has a population of over 9,000. There is a small, detached, cluster of houses, to the south-west, known as Tiptree Heath.

1.13 The plan notes that the village has a high number of key services and community facilities: three supermarkets, community centre, health centre and range of independent shops and cafes and restaurants. There are four primary schools and a secondary school, a leisure centre, a football training ground and four main employment areas, one being the eponymous jam factory. There are regular bus services from Colchester during the day; none by late evening.

1.14 The plan area contains a range of open and recreational spaces, wildlife sites – many of which are owned by the parish council - and Tiptree Heath. There are 23 listed buildings and a number of buildings of local interest.

2. Neighbourhood Plan preparation and public consultation

The Neighbourhood Development Plan

2.1 The document is well presented and easy to follow, comprising fifteen sections (with section 1 as the contents page). Sections 2-4 are introductory

and set the context; section 5 outlines the challenges for Tiptree, the vision for the plan area and the 31 objectives, spread across a number of topic areas. It also contains the Policies Map and a map of the plan's site allocations. These sections set the scene for the policy sections, which follow: Sections 6 to 14, which cover the plan's 17 policies; the final section deals with Non-Policy Actions, which are non-land use matters that the local community advocate. There are no appendices.

- 2.2 At the heart of the plan is the need to plan for 600 homes, arising from strategic policy in the development plan and the emerging local plan. The plan seeks to accommodate these homes on three sites – made up of two site allocations - located to the north and north-west of the village. These three sites are expected to accommodate a new Primary Street – a set of link roads, in a form of a by-pass - so that development can access main routes, taking traffic away from the village (to the A12 and nearby stations, in particular) and so minimising the impacts of traffic passing through the village centre. This is the plan's driving objective and shapes the spatial strategy of the neighbourhood plan. The settlement boundary is drawn around the village and these allocations.
- 2.3 The rest of the plan flows from this spatial strategy and deals with the other issues and challenges of the plan, such as local character and design, movement, the village centre, commercial activity, community infrastructure, the countryside and green spaces, and the historic environment.

Strategic Environmental Assessment (SEA)

- 2.4 The Basic Conditions Statement confirms that: "The Plan and the process under which it was made conforms to the SEA Directive (EU 2001/42/EC) and the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations). At an early stage in the development of the Neighbourhood Plan, it was agreed that an SEA would be needed. In May 2019, following a scoping exercise which took on board comments from the statutory bodies (the Environment Agency, Natural England and Historic England), a draft SEA report prepared by Colchester Borough Council was published. This accompanied the publication of the Pre-Submission (Regulation 14) Neighbourhood Plan. The draft SEA report demonstrated that, when considered against alternative options, the draft Neighbourhood Plan would have a number of positive effects and no negative effects. Some mitigation measures were recommended.
- 2.5 Following comments at Regulation 14 stage, the Neighbourhood Plan was amended. This included the mitigation measures recommended in the SEA. The SEA was reviewed and updated as necessary. The overall conclusion was the same, namely that the Tiptree Neighbourhood Plan would not be likely to have any significant environmental effects arising either individually or cumulatively.'

Appropriate Assessment

- 2.6 The Basic Conditions Statement confirms that: "Under Directive 92/43/EEC,

also known as the Habitats Directive, it must be ascertained whether the draft Plan is likely to breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017. Assessments under the regulations are known as Habitats Regulation Assessments ("HRA"). An appropriate assessment ("AA") is required only if the Plan is likely to have significant effects on a European protected species or site. To ascertain whether or not it is necessary to undertake an assessment, a screening process is followed.

2.7 An HRA Screening was undertaken by Colchester Borough Council in February 2020. This reflected consultation with Natural England. It was of the opinion that no planning policies within the Tiptree Neighbourhood Plan except policies TIP13 (Tower End) and TIP14 (Highlands Nursery and Elms Farm), which allocate sites for the development of 625 dwellings, will lead to any adverse effects and can be screened out of further assessment. Colchester Borough Council has separately carried out an appropriate assessment of the Emerging Local Plan (Section 2). This includes a detailed in-combination assessment, which considers the in-combination effects of the Section 2 Local Plan with other neighbourhood plans and other local plans across Essex, on Habitats sites. A Statement of Common Ground signed by Colchester Borough Council and Natural England confirms that Natural England agrees with the conclusion that the Section 2 Local Plan will not lead to adverse effects on the integrity of Habitats sites either alone or in-combination."

2.8 I have some concerns about the SEA, mainly in relation to its treatment of reasonable alternatives and the selection of sites, which I come on to in my Overview section elsewhere.

European Obligations - Human Rights

2.9 I have no reason to believe that making the plan would breach or is incompatible with the European Convention on Human Rights.

Plan period

2.10 The neighbourhood plan clearly states in the Vision (section 5), on the cover and elsewhere that it covers the period to 2033, which is co-terminus with the emerging Local Plan.

Excluded development

2.11 A neighbourhood plan cannot include policies for excluded development, such as minerals and waste. I have concluded that the plan does not do so.

One plan, one designated area

2.12 A neighbourhood plan can only cover one designated neighbourhood area. In this case the Policies Map clearly shows an "indicative route corridor" (elsewhere, as the "missing-link") across land in the adjoining parish. This is replicated on Maps 8.2 and 8.3, the latter being specifically cited in Policy

TIP07. This route is described in various ways in the plan, principally as a Primary Street; the intention being to eventually link up the new “primary streets” that form part of two of the housing sites (though treated as one allocation) in the north.

- 2.13 The plan notes in the supporting text – see page 29, for example – that “... *it is not possible to safeguard the route or plan development in the section of the north of the village that lies outside the parish boundary*”. It goes on to say that: “*Ultimately it is envisaged that this road will be completed by a Messingcum-Inworth Neighbourhood Plan or through the CBC Local Plan.*” I have not, however, seen any evidence that either the neighbouring parish council or the Borough Council have any intention of doing so.
- 2.14 Later, the text explains that: “*The completion of the link is seen as a long-term project which, at best, would come forward towards the end of the NP Plan period*”. Notwithstanding the tentative nature of some of these statements, as the route is shown on the Policies Map and cited in a policy it does not meet a legal requirement as it lies in an adjacent parish.

Non-Land Use Policies

- 2.15 A neighbourhood plan can only include policies that are concerned with the use or development of land. The plan does include, at section 15, under the title Non-Policy Actions, a table of “non-land use issues to be addressed”. The supporting text explains clearly that these are actions, which cannot be resolved by the neighbourhood plan policies. I am satisfied this approach meets the Basic Conditions.

Public consultation and responses to the submitted plan (Regulation 16)

- 2.16 The process of consultation involved a wide range of media and activities, supervised by the Steering Group. These included a website, newsletters and email contacts, Open and Community Consultation Exhibitions, advertising, community events, a Questionnaire, Youth and Schools Surveys and public meetings. The Consultation Statement sets out very fully – too fully given the sheer volume of material in the appendices – all the details of the activities and processes, including the consultation with businesses, local landowners, the local planning authority and other organisations, as well as the efforts to engage hard-to-reach groups.
- 2.17 The Consultation Statement itself is a commendable document. The appendices, however, are unnecessarily long – appendix 40 alone is over 700 pages - and is, in parts, quite impenetrable: one section was simply page after page of random comments with no narrative or explanation. Nevertheless, the document sets out in detail the consultation process followed at the Regulation 14 stage and how the Steering Group responded to representations.
- 2.18 Consultation on the submission version of the neighbourhood plan started to take place on 20th April 2020 for an intended 6-week period. However,

because of the Covid-19 situation, the consultation was withdrawn by the Council due to concerns about the lawfulness of involving the physical inspection of consultation documents. Following further Guidance in May, consultation on the neighbourhood plan recommenced, for a seven-week period, from 20 June to 10 August 2020.

- 2.19 A total of 64 parties made representations to the submitted plan: a significant proportion of the submissions came from local residents, both within the parish and from those in neighbouring areas. These were often concerned with the traffic impact of the scale and location of new developments: those within the village were concerned to avoid increased congestion and other impacts (pollution, noise, effects on heritage assets, for example), while those beyond the village objected to the plan, as they were very concerned about the impact of the extra traffic on routes to the A12, particularly the use of the B1023. I found all these representations illuminating and helpful. Two adjacent parish councils and a local planning authority also raised concerns, specifically about the impact of additional traffic in their area, in the absence of a suitable link to the A12.
- 2.20 A number of statutory consultees such as Historic England, the Forestry Commission and Sport England had no specific comments; though Anglia Water did have comments, as did Natural England, who was consulted on the SEA/HRA process, with some additional comments. Essex County Council had a range of comments, although no reference was made to the new primary streets, a matter I return to later. Colchester Borough Council made no representations.
- 2.21 There were some representations concerning omission sites; and some representations from developers or landowners in support of allocated sites, often with helpful comments on aspects of the policy they supported. A number of the representations submitted by developers outlined significant concerns about the spatial strategy, the SEA process - especially the appraisal of reasonable alternatives (or lack of it) - and the site selection process, all matters I return to later.

3. The Neighbourhood Plan in its planning context

i. National policies and advice

- 3.1 The neighbourhood plan must have regard to national policies and advice, contained in Ministerial Statements and guidance issued by the Secretary of State, and contribute to the achievement of sustainable development. Paragraph 16 of the National Planning Policy Framework (the Framework) sets the scene:

“Plans should:

- a) be prepared with the objective of contributing to the achievement of sustainable development;*
- b) be prepared positively, in a way that is aspirational but deliverable;*

- c) *be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;*
- d) *contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*
- e) *be accessible through the use of digital tools to assist public involvement and policy presentation; and*
- f) *serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant)."*

3.2 The Framework then explains, at para 29, in relation to neighbourhood planning that:

"Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in strategic policies for the area, or undermine those strategic policies."

3.3 In relation to achieving appropriate densities, the Framework includes the following, at para 122:

"Planning policies and decisions should support development that makes efficient use of land, taking into account:

- c) *the availability and capacity of infrastructure and services—both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;"*

3.4 Planning Policy Guidance includes guidance on the relationship of neighbourhood plans to emerging local plans (I've selected relevant parts to quote, given its length):

"Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its local plan (or, where applicable, a spatial development strategy is being prepared by an elected Mayor or combined authority).

.....

Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.

.....

Where a neighbourhood plan is brought forward before an up-to-date local plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- *the emerging neighbourhood plan*
- *the emerging local plan (or spatial development strategy)*
- *the adopted development plan*

with appropriate regard to national policy and guidance.

...

The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.”

[ID:41-009-20190509]

3.5 Also, Guidance explains that:

“Plans should be prepared positively, in a way that is aspirational but deliverable. Strategic policies in the local plan or spatial development strategy should set out the contributions expected from development. This should include the levels and types of affordable housing required, along with other infrastructure. Neighbourhood plans may also contain policies on the contributions expected from development, but these and any other requirements placed on development should accord with relevant strategic policies and not undermine the deliverability of the neighbourhood plan, local plan or spatial development strategy. Further guidance on viability is available.” [Reference ID: 41-005-20190509]

3.6 The plan must give sufficient clarity to enable a policy to do the development management job it is intended to do; or to have due regard to Guidance. For example, the Guidance explains that:

“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.” [Ref 41-041-20140306].

3.7 There has to be appropriate evidence to support particular policies, notwithstanding it may express a strong and well-intentioned aspiration or concern of the local community. The Guidance [Ref 41-040-20160211] states:

“While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order.

A local planning authority should share relevant evidence, including that gathered to support its own plan making, with a qualifying body

Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need.

In particular, where a qualifying body is attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making”.

3.8 The Guidance further explains what a neighbourhood plan should address:

“A neighbourhood plan should support the delivery of strategic policies set out in the local plan or spatial development strategy and should shape and direct development that is outside of those strategic policies (as outlined in paragraph 13 of the revised National Planning Policy Framework). Within this broad context, the specific planning topics that a neighbourhood plan covers is for the local community to determine.

A neighbourhood plan should, however, contain policies for the development and use of land. This is because, if successful at examination and referendum (or where the neighbourhood plan is updated by way of making a material modification to the plan and completes the relevant process), the neighbourhood plan becomes part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (see section 38(6) of the Planning and Compulsory Purchase Act 2004).

Wider community aspirations than those relating to the development and use of land, if set out as part of the plan, would need to be clearly identifiable (for example, set out in a companion document or annex), and it should be made clear in the document that they will not form part of the statutory development plan. (Paragraph: 004 Reference ID: 41-004-20190509. Revision date: 09 05 2019).

3.9 Also, in relation to Infrastructure considerations:

“A qualifying body may wish to consider what infrastructure needs to be provided in their neighbourhood area from the earliest stages of plan-making (as set out in paragraph 102 of the National Planning Policy Framework) alongside development such as homes, shops or offices. Infrastructure is needed to support development and ensure that a neighbourhood can grow in

a sustainable way.

The following may be important considerations for a qualifying body to consider when addressing infrastructure in a neighbourhood plan:

- *what additional infrastructure may be needed to enable development proposed in a neighbourhood plan to be delivered in a sustainable way*
- *how any additional infrastructure requirements might be delivered*
- *what impact the infrastructure requirements may have on the viability of a proposal in a draft neighbourhood plan and therefore its delivery*
- *what are the likely impacts of proposed site allocation options or policies on physical infrastructure and on the capacity of existing services, which could help shape decisions on the best site choices*

Qualifying bodies should engage infrastructure providers (eg utility companies, transport infrastructure providers and local health commissioners) in this process, advised by the local planning authority. (Paragraph: 045 Reference ID: 41-045-2019050. Revision date: 09 05 2019)

And: “What should a qualifying body do if it identifies a need for new or enhanced infrastructure?”

A qualifying body should set out and explain in their draft neighbourhood plan the prioritised infrastructure required to address the demands of the development identified in the plan”. (Paragraph: 046 Reference ID: 41-046-20140306)

- 3.10 The Basic Conditions Statement (BCS) sets out clearly how the parish considers the policies in the Neighbourhood Plan comply with the Basic Conditions and legal requirements, including EU Obligations. It explains how, in tabular form and in the narrative, the plan has regard to national policies, strategic policies of the development plan and how it contributes to sustainable development.

ii. Development Plan context

- 3.11 The neighbourhood plan must be in general conformity with the strategic policies of the development plan for the area. The development plan (excluding the County Minerals Plan) is comprised of the following:
- Colchester Core Strategy 2001-2021 (adopted 2008, with selected revisions in 2014);
 - Colchester Development Policies DPD 2001-2021 (adopted 2010 with a Tiptree Inset Proposals map); together with selected revisions in 2014);
 - Colchester Site Allocations DPD (adopted 2013); and
 - Tiptree Jam Factory DPD (adopted 2013).
- 3.12 The neighbourhood plan lists these on page 9 with little commentary or application to the strategic context of the plan; though it notes that until the

emerging plan is adopted it is “*Colchester’s Local Development Framework [which] should be consulted as a guide to future growth and development ... up to 2021.*” The plan makes it clear, on page 8, in referencing Policy SS14 of the emerging Colchester Local Plan, that it is the emerging plan “*upon which this Neighbourhood Plan is based*”.

- 3.13 The Core Strategy plans to accommodate some 1600 homes in the three main district settlements, which includes Tiptree. Tiptree, as the largest of the three (and the others being coastal) was projected to accommodate 680 new homes, including some that had already been completed or permitted (at the time). Key facilities to be delivered included a new health centre, expansion of a primary school, new sports pitches and allotments.
- 3.14 The Site Allocations DPD planned for a number of small sites (Policy SA TIP1) and highway capacity and safety improvements to match (Policy SA TIP2). Additional employment land (1.04ha) was allocated and other open space and recreation facilities planned for.
- 3.15 The settlement boundary in the 2010 Tiptree Inset Proposals Map was drawn fairly tightly around the village, while allowing space for development in the vicinity of the secondary school in the north-east and the football-training centre in the north-west. The Jam Factory’s land to the south was mostly excluded but Tiptree Heath was included (as a detached area).

iii. Emerging Local Plan

- 3.16 The emerging Local Plan 2013-2033 was submitted for examination in October 2017. The plan is in two parts: Section 1 is a strategic section that is shared with two neighbouring Essex Councils. Section 2 applies only to Colchester. Hearing sessions took place on Section 1 in January and May 2018; progress on the examination was halted after the Inspector requested further work to be undertaken. Following consultations further examination hearings took place in January 2020. The Inspector came to conclusions in July this year offering two options to the north Essex Councils; they duly accepted the removal of two new communities and main modifications are being consulted on, closing 9th October 2020.
- 3.17 Colchester BC and the other two Councils reviewed the population projections at this time. In relation to Colchester, it was concluded that there was no meaningful change in the housing targets. Examination of Section 2 of the plan can commence when Section 1 is concluded; examiners have been appointed.
- 3.18 The emerging local plan contains a specific section on Tiptree: 14.215 - 14.221. It identifies the village as a District Centre and its available services and facilities. It notes a number of constraints, which limit the amount of land available for growth: to the south, east and north-east; also the areas in Flood Zone 2 and the Tiptree Heath SSS1. It states that Tiptree will accommodate 600 new homes and notes that the neighbourhood plan will allocate final site boundaries.

- 3.19 The strategic policy for Tiptree - SS14: Tiptree - is designed to guide the neighbourhood plan. The draft policy is accompanied by the Tiptree Policies Map, which indicates “broad areas of growth”. I understand that there are errors, in that the correct Local Wildlife Sites (LWS) are not shown. The “broad areas of growth” are shown by arrows indicating that expansion of Tiptree is anticipated to the west and north-west of the village.
- 3.20 Policy SS14 explains that within the broad areas of growth the Tiptree Neighbourhood Plan will (in summary):
- I. Define the extent of a new settlement boundary;
 - II. Allocate specific sites for 600 homes;
 - III. Set associated policies for housing delivery (densities, mix, types);
 - IV. The same for delivery of infrastructure and community facilities;
 - V. Consider strategic cross-boundary issues, eg A12 junction improvements; and
 - VI. Identify other allocations in the parish, including employment and open space.
- 3.21 The policy goes on to state that development outside the boundary will not be supported. The policies map that accompanies the policy shows a new settlement boundary, which is very similar to the adopted Inset Map except for the area around the secondary school and Tiptree Heath, which are removed; while expansion land south of the Jam Factory is added.
- 3.22 Policy SS14 also states that it should be read in conjunction with generic neighbourhood plan policy SG8 and SG3 (economic growth provision). The emerging plan identifies four Local Economic Areas in Tiptree (Policy SG4); it also ranks the centre as a District Centre (SG5).
- 3.23 These requirements are broadly carried forward into the neighbourhood plan. A significant difference to the emerging local plan is that the neighbourhood plan shows some housing being developed mainly to the north (Elms Farm, part of TIP 14) where it was not anticipated; while a substantial area of growth is also shown in the north-west (Highland Nursery and Tower End), much as anticipated, planned as two sites within Policies TIP13 and TIP 14. At the same time the football-training centre is removed from within the adopted and emerging plans’ boundaries. The plan does not directly consider limb (v), which concerns “strategic cross-boundary issues, eg A12 junction improvements”, although the issue is very much at the heart of many local concerns and the subject of Policy TIP07, in particular, and non-policy actions.

4. Overview

- 4.1 The neighbourhood plan has been prepared in parallel with the emerging local plan, though now finds itself proceeding in advance of it. This does not affect its approach, rather it provides an opportunity for the local community to shape the distribution of new housing by allocating the housing sites of their choosing, based on their understanding of local needs. This kind of opportunity lies, of course, at the heart of neighbourhood planning; E.g.

Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan [Framework para 29].

- 4.2 The neighbourhood plan does accommodate the strategic objective of 600 homes and is quite clear about where they are to be located – to the north and north-west of the village - so that these developments, alongside existing areas, can access main routes (to the A12 and nearby stations, for example) and so minimise the impacts of traffic passing through the village centre and key pinch-points. This is the plan’s driving theme and shapes the spatial strategy of the neighbourhood plan. The settlement boundary is then drawn around the village and these allocations.
- 4.3 The key question is whether the process of selecting the preferred spatial strategy - and the option appraisals and site selection process, including the environmental assessment process that goes with it - supports the plan-makers approach. I am not convinced it does. The plan itself offers no convincing (certainly not robust and proportionate) evidence – or a cross-reference to the any source – as to why the plan adopts the spatial strategy it does. It is not to be found in section 6, Spatial Strategy. I cannot see within the submitted neighbourhood plan *itself* why the spatial strategy diverges, albeit to some degree, from the emerging local plan’s “broad areas of growth”; though the LWS error is part of the explanation and some of the answers are to be found in Section 12. Otherwise, the reader has to scour the pages of the voluminous Consultation Statement and its appendices, as well as the SEA, for the answers.
- 4.4 The neighbourhood plan’s Objective 12 [To focus development in the north and west of the village where access to main routes will minimise the impacts on the village centre] and its twin Objective 14, which drive the preferred option and site allocations, are primarily derived from the consultation process - see second para on page 28 (in section 8, Traffic and Movement), for example. It is based on a chosen solution to local concerns about congestion on various routes and through certain junctions in the village centre, especially through Church Road.
- 4.5 Given the pivotal nature of these objectives, it would be necessary, in my view, for them to be underpinned by proportionate and robust evidence, such as a technical appraisal of current conditions and an assessment of the impact of different spatial options on the roads and junctions in question. The early (Regulation 14 stage) advice from County Highways was to carry out modeling to test the proposed solution. But no such exercise was carried out, for reasons that become clear later; and there is no empirical evidence available to support the preferred approach – and the new routes in particular - being necessary.
- 4.6 The Strategic Environmental Assessment (SEA) has to consider reasonable alternatives. On page 30 it explains, under the heading Strategic Alternatives, that: “*Alternatives that conflict with the plan objectives or are unlikely to be*

delivered are not reasonable alternatives.” Thus, any option in opposition to Objectives 12/14, or indeed any other objective, seems to be set up to fail. In relation to the plan’s first policy, Policy TIP01 – the Spatial Strategy section but in practice only dealing with the new settlement boundary - the SEA concludes that (top of page 31) that: *“There are no reasonable alternatives as this policy looks at the principles of promoting sustainable development and meeting the needs of the parish within the plan period, including meeting the plan period objective: to define clearly a revised settlement boundary for Tiptree”*. This is said despite a different option being presented in the emerging local plan – notwithstanding the LWS errors - on which the neighbourhood plan is based.

- 4.7 The section of the SEA, which deals with the main site allocations – TIP13 and TIP14, reaches a similar conclusion (see bottom of page 34): *“There are no reasonable alternatives as this policy looks at the principles of promoting sustainable development and meeting plan objectives: to provide access routes to new estates that avoids congestion, and to avoid increased congestion on existing roads and junctions in and around Tiptree by steering development to the north and west of the village.”* Again, this is despite the emerging local plan offering a different and – notwithstanding the LWS errors – a potentially reasonable alternative.
- 4.8 The SEA explains how the 71 sites from the Tiptree SHLAA were processed (page 48). The text explains (second para) that: *“The scores in the appraisals in appendix 3 show little difference between sites in terms of their impact on SEA objectives”*. It goes on to explain (penultimate sentence of third para) that: *“There was an expressed desire by the community to site development to the north and north west to give easy access to the A12 and to avoid increasing traffic on Church Road.”* The SEA in the following para (top of page 49) explains that: *“It is the role of the plan-maker to come to a view as to the balance between the effects identified and decide which sites to allocate in the neighbourhood plan, taking into account the findings of the SEA and other evidence.”* The sites selected are therefore those that primarily meet Objectives 12/14, as the scores of individual sites are said to show little difference. It is not clear what the “other evidence” might be.
- 4.9 A number of objectors took issue with the scoring process. They criticised the scoring for being too simplistic; also they pointed out inaccuracies (Kler Group for example), inconsistencies with both available evidence (for example, in a planning application, where issues had been resolved) or where relevant features, such as a nearby heritage asset had not been sufficiently taken into account. I share some of these concerns, though I do not regard them as undermining the SEA process. It was also claimed that there had been no consultation on the SEA itself. This was not the case.
- 4.10 The early choice of sites in the north and west came together with the desire for a series of link roads to be provided across the northern area, as part of those sites. But to join them up a “missing link” was included on land between two of the sites, beyond the boundary of the designated area, in another parish and so outside the scope, legally, of this neighbourhood plan.

5. Conclusions on core issues

- 5.1 It is entirely within the spirit and scope of neighbourhood planning for local plan-makers to reach their own conclusions as to where new development should be best located, within the strategic context, notwithstanding an emerging local plan taking, to a degree, a different spatial approach. But it has to be supported by the SEA process, as well as robust and proportionate evidence. While consultation responses are an important element in shaping the spatial strategy I am not persuaded they should have been so determinative in this case. The SEA process should not be a slave to the plan-maker's objectives (and especially 12 and 14) where there are reasonable alternatives available.
- 5.2 Overall, I find the dominating reliance on community objectives within the SEA process, without proportionate and robust evidence¹ to support the spatial strategy, to be flawed. Therefore, coupled with the inclusion of a route across land in an adjoining parish, I **conclude** that the plan does not meet the Basic Conditions or the legal requirements.
- 5.3 In the case, as here, where a neighbourhood plan is being brought forward before an up-to-date local plan is in place, the Guidance advises the qualifying body and the local planning authority (LPA) to discuss and aim to agree the relationship between policies in both plans, as it is important to minimise any conflicts between policies in both – see my quotes at para 3.4. In the absence of any representation from the local planning authority on the neighbourhood plan at Regulation 16 stage it is not possible for me to understand the degree to which the LPA has agreed the approach taken in the neighbourhood plan, for example, whether the “broad areas of growth” are considered strategic. However, in their Reg 14 representations, the Borough Council did not take issue with the spatial strategy or the settlement boundary and I conclude that the LPA considers the neighbourhood plan to broadly conform with strategic policy.
- 5.4 I am **recommending** that the plan does not proceed to referendum. However, it may help the parish council's plan-makers and the Borough Council if I consider, albeit more briefly than I would otherwise, whether the policies in the submitted plan meet the Basic Conditions, to assist in undertaking a review of the work undertaken to date and the preparation of a new plan.

6. Spatial strategy

- 6.1 The spatial strategy section does not deal with the spatial strategy. It is not explained in this section; nor are the six objectives noted necessarily the ones that seem to drive the object of Policy **TIP01**: Tiptree Settlement Boundaries. The main place one finds the essence of the plan's spatial strategy is on page

¹ That is, provided to me as part of the material submitted for examination, as listed in my para 1.9. It is not for me to go searching for other material in order to identify the relevant evidence myself. That it may exist on the parish or borough council website is not sufficient to enable me to make the link between a policy or proposal and its evidential support.

35, in section 12 (Site Allocations). This supporting text would more helpfully be transferred to introduce the strategy in section 6.

- 6.2 The supporting text in section 12 explains the need for a new settlement boundary and outlines the site assessment process, such as it was. The text explains (penultimate sentence, second para, page 35) that: *“As a result of the SHLAA process [undertaken in 2017] 42 sites around the entire Neighbourhood plan area were taken forward for further consideration. The final selection of sites has been informed by the SHLAA process alongside vision and objectives of the Neighbourhood Plan which have been derived from the community consultation exercise.”* The third paragraph in the supporting text (p 35) goes on to explain that two areas were selected for development; later [fourth para] the siting in the north was explained to be driven by the ability to access major routes, particularly the A12 without exacerbating traffic conditions on Church Road.
- 6.3 This is supported by a parish council document – Tiptree Site Selection Process - annexed to the representations by Bloor Homes. This document was not submitted as part of the Reg 16 submission material – and see footnote 1. This [undated] document outlines the site selection process that took place, in around 2017, that *“...led to the final selection of development sites to be put forward in the Neighbourhood Plan.”* This document explains (second para, page 2) that: *“At a meeting of the NP steering group together with the “Routes Group” and the “SHLAA Group” in March 2018 the NP objective to build in the north and north-west was considered together the availability of sites and the possibility of improving traffic flow around the village. As a consequence the embryonic NP “emerged””.*
- 6.4 A number of points emerge from this: i. that the choice of locating new development in the north and north-west was made early in the plan’s progress, around late 2017 and early 2018; ii, that the SHLAA and consultation processes were the main influences; and iii, that the SEA was not part of the process at that stage – that would come later. Bloor Homes made the point that: *“Both Heard and Stonegate [cases] confirm the need to avoid the premature fixing of a particular strategy without proper consideration of alternatives”* (para 3.14). Gittins, in his representations, points out that *“... a principal plan objective emerged at an early stage ...”*. I agree with these observations and have concluded that it is more than likely that there has been a premature fixing of the spatial strategy.
- 6.5 Policy **TIP01** defines the new settlement boundary, as shown on the Tiptree Policies Map. Given my comments earlier on the spatial strategy, the effect is that the settlement boundary is the outcome of the strategy rather than being part of shaping it: It is simply the boundary around the village, taking into account the chosen site allocations. There is no specific appraisal identified to justify the boundary. Leaving aside the omission of Tiptree Heath – which is not physically part of the village and which the emerging local plan omits too - there is one exception: the extension in the south on Jam Factory land.
- 6.6 Colchester Football Club pointed out that the boundary *“... should not be used*

to intentionally “de-allocate” exiting local plan designations, or to seek to reverse planning policies and proposals which are in compliance with national and local plan policy, for sites such as Florence Park...”. I disagree; it is well within the remit of a neighbourhood plan to review the boundary and, in this case, the emerging local plan specifically tasks the neighbourhood plan (at SS14 i) with defining it.

- 6.7 The policy text sets out the local exceptions to development beyond the boundary. These will need to be justified; Essex County points out that the list of developments it refers to should be within the settlement boundary not outside it. An alternative approach, which would also avoid duplication, is to rely on the local plan’s countryside policies.
- 6.8 The boundary itself needs to be derived from a clear spatial strategy and based on sufficiently robust spatial option appraisals, including consideration of reasonable alternatives, together with appropriate site assessments, to meet the Basic Conditions. The County Council (as Minerals and Waste Planning Authority) suggests that the plan should point out that any limits placed on development through the policy cannot act to constrain minerals and/or waste development. And, as Lead Local Flood Authority (LLFA) they noted that the plan “... *contains limited information about flood risk*”. They advise the inclusion of some text (see p 5 of their reps) which I would support, to meet the Basic Conditions.
- 6.9 The spatial strategy – and thus the future settlement boundary – in any new neighbourhood plan will also need to take into account the Barbrook Lane scheme, now approved on appeal; that was a contentious development. In framing a new spatial strategy it is clear that the strategic housing target of 600 is unaffected; the development simply reduces the total by up to 200 homes.

7. Homes and Housing

- 7.1 The first policy – **TIP02**: Good Quality Design - seeks to secure high standards of design and for new development to reflect the village character and feel. It is reasonably well argued and incorporates outcomes from the local consultation process. There was local support; Maldon DC also supported these policies.
- 7.2 Policy **TIP03**: Residential car parking is designed to ensure that sufficient off-road parking is available within new developments; and mainly on drives, parking courts or car ports, in preference to garages, with the aim of maintaining an orderly streetscape. It seeks to exceed the standards for larger homes, which results in higher on-site provision. The basis for this approach was a higher percentage of cars per dwelling.
- 7.3 A number of parties objected to this departure – though not the County Highway Authority - from Essex Parking Standards, which are designed to promote sustainable development. To go against these, simply on the basis of higher local car ownership, would not promote sustainable development and

not meet the Basic Conditions.

- 7.4 The next policy – **TIP04**: Building for Life - seeks to promote buildings for life in major developments. While referenced in para 15.54 of the emerging Local Plan, there is no corresponding policy.
- 7.5 The final policy in this section – **TIP05**: Dwelling Mix – seeks to deal with a historic over-provision of larger dwellings and to meet identified future needs. The plan acknowledges that this policy will be superseded, by Policy DM10 in the emerging Local Plan.
- 7.6 This section of the neighbourhood plan ends with a few paragraphs on Affordable Housing but no policy. This reads more like advocacy and I would recommend that it be moved to section 15.

8. Traffic and Movement

- 8.1 This section gets to the heart of the plan, with two policies: one dealing with sustainable movement (and routes) while the other with traffic mitigation and introduces the new primary streets. A range of objectives are cited, including Objective 14, which is almost identical to Objective 12, in focusing development in the north and west of the village to avoid increased congestion on existing roads and junctions.
- 8.2 The first part of this section, under the heading of Sustainable Movement, seeks to balance the needs of those accessing services in the village with the issue of provision of improved access to the A12 and improved links to neighbouring towns and railway stations. The text references Map 8.1 as showing the *“main pedestrian routes and destinations which new developments would be expected to link with”* but it doesn’t actually do this. It would be very helpful for the map to do this so that the context for both policies is clear.
- 8.3 Policy **TIP06**: Cycling, walking and disability routes is in five parts, A-E. Each deals with issues that have arisen from the public consultation process. County Highways, in relation to A, point out they generally favour shared footways/cycleways. More generally, they recommend the plan includes more information on Travel Planning. Maldon Council supports the policy.
- 8.4 The second part of this section deals with Vehicular Traffic Movement. A major concern of the plan is congestion in the village. The plan explains that *“...to avoid congestion it is necessary to ensure the smooth flow of traffic along the main roads passing through the village and, where possible, to provide alternative routes to reduce traffic using any one road. For these reasons the plan seeks to avoid increasing traffic flow on the B1022 and B1023, especially through Church Road.”* The next paragraph explains: *“In response to community consultation this plan has placed future development in the north and north-west of the village so that future residents in these areas can access the A12 and major routes without passing through Church Road.”* That paragraph goes on to explain the alternative links [elsewhere

referred to as primary streets] to achieve this, illustrated on Map 8.2, which shows the three main housing sites, their capacities and the sections of link roads that each is expected to accommodate. Indicative new junctions with the road network are shown.

- 8.5 Neighbouring parishes took issue with this approach, as did quite a number of residents to the north of Tiptree, making the point that concentrating development on the selected sites would put intolerable pressure on the B1023, which is inadequately configured to accommodate it. Feering Parish Council regards it as “overstretched” with congestion problems that would be further compounded by other developments. They concluded by saying they *“... consider that there has been a lack of engagement with Feering Parish Council, particularly with regards to transport ...”*.
- 8.6 Messing-cum-Inworth Parish Council makes much the same point. They say that *“... using the B1023 as the main access route for the additional homes planned for Tiptree is flawed, as the road, due to its size and nature is not fit for purpose nor can it be improved to be so.”* They set out their own aims for Inworth *“... to ease the dangerous traffic flow already taking place...”*. They request a meeting *“... to see if common ground can be found on this important matter.”* It is concerning that, by the Reg 16 stage, neighbouring parish councils should feel such a lack of engagement. Maldon DC also objected to the scale of additional housing, which *“ ... will impact on traffic flows, through and around the village, especially the routes to the A12.”* All these concerns were echoed by many residents from the neighbouring areas.
- 8.7 The plan’s supporting text explains (page 29) that *“... it is considered prudent to continue the above mentioned “alternative route” across north of the village...”*. The route, across land outside the parish and designated area, is shown dotted on Maps 8.2 and 8.3. I have dealt with this particular point earlier, in my Overview, in that a neighbourhood plan cannot lawfully include proposals beyond the designated area.
- 8.8 In the Overview section I referred to issues with the “primary street”. I must say I find County Highway’s contribution on this topic puzzling. It seems that at a meeting with the parish before the Regulation 14 stage, the County was supportive of the plan’s approach; then in response to the Reg 14 version they effectively objected, suggesting modeling was required to support the routes; then later, at a further meeting, they decided that they were content with the approach being taken in the plan, provided Transport Assessments were carried out at the planning application stage to justify it. It is this view that is reproduced in the penultimate paragraph on page 35 (dealing with the Site Allocations). By Regulation 16 they had no comments at all. The requirement to submit Transport Assessments found its way into limb C of Policy TIP12: Comprehensive Development.
- 8.9 The parish council took the understandable view that if the County was leaving justification of their approach – and, by implication, the routes shown on the Maps - to the planning application stage they did not need to do any more work on it. But the Framework makes it clear that it is for the plan-

makers to support their proposals with robust and proportionate evidence, notwithstanding the County's change of mind. Even one of the promoters of an allocated site – Marden Homes, supporting TIP13 – considered the plan's approach to be outside the scope of a Transport Assessment. They commented (par 4.8): *"In safeguarding land for a link road, the NP should be supported by sufficient evidence to demonstrate that this is necessary and will alleviate existing congestion."*

- 8.10 And, at para 4.12, Marden concluded: *"We consider that these are matters that should already have been addressed within the NP and that they are not for individual planning applications to consider."* Bloor Homes (para 3.23 of their reps,) concluded that *"... there is no evidence to suggest that the proposed link road is needed, would be of benefit, is deliverable, or represents the optimum route for a new link road."* I wholly agree with the points made by Bloor and Marden. Consequently, Policy **TIP07** (I come to TIP12 later), fails the Basic Conditions.

9. Tiptree Village Centre

- 9.1 The plan seeks to support the attractiveness of the village centre, to see the variety of shops increase, also for eating and drinking, while encouraging additional car parking for visitors. Two policies are included to achieve this: **TIP08**, concerning existing businesses; and **TIP09**, dealing with new developments. The uses listed need to be evidenced.

10. Commercial Activity

- 10.1 This section, comprising one policy, seeks to protect existing employment land and to provide additional employment land in line with Policy SG4 of the emerging Local Plan. Policy **TIP10**: Business Development effectively allocates 1.5ha of employment land as part of one of the site allocations TIP14. It does not deal with protecting existing employment land, as TIP08 covers businesses in the village centre. It is presumed that the emerging Local Plan covers the four designated Local Employment Areas in the neighbourhood plan area.
- 10.2 The policy itself will require review: The Use Classes Order has just undergone significant change; and the requirement for 0.6ha of the allocation needs to be supported by sufficient evidence. It would be better for this section to focus on employment land like the local plan.

11. Community Infrastructure

- 11.1 The section on community infrastructure seeks to protect a range of facilities as well as plan for the integration of three needs, identified in a Leisure and Play Facilities' Audit, two of which are picked up in the policy (a LEAP and a MUGA), which are then identified to be provided as part of two site allocations (one each). The supporting text identifies nine community projects the parish council would like to see, seven of which find their way into the policy. These lists have arisen through the community questionnaire and are defined as

needs; though in the supporting text they are described as “aspirations”.

- 11.2 The policy – **TIP11: Planning Obligations** - only deals with new provision, not protection. It encompasses a mix of evidenced needs and un-evidenced aspirations, the latter without explaining the disparity between the lists. It is also not clear why play facilities are to be provided as part of the sites identified; no evidence is provided.
- 11.3 To meet the Basic Conditions this policy will need a complete overhaul. The projects need to be supported by proportionate and robust evidence, as do the locations of the new play facilities. The relevant site allocations, which include them, then need to be deliverable.

12. Site Allocations

- 12.1 This section is not supported by any Objectives; though, given the central role these policies play in the plan, in one sense, all or most of the objectives apply. The supporting text, as I demonstrated in relation to section 6, is mainly concerned with the spatial strategy and the rationale for the allocated sites; I have dealt with the “missing link” under TIP07, which it also explains. I won’t repeat all that here. The section has three policies; TIP12, which seeks to secure a comprehensive approach to the development of the site allocations; while TIP13 and TIP14 deal with the site allocations themselves (with the latter covering two detached sites on the north, linked by a “primary street”).
- 12.2 Between them the three sites have the capacity to deliver at least the required 600 homes. The supporting text explains (bottom of page 35) that this scale is “... *sufficient to ensure the viability of the planning gains required of developers* ...”. From Map 8.2 they are planned to deliver some 625 homes, based on the following capacities:
- TIP13: Tower End – 175 homes, in two parts (25 and 150 homes);
 - TIP14: Highland Nursery – 225 homes
 - TIP14: Elm Farm – 225 homes
- 12.3 Policy **TIP12: Comprehensive Development** is in three parts, A-C. Part A requires development on the allocated sites to be supported by overarching masterplans. Part B, that these will set out general design principles, demonstrating the neighbourhood plan’s aspirations; Part C requires each planning application to be accompanied by a Transport Assessment, as explained earlier in the report.
- 12.4 The only rationale for linking three different sites, in different ownerships, is the desired road links. Although the County Highway Authority point out that these allocations “... *represent a rare opportunity to the parish council to secure the required bus service*...”. This is a point well made and complements their comments at Reg 14 stage, which encourage the role of sustainable travel.
- 12.5 As the neighbourhood plan cannot involve land outside its designated area,

any links will have to be related to sites within the plan area; and the work needs to be done to show they are necessary. If that work shows that there are routes through or between sites - that need to be safeguarded - then the policy can simply secure that. I see no justification for more than that, as there is no other overarching connection between the sites, say in landscape, design or other terms, that cannot be covered through individual allocations. Marden Homes, in supporting an allocation, made the point that, as different landowners are involved in all three sites, the policy would place an unreasonable burden on the process and it was unnecessary anyway. I agree.

- 12.6 Policy **TIP13**: Tower End allocates the site for 175 homes and sets out nine requirements, all of which need to be met. Given the need for a re-think of the whole plan, these requirements will also necessarily require review as to their necessity and viability. At the Reg 14 strategy the Borough Council took the view that this policy was in conflict with both the adopted Core Strategy and emerging Local plan as part of the allocation is for a Gypsy & Traveller (SAH2) and as Local Economic Area. This conflict is resolved in the Tower End text and the policy in sub-para vii.
- 12.7 Policy **TIP14**: Highland Nursery and Elms Farm combines two sites into a single site allocation. It is in three parts: A deals with criteria that both sites need to meet; B and C cover the two sites separately. Each of B and C include a range of detailed site requirements to be met. As the only connection is the “missing link” there is no need to combine the sites into one policy. Again, given the need for a re-think of the whole plan, these site allocations and their requirements will also necessarily require review as to their necessity and viability, which needs to be evidenced, notwithstanding promoter support.

13 Countryside and Green Spaces

- 13.1 There are two policies in this section; the first, TIP15, covers the title of the policy and the other, TIP16, recreational disturbance. The supporting text to Policy TIP15 identifies three broad groups of open spaces: those owned or managed by the parish Council (five); the designated Local Wildlife Sites in the plan area (nine in all, which are classified by the Borough Council) and Tiptree Heath. The supporting text explains that the green spaces and designated wildlife sites in Tiptree are shown on Map 13.1, though the source of the data is not given. This shows three groups: a) Green spaces with public access – including Tiptree Heath plus a number of others, at quite a small scale; b) Local Wildlife Sites; and c) Private Green Space – only the football training ground is shown.
- 13.2 These spaces are covered by the protection given by Policy **TIP15**; the policy is supported by the County Council. However, to be effective, there needs to be evidence to support the designation of each category of site; and the smaller sites would benefit from larger scale mapping. The policy is in four parts; part D, however, seeks to ensure that new public green spaces created as part of development be transferred to the Parish Council or if that is not

possible them to an alternative body. This is not a land use policy and so I would recommend it be transferred to section 15, as something the parish council advocates.

13.3 The County Council suggests that the plan takes into consideration a policy to ensure connectivity of all green infrastructure (see pages 6/7 of their reps). They also point out that TIP13 and 14 should seek biodiversity gains _ I presume more that at 13 iv and 14 iii - as required by the Framework at para 175. I agree, this would meet the Basic conditions.

13.4 Tiptree is within the Essex Coast Recreational disturbance Avoidance and Mitigation Area (RAMS), which is a strategic solution to protect the Essex coast from the recreational pressures of a growing population, especially on ground nesting birds. Policy **TIP16** supports the strategic policy. Natural England comments that, to comply with the Framework at paras 170 and 174, the plan needs to take on board the hierarchy of designated sites and suggests appropriate text. Again, I agree; it would meet the Basic Conditions.

14 The Historic Environment

14.1 There is only one policy. It is not necessary as it duplicates the legislation, the Framework and development plan policy.

15. Non-Policy Actions

15.1 The neighbourhood plan includes non-land use policy matters that the parish council wishes to see addressed. Their inclusion in the manner presented complies with the Guidance on this.

16. Other matters

16.1 The plan needs to function as an easily referenceable development plan document, to meet the Basic Conditions. As such, I recommend that each paragraph within each chapter follows a clear and consistent numbering order (such as 1. Introduction; 1.1 first paragraph etc). Sub-headings don't normally need numbering unless it's appropriate to do so. It is not necessary to number the contents page. Mapping of smaller sites needs to be accommodated for legibility, at a larger scale, possibly in an appendix, and suitably cross-referenced in the policy and supporting text, where appropriate.

17. Referendum Area

17.1 The Planning Practice Guidance on the Independent Examination explains:

"It may be appropriate to extend the referendum area beyond the neighbourhood area, for example where the scale or nature of the proposals in the draft neighbourhood plan or Order are such that they will have a substantial, direct and demonstrable impact beyond the neighbourhood area."
Reference: 41-059-20140306

- 17.2 There are formal development site allocations in this neighbourhood plan on the border with the adjoining parish. The plan also has a proposed route shown across land in that parish – the “missing-link”. In my view the nature and scale of what is proposed in the plan would indeed *have a substantial, direct and demonstrable impact beyond the neighbourhood area*. I would have recommended, if the plan were proceeding to referendum, that the Referendum Area be extended beyond the designated neighbourhood area to include all or part of Messing-cum-Inworth parish.

18. Conclusions and recommendations

- 18.1 Overall, from my examination of the submitted Tiptree Neighbourhood Plan, together with the submitted supporting documents, including having regard to all the representations made, I have concluded that the neighborhood plan will not meet the Basic Conditions nor the legal requirements. I have set out my findings, drawn from my considerations in my report, in the Summary on page 3.
- 18.2 In conclusion, I **recommend** that the Tiptree Neighbourhood Plan should NOT proceed to referendum.
- 18.3 Finally, my thanks to both the Borough Council and the Parish Council for their assistance in undertaking the examination.

John Parmiter FRICS MRTPI

9 October 2020

Independent Examiner

www.johnparmiter.com

Tiptree Neighbourhood Plan – Joint Examination Response – December 2020

Overview

This note has been prepared jointly between Colchester Borough Council and Tiptree Parish Council to accompany the Examiner's Report into the Tiptree Neighbourhood Plan. Although the Decision Statement published with the Report, confirms the acceptance of the recommendation of the Examiner not to proceed to Referendum for a number of reasons, there are elements within the report which both CBC and TPC consider to be important.

Following the Regulation 16 Consultation of the Tiptree Neighbourhood Plan in Summer 2020, John Parmiter FRICS MRTPI, an independently appointed examiner, commenced examination of the Tiptree Neighbourhood Plan in August 2020. The Examiner issued his report on 9 October 2020, recommending that the Neighbourhood Plan (NP) could not proceed to referendum. Colchester Borough Council (CBC) and Tiptree Parish Council (TPC) are both extremely disappointed with this outcome.

Despite this, both CBC and TPC remain committed to progressing the Tiptree Neighbourhood Plan and will continue to work in partnership as the plan making process resumes at the Regulation 14 stage.

Key Issues

Prior to publication of his report, a fact-checking exercise led to the examiner revising his conclusions. Nevertheless, CBC and TPC remain concerned that the Examiner's Report, may appear to be inconsistent in places and it is unclear what the Examiner's views are. As the Examiner's Report will be a material evidence document in future plan making for both the Section 2 Emerging Local Plan Examination and future iterations of the Tiptree Neighbourhood Plan; we consider it fundamental to identify these inconsistencies from the outset and our joint response.

The main issues identified in the Examiner's Report are:

1. Availability and reference to evidence for the spatial strategy;
2. The Strategic Environmental Assessment (SEA) and consideration of alternatives; and
3. The apparent conflict between the Tiptree Neighbourhood Plan and Section 2 Emerging Local Plan.

Availability and reference to evidence for the spatial strategy

Paragraph 5.2 of the Examiner's report states *'Overall, I find the dominating reliance on community objectives within the SEA process, without proportionate and robust*

evidence to support the spatial strategy, to be flawed.' This statement is supported by a footnote that suggests the evidence does exist but was not provided by the Qualifying Body (QB) in its submission material.

Unfortunately, there appears to be confusion, or a different interpretation, between the submission of documents to the Local Planning Authority (LPA), as per Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 and submission of documents to the Examiner.

The Neighbourhood Planning Regulations list the submission documents as:

- Proposed Neighbourhood Plan;
- Designation Area Map;
- Consultation Statement; and
- Basic Conditions Statement

In addition to the submission documents listed above, evidence base documents will be also be prepared to support, justify and inform the policies, allocations and spatial strategy of the NP. Further assessments may also be required by EU regulations such as the Strategic Environment Assessment, Habitats Regulations Assessment and/or Appropriate Assessment. This was the case for the Tiptree Neighbourhood Plan. The Examiner's approach in the Tiptree examination was to only considered the submission documents (as listed in his report paragraph 1.9) excluding all evidence base documents.

Despite the efforts of CBC and TPC, although the Examiner has accepted the spatial strategy evidence base document exists (Site Selection Process Report) and was provided to the LPA as a submission document but he has not considered this and other evidence base documents within the Examination, as these were not considered to have been submitted to the Examiner.

Historically, CBC have hosted the submission documents on the Councils Neighbourhood Planning Webpages and the relevant Parish Council have hosted the Evidence Base Documents. This was also the approach taken for the Tiptree Neighbourhood Plan. The Examiners in the past have not made any distinction between the evidence base and submission documents being hosted separately.

Unfortunately, no opportunity was given to the parties to address this during the course of the Examination. In our opinion, this is a very harsh approach and in order to prevent this issue arising in future, we will agree with the relevant Examiner for any NP the publication of both the submission and evidence base documents.

This issue is also identified elsewhere in the report. Paragraph 4.3 where the Examiner states the evidence is only missing from the plan *itself*, implying that the Examiner has considered the Site Selection Process Report and other supporting evidence.

Paragraph 6.3 also states that the Site Selection Process Report was not submitted.

The SEA and considerations of alternatives

Within Section 5 '*conclusions on core issues*' of the Examiner's Report, the Examiner states "*The SEA process should not be a slave to the plan-maker's objectives (and especially 12 and 14) where there are reasonable alternatives available*". He continues with "*Overall, I find the dominating reliance on community objectives within the SEA process, without proportionate and robust evidence to support the spatial strategy, to be flawed*". These conclusions also appear in paragraphs 2.8 and 6.4. However, as noted above, the supporting footnote and paragraph 4.3 admit the evidence does exist and the examiner's conclusion that there are reasonable alternatives is based on his view that the Emerging Local Plan presents a reasonable alternative (see below).

The apparent conflict between the Tiptree Neighbourhood Plan and Section 2 Emerging Local Plan

The Examiner also raised concerns that the Tiptree Neighbourhood Plan may conflict with the Section 2 Emerging Local Plan Policy SS14 and supporting Policies Map. As outlined in paragraph 4.3 the Examiner states "*I cannot see within the submitted NP itself why the spatial strategy diverges, albeit to some degree, from the eLP's 'broad areas of growth'*". Although he acknowledges in paragraph 5.3, "*The LPA considers the NP to broadly conform with strategic policy*", he does not provide his own conclusion on the matter.

For the avoidance of doubt, CBC and TPC are in agreement that the Neighbourhood Plan **does not** diverge from the Emerging Local Plan.

Similarly, the reference to unanticipated growth to the north of Tiptree (Elms Farm Policy TIP14) in the Examiners report paragraph 3.23 is not factually correct. The Emerging Local Plan reflects the status of the emerging Tiptree Neighbourhood Plan at the time it was submitted (October 2017). The Tiptree NP does not need to reflect the broad areas of growth, the Emerging Local Plan reflected the draft Tiptree NP.

Regrettably, CBC and TPC were not provided the opportunity to explore this issue further during the Examination.

In any event, the Section 2 Emerging Local Plan Examination is likely to commence in early 2021. During the Section 2 Examination and through the continued work for the Tiptree Neighbourhood Plan, Policy SS14 and the accompanying policies map will be able to be further explored to ensure the two plans are aligned, informed by any updated evidence informing the NP and representing a united plan led approach.

Other Considerations

Following Submission of the Tiptree Neighbourhood Plan, the Council received the appeal decision from the Secretary of State for Barbrook Lane, granting permission for 200 dwellings. The Examiner addresses this decision in his report at paragraph 6.9. This will need to be considered through the redrafting of the Tiptree Neighbourhood Plan.

Conclusion

The outcome of the Tiptree Neighbourhood Plan Examination was not anticipated by either CBC or TPC and the way the Examination was conducted did not allow for any dialogue or consideration about the existence, status, justification or interpretation of evidence relating to many of the matters raised.

The need to now revise the NP will enable any reassessment and/or updates to evidence where necessary. This will ensure that the Tiptree Neighbourhood Plan can take into account a number of new considerations, particularly, the grant of planning permission on land at Barbrook Lane. It can also seek to address some of the more detailed concerns raised by the Examination and ensure a more robust link between the Plan and the evidence base is overtly obvious.

CBC and TPC remain committed to working in partnership to ensure a plan led approach to development in Tiptree through a Neighbourhood Plan. CBC will continue to support the Parish Council to take forward the extensive work and dedication of the NP group to date, to build on the significant evidence base and initial iteration of the NP to provide a strong planning framework for Tiptree.

14 December 2020

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|-----------------------|--|---------------|----------------------|
| Report of | Assistant Director of Place and Client Services | Author | Bethany Jones |
| Title | Authority Monitoring Report | | ☎ 282541 |
| Wards affected | All wards affected | | |

1. Executive Summary

1.1 The Authority Monitoring Report provides an annual summary of key statistics that allow the Council to monitor the effectiveness of its Local Plan.

1.2 Key statistics for the monitoring period 1 April 2019 to 31 March 2020 include:

- 1,594 planning applications received (major, minor and other)
- 1,124 homes completed
- 202 new build affordable units delivered
- The North Station Road and Environs Conservation Area was designated in April 2019
- 13,211m² additional areas of open spaces were adopted by the Council
- Three Neighbourhood Plans were made (adopted), including Wivenhoe (May 2019), West Bergholt (October 2019) and Eight Ash Green (December 2019). There are now 5 made Neighbourhood Plans across the Borough, which are apart of the Development Framework. Progress has continued for a number of other neighbourhood plans during the monitoring period
- Since the Council declared a climate emergency in 2019, 4,486 trees have been planted and 10,000 trees given to the public as part of the Colchester Woodland Project. The Council have also received funding to purchase 25 electric cargo (eCargo) bikes and 5 electric trailers to be used for Council fleet operations and local businesses

2. Recommended Decision

2.1 To approve the 2019-20 Authority Monitoring Report (AMR) for publication on the Council's website.

3. Reason for Recommended Decision

3.1 Until the Localism Act came into effect in April 2012, Section 35 of the Planning and Compulsory Purchase Act required that every Local Planning Authority (LPA) should prepare and publicise and Annual Monitoring Report containing information on the implementation of the Local Development Scheme (LDS) and the extent to which the

policies set out in Local Development Documents (LDDs) and Local Plans are being achieved.

- 3.2 The Localism Act removed the requirement for local authorities to submit their Annual Monitoring Report to Government but retains a duty for local authorities to monitor policies. The Council accordingly still needs to demonstrate the effects of its policies in what is, as of 2015, termed an Authority Monitoring Report (AMR) providing the opportunity for updates as and when data is available.

4. Alternative Options

- 4.1 There are no alternatives as the Council needs to provide a monitoring source of information on the delivery of its planning functions.

5. Background Information

- 5.1 The AMR provides key information that helps the Borough Council and its partners to evaluate planning policies in the context of current trends and delivery levels. The full report covering the period 1 April 2019 to 31 March 2020 is attached as Appendix 1 and will be available to view on the Council's website, and upon request to the Planning Policy team.
- 5.2 As part of the Localism Act, authorities can now choose which targets and indicators to include in their monitoring reports as long as they are in line with the relevant UK and EU legislation. Their primary purpose is to share the performance and achievements of the Council's planning service with the local community. The format of this AMR accordingly is designed to clearly demonstrate how the Council is meeting targets and indicators arising from the adopted policies in the Local Plan and provides information that can be used in reviewing the Plan. The AMR also includes information on how the Council is working with partners to meet the duty to co-operate on cross-boundary strategic matters.
- 5.3 The AMR is divided into a number of key themes covering progress in meeting Local Plan policy aspirations across a variety of areas.
- 5.4 The Housing section documents historic delivery rates and provides a detailed list of housing units delivered last financial year. The requirement for the Council to demonstrate how it intends to meet the five year housing land supply requirement has been addressed by the publication of a separate Housing Land Position Statement which was last published in May 2020 and demonstrated that the Council has a five year land supply.
- 5.5 Other key findings include:
- The total number of applications (major, minor and others i.e. change of use and listed building consent) received between 1 April 2019 and 31 March 2020 of 1,594 shows a slight decrease on last year's total of 1,659. This figure however does not include all applications i.e. discharge of condition and preliminary inquiries. When these are added the total for the year is 2,475.
 - A net of 1,124 dwellings were built between 1 April 2019 and 31 March 2020. This is slightly lower than the previous year's total of 1,165 but remains above the Objectively Assessed Need target of 920 dwellings a year for Colchester.

- During the monitoring period 202 new build affordable housing units were delivered consisting of 159 affordable rent, and 43 Shared Ownership. No new build social rent properties were delivered in this monitoring period. The total of 202 units represents 18% of all new homes delivered. The comparable figures for the previous three years were 110 (9.4%) in 18/19, 132 (12.5%) in 17/18 and 100 (10.96%) in 16/17. This demonstrates the highest number of new build affordable housing units delivered in the last four years.
- Of these 202 new build affordable housing units, 9 were delivered in rural areas.
- Three Neighbourhood Plans have been made during this monitoring period, including Wivenhoe (May 2019), West Bergholt (October 2019) and Eight Ash Green (December 2019). Both Marks Tey and Tiptree Neighbourhood Plans have held their first formal consultation (Regulation 14) and the Tiptree Neighbourhood Plan was submitted to the Council in March 2020. Other neighbourhood plans have continued to progress during the monitoring period.
- The Colchester Travel Plan Club has continued to work with existing members during the monitoring period, and the Elmstead Road student accommodation has joined. The Colchester Travel Plan Club are working with the Elmstead Road student accommodation and the University of Essex to create a joined-up approach to travel change behaviour at the University.
- The AMR shows that there was no loss/damage to Scheduled Monuments, Designated Sites (including SSSI, SAC, SPA, SINC and RAMSAR) or key community facilities in 2019/20.
- The Council adopted 13,211m² additional areas of open space during the monitoring year 2019/20.
- The North Station Road and Environs Conservation Area was adopted in April 2019.
- 68 nominations were received in October 2019 for inclusion with the Colchester Borough Local List. At Local Plan Committee August 2020, 64 additions were made to the list.
- The Council were awarded funding (£249,100) from DEFRA in April 2019 to deliver an air quality behaviour change project aimed at reducing air pollution in Colchester's Air Quality Management Areas (AQMAs). Following the appointment of two engagement officers to deliver the project, a period of community engagement was undertaken between October 2019 and January 2020, including a Clean Air Survey, focus groups and meeting local residential associations, community groups and businesses. A no idling campaign has now been launched following the engagement programme.
- The Council have also been awarded further funding (£59,785) from DEFRA to undertake a feasibility study into driver facing traffic signal countdown timers and signage to encourage drivers to switch off their engines when stationary at traffic lights and rail crossings.
- The Council published its Climate Emergency Action Plan in January 2020 which sets out a strategy for how to be carbon neutral in all its operations by 2030.

- Since the Council declared a climate emergency in July 2019, 4,486 trees have been planted and 10,000 trees given to the public as part of the Colchester Woodland Project. Sites for tree planting in 2020/21 have been identified with 11,200 trees set to be planted. The Council have also received funding to purchase 25 electric cargo (eCargo) bikes and 5 electric trailers to be used for Council fleet operations and local businesses.

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:

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

7. Strategic Plan References

- 7.1 The Strategic Plan is relevant in particular contributing to priorities under the themes:
- Delivering homes for people who need them; and
 - Growing a fair economy so everyone benefits.

8. Consultation

- 8.1 The AMR considers the effectiveness of Local Plan policies which have been through a comprehensive consultation programme as set out in the Council's Statement of Community Involvement (SCI).

9. Publicity Considerations

- 9.1 The AMR provides a wealth of statistical information on the Borough which may warrant press attention.

10. Financial implications

- 10.1 There are no direct financial implications. The AMR however, provides evidence to evaluate the effect of wider economic influences on Council planning policies and highlights the potential for the Council to benefit from Government funding linked to housing delivery.

11. Health, Wellbeing and Community Safety Implications

- 11.1 There are no health, wellbeing or community safety implications for the Council.

12. Health and Safety Implications

- 12.1 There are no health and safety implications for the Council.

13. Risk Management Implications

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

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 AMR includes a chapter titled 'Climate Change' which highlights the Council's latest initiatives in relation to reducing the impacts of climate change across the Borough.

Appendices

Appendix A – Authority Monitoring Report 2020



AUTHORITY MONITORING REPORT 2020

December 2020



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All references to the county of Essex are to Essex as it is currently constituted i.e. without the unitary authorities of Southend-on-Sea and Thurrock unless stated otherwise.

All references to 'Colchester' refer to Colchester Borough unless stated otherwise, e.g. Colchester town.

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| <p>Further evidence base documents and Sustainability Appraisal for the Section 1 Emerging Local Plan were consulted upon from 19 August to 30 September 2019</p> <p>Further Hearing Sessions were held for 7 days between 14 and 30 January 2020</p> |
| <p>The Wivenhoe Neighbourhood Plan was made (adopted) in May 2019</p> <p>Tiptree Neighbourhood Plan Regulation 14 Consultation held between 8 June 2019 to 21 July 2019</p> <p>The West Bergholt Neighbourhood Plan was made (adopted) in October 2019</p> <p>The Eight Ash Green Neighbourhood Plan was made (adopted) in December 2019</p> <p>Marks Tey Neighbourhood Plan Regulation 14 Consultation held from 24 February to 22 July 2020</p> <p>The Tiptree Neighbourhood Plan was submitted to the Council in March 2020</p> |
| <p>1,124 new dwellings were built in Colchester Borough</p> |
| <p>202 new build affordable units were built in across the Borough</p> |
| <p>The North Station Road and Environs Conservation Area was designated in April 2019</p> |
| <p>13,211m² additional areas of open spaces were adopted by the Council</p> |
| <p>A Climate Emergency was declared by the Council in July 2019. The Council have planted 4,486 trees and 10,000 trees were given to the public as part of the Colchester Woodland Project. The Council also received funding to purchase 25 electric cargo (eCargo) bikes and 5 electric trailers to be used for Council fleet operation and local businesses</p> |
| <p>The Council has published its Climate Emergency Action Plan in January 2020 which sets out a strategy for how to be carbon neutral in all its operations by 2030</p> |

1. Introduction

Background to the Report

- 1.1 This Authority Monitoring Report (AMR) contains information about the extent to which the Council's planning policy objectives are being achieved. The monitoring indicators and monitoring of policies cover the period from 1 April 2019 to 31 March 2020. However, further information from outside of this period is included, particularly within the overview and context sections, to reflect the latest information.
- 1.2 The Localism Act removed the requirement for Local Planning Authorities (LPAs) to produce an annual monitoring report for Government, but it did retain an overall duty to monitor planning policies. Authorities can now choose which targets and indicators to include in their monitoring reports as long as they are in line with the relevant UK and EU legislation. Their primary purpose is to share the performance and achievements of the Council's planning service with the local community. The monitoring report also needs to demonstrate how councils are meeting the requirement to cooperate with other authorities on strategic issues.

Monitoring Information

- 1.3 The AMR includes information on the progress the Council is making on a number of key areas. The information provided reflects the monitoring requirements set forth in the Localism Act 2010, the National Planning Policy Framework (NPPF) and associated regulations and guidance. The format focuses on key areas of delivery, including monitoring progress in plan making and in assessing the success of policies concerned with delivery of housing and employment development.
- 1.4 Additionally, the AMR includes relevant measurable indicators for the thematic areas covered by the Local Plan of transport and accessibility; environment and rural communities; and energy, resources, waste water and recycling.
- 1.5 Changes have been made to Use Classes from 1 September 2020. This includes use class A1/2/3 and B1 now being treated as Class E. As a result, Classes A and B1 uses Class D has also been revoked.

Local Plan Progress

- 1.6 Information on the timetable for preparation and adoption of the Development Plan Documents is contained in the Local Development Scheme (LDS) which is updated on a regular basis, most recently February 2019. While the Council is in the process of examining a new Local Plan, the AMR measures progress on the adopted Local Plan. Upon adoption of the Emerging Local Plan, the monitoring indicators will require review in order to reflect the policies and targets within the new Local Plan. This is likely to occur in the AMR 2022.
- 1.7 The overall strategic policies for Colchester contained in the Core Strategy were found to be 'sound' by a Government-appointed Inspector and the Document was adopted by the Council in December 2008. Two further Local Development

Documents; Development Policies and Site Allocations were found sound and adopted in October 2010. Selected Core Strategy and Development Policies were modified by a Focused Review in July 2014.

- 1.8 The development of a new Local Plan has involved an initial Issues and Options consultation, carried out in January/February 2015; a Preferred Options document consultation, carried out from 9 July - 16 September 2016; and a Publication Draft Consultation carried out from 16 June – 11 August 2017. The plan is comprised of a strategic Section 1 which provides policies shared by Braintree, Colchester and Tendring Councils along with a locally specific Section 2 which contains policies and allocations specific to Colchester. Both sections of the Local Plan were submitted to the Planning Inspectorate in October 2017.
- 1.9 Section 1 is currently subject to examination, with hearing sessions having occurred in January and May 2018. Following receipt of a letter from the Inspector on 27 June 2018; updated evidence base documents including Sustainability Appraisal (SA) have been prepared. A technical consultation was carried out from 19 August - 30 September 2019. Further Examination hearing sessions were held for 7 days between 14 January and 30 January 2020.
- 1.10 The North Essex Authorities (NEAs) received a letter from the Section 1 Inspector on [15 May 2020](#). The Planning Inspector agreed that the Plan could be made sound and legally compliant by incorporating Major Modifications (including removal of two of the three Garden Communities located at Colchester/Braintree Borders and West of Braintree) which would be subject to consultation.
- 1.11 The Inspector also stated that the Local Plan has met the legal requirements including the Duty to Co-operate. The North Essex Authorities have all confirmed their position with regard to Section 1, of the Emerging Local Plan, which is to proceed with Option 1 and consult on Modifications.
- 1.12 The Inspector published the formal modifications, and consultation was undertaken alongside the revised SA and Habitats Regulations Assessment (HRA) for a six-week period from 27 August to 9 October 2020. The modifications, SA and HRA were published on the [Examination website](#).
- 1.13 The Inspector also asked for comments in relation to housing in light of the 2018 based household projections. The NEA's have submitted their response to this which is available on the [Examination website](#). This demonstrates that there is no meaningful change for Colchester.
- 1.14 The NEAs are awaiting further correspondence from the Inspector.
- 1.15 The Planning Inspectorate have now appointed two Inspectors to take forward through examination the Section 2 of the local plans for the three local authorities.
- 1.16 Further information regarding the progress of the Emerging Local Plan can be found in Chapter 4.

2. Statistical Profile of Colchester

2.1 The Borough of Colchester is located in the north east of Essex, bordered by Braintree District, Tendring District, Maldon District and Babergh District Councils. The borough is diverse with the main town being Colchester, other large settlements include Stanway, Tiptree, West Mersea and Wivenhoe, and large areas of countryside. Table 1 below summaries key statistics for the Borough of Colchester.

Table 1: Statistical Profile of Colchester

| Indicator | Data | Source |
|--|--|---|
| Total Population (2019) | 194,7000 | Population estimates, ONS |
| HOUSING | | |
| Number of dwellings | 81,742 as at 1 st April 2019 | Ministry of Housing, Communities and Local Government (MHCLG) live tables |
| Total dwellings delivered for the year 2019-20 | 1,124 | Colchester Borough Council |
| Affordable Homes delivered for the year 2019 - 20 | 237 (202 new build completed, and 35 homes acquired by the Council). | Registered Providers Returns |
| Average household size (persons) | 2.33 | 2011 Census |
| Average household price (£) | £278,433 as at September 2020 | Hometrack |
| Lower quartile house price (£) | £206,000 as at September 2020 | Hometrack |
| Total Empty Properties ¹ (classified as empty for Council Tax purposes) | There were 1,969 empty properties as 13 th October 2020 (1,889 privately owned or owned by Registered Providers and 80 owned by CBC) | Colchester Borough Council |

¹ These figures also include properties that fall under the exemption categories. Empty properties may be exempt if they:

- are owned by a charity (these are exempt for up to 6 months)
- are left empty by someone who has gone into prison
- are left empty by someone who has moved to give personal care, or who has moved to receive personal care
- are waiting for probate or letters of administration to be granted (after someone has died) and for up to six months after
- have been repossessed
- are the responsibility of a trustee on behalf of someone who is bankrupt
- have no-one allowed to live in them by law
- are waiting to be lived in by a minister of religion.

| Indicator | Data | Source |
|---|--|---|
| Length of time Total Empty Properties have been empty | 0 - 6 months = 956 7-12 months = 433 1-2 years = 363 2-5 years = 145 5+ years = 72 | Colchester Borough Council |
| Households on the Housing Register | As at 30th September 2020 there were 2,862 households | Gateway to Homechoice |
| Homelessness households | For the year 2019-20 CBC accepted a homeless duty for 230 households. Action was taken to prevent homelessness for another 285 households. | Colchester Borough Council |
| Households in temporary accommodation | As at 31 st March 2020 there were 156 households in temporary accommodation. | Colchester Borough Council |
| Further information on housing in Colchester | Colchester Housing Strategy | https://www.colchester.gov.uk/info/cbc-article/?catid=strategies-and-statistics&id=KA-01436 |
| EMPLOYMENT | | |
| Economically active population | 92,800 (June 2020) | Annual population survey, ONS |
| In employment | 88,400 | As above |
| Total employees | 80,600 | As above |
| Self-employed | 6,900 | As above |
| Unemployed (model-based) | 3,900 | As above |
| Universal Credit (including Job Seekers Allowance) | 6,570 (5.3% of individuals aged 16-64) (September 2020) | Claimant count, ONS |
| Economically inactive population | 32,700 | Annual Population Survey, ONS |
| Full-time employees | 52,000 (2019) | Business Register and Employment Survey, ONS |
| Part-time employees | 32,000 (2019) | As above |
| Number of businesses (total) | 7,180 Enterprises (2019), accounting for 8,460 "Local units" | Inter Departmental Business Register (ONS) |
| Visitor trips numbers | 6,549,000 Day trips; | Cambridge Model to measure Economic |

| Indicator | Data | Source |
|---|---|---|
| | 272,000 Staying visitor trips; 959,000 Staying visitor nights. | Impact of Tourism on Colchester Borough 2018 |
| Visitor spend/value | £379.4 million | Cambridge Model to measure Economic Impact of Tourism on Colchester Borough 2018 |
| Tourism related employment | 7,045 | Cambridge Model to measure Economic Impact of Tourism on Colchester Borough 2018 |
| Educational achievement | On average 46% of pupils are achieving up to 8 qualifications including English, Maths and 6 other qualifications (English Baccalaureate or GCSEs) in 2016/17 | Department for Education, National Statistics (2019) |
| Further information on Colchester's economy | Colchester Economic Strategy | https://www.colchester.gov.uk/info/cbc-article/?catid=our-council-strategies&id=KA-01485 |
| ENVIRONMENT | | |
| Area of Ancient Woodland | 573 ha | Ancient Woodland Inventory |
| Number of houses at risk from surface water flooding within Critical Drainage Areas | 3,299 (1 in 100 years event risk level) | Surface Water Management Plan 2013 |
| Number of Neighbourhood Plans | 5 adopted (Myland and Braiswick, Boxted, Wivenhoe, West Bergholt and Eight Ash Green) 5 being prepared | Colchester Borough Council |
| Number of Air Quality Management Areas | 4 | Colchester Borough Council |
| Number of Conservation Areas | 24 | Colchester Borough Council |

| Indicator | Data | Source |
|---|---|----------------------------|
| Number of Listed Buildings and Scheduled Monuments | 1,607 | Historic England |
| Number of listing on Heritage at Risk Register | 7 | Historic England |
| Number of Historic Parks & Gardens | 3 | Historic England |
| Nationally designated sites Special Sites of Scientific Interest (SSSIs) | 8 SSSIs- Abberton Reservoir, Marks Tey Pit, Roman River, Upper Colne Marshes, Wivenhoe Pit, Colne Estuary, Bullock Wood, Tiptree Heath, Cattawade Marshes Upper Colne Marshes Colne Estuary | Natural England |
| Areas of Outstanding Natural Beauty (AONB) | 1 (Dedham Vale AONB) | Colchester Borough Council |
| Internationally Designated Sites (Special Areas of Conservation – SAC and Special Protection Area – SPA). | Essex Estuaries SAC – 46,410ha | Environment Agency |
| | Abberton Reservoir SAC | |
| | Colne Estuary Mid Essex (Phase 2) SPA – 2719ha | |
| | Abberton Reservoir SPA - 718ha | |
| | Blackwater Estuary (Mid Essex Coast Phase 4) SPA – 4,403ha | |

3. Duty to Cooperate

- 3.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 require that the LPA's monitoring report must give details of what action has been taken during the monitoring year to satisfy the duty to cooperate. CBC has met this requirement by holding a number of meetings on cross-border, sub-regional and regional issues with relevant stakeholders.
- 3.2 The [Duty to Cooperate Statement \(October 2017\)](#) submitted with the Local Plan provides detailed information on how the duty to cooperate requirement has been met in preparing a new Local Plan. Partners include but are not limited to district/borough/city councils, the County Council, Essex-wide bodies such as the Essex Planning Officers' Association and Essex Chief Executives' Association, North Essex Garden Communities Ltd. Board and the Haven Gateway Partnership covering north-east Essex and south-west Suffolk.
- 3.3 In November 2016, Colchester Borough Council signed a Memorandum of Cooperation with Braintree and Tendring District Councils and Essex County Council confirming that the Councils are collaborating on joint Local Plan work to identify an agreed strategic approach to the allocation and distribution of large scale housing led, mixed use development, including employment opportunities and infrastructure provision, in the form of Garden Communities. Consideration of how potential cross-boundary settlements should be handled, including the potential for development of settlement based on Garden Settlement principles, is being informed by jointly commissioned studies with Braintree and Tendring.
- 3.4 As part of the evidence gathering work for the Local Plan, the Council has met with providers of key infrastructure to identify any major constraints or issues to consider in the generation of growth options and the identification of a preferred option. The Council has spoken to providers of roads, rail network and rail services, bus services, education, health, water and sewerage, environmental protection, electricity, and gas.
- 3.5 Cooperation around the production of an evidence base has also included the Council's participation in Essex-wide work on population forecasts and on a Gypsy and Traveller Accommodation Assessment. The Council jointly commissioned work to establish an [Objectively Assessed Housing Need](#) target along with Braintree, Chelmsford and Tendring to provide a consistent approach to the development of identifying housing need across local authority boundaries.
- 3.6 Various updates to the evidence base documents including those jointly commissioned, have occurred throughout the Local Plan process. A collaborative approach by Colchester Borough Council, Braintree District Council and Tendring District Council known as the North Essex Authorities (NEAs) has and will continue throughout the examination of the Section 1 Local Plan.
- 3.7 A number of [Statements of Common Ground \(SoCG\)](#) have been established between the NEAs and various stakeholders throughout the Local Plan process and during the Section 1 Examination. During this monitoring period, a SoCG has been revised/updated or produced an addendum between the NEAs and the following:

- Uttlesford District Council – November 2019;
- Maldon District Council – November 2019;
- University of Essex – November 2019;
- Essex County Council and Greater Anglia – December 2019;
- Highways England – December 2019;
- Natural England – December 2019;
- The Environment Agency and Anglian Water – December 2019;
- North East Essex Clinical Commissioning Group and East Suffolk & Essex Foundation Trust – December 2019;
- Galliard Homes, Andrewsfield New Settlement Consortium and Countryside Properties – December 2019;
- Gateway 120, Cirrus Land Limited and L&Q New Homes Limited – December 2019;
- Mersea Homes – December 2019; and
- Historic England - January 2020.

- 3.8 The Inspector of the Section 1 Local Plan wrote to the [NEAs on 8 June 2018](#) outlining areas of future work required to progress the emerging Local Plan and three options for the NEAs to consider. The Inspector concluded in his letter that each of the NEAs had met the duty to cooperate in the preparation of the Section 1 Local Plan.
- 3.9 The NEAs decided to undertake additional work including an update to the Sustainability Appraisal; and continue the examination of the Local Plan, as outlined in a letter to [the Inspector 19 October 2018](#). The NEAs have continued to work in partnership during this process and have published a number of additional evidence base documents to address the concerns outlined by the Inspector.
- 3.10 The Inspector held additional hearing sessions from 14 January to 30 January 2020. The collaborative approach engrained in the Section 1 Local Plan process has continued throughout the examination with the NEAs continuing to work together during the additional hearing sessions.
- 3.11 In his letter dated [15 May 2020](#), the Inspector reaffirmed that the NEAs have met the Duty to Cooperate. The Inspector also concluded that no one's interests were materially prejudiced by the way in which the additional evidence base consultation was undertaken in Summer 2019.
- 3.12 To support the delivery of the Garden Communities, the NEAs have also worked in partnership with Essex County Council to prepare submissions to the Housing Infrastructure Fund (HIF) to secure government funding for infrastructure to support housing growth across North Essex. It was announced in August 2019 that the A120/A133 link road and Rapid Transit System bids were successful and have secured a multi-million pound investment. Further information regarding the HIF bids can be found on the [Essex County Council website](#).
- 3.13 Joint planning work is continuing with the preparation of Development Plan Document (DPD) for the Tendring Colchester Borders Garden Community which will

provide detail on location and design. An [Issues and Options consultation](#) for the DPD was held from 13 November 2017 to 2 February 2018. The study work and responses from that consultation form a starting point for the next phase of work, bearing in mind the changes during the intervening period.

3.14 Tendring and Colchester Councils will work together to commission further evidence base and masterplanning work required to support the DPD. As with masterplanning work carried out for the Issues and Options stage, work will include focused consultation with stakeholders and existing communities in the vicinity of Tendring Colchester Borders Garden Community. Local Plan Committee were presented with a proposal for the preparation of the DPD in July 2020.

3.15 Further information regarding the Emerging Local Plan can be found via the [Examination website](#) and in Section 4 below.

4. 2019-20 Progress on Plan Preparation

4.1 The current Local Development Scheme (LDS) sets out the programme for plan preparation from 2019 to 2022. This is available on the [Council's website](#), see Appendix C – Local Development Scheme 2019-2022 for a summary chart. The LDS has not been revised during this monitoring period. The table below summarises the progress of the documents in the LDS and identifies key milestones.

Table 2: Local Development Scheme Progress

| Development Plan Document | Progress / Current stage Comments | Target Date/ Key Milestones |
|---------------------------|---|---|
| New Local Plan | <p>Issues & Options Consultation Feb/March 2015</p> <p>Preferred Options Draft and Consultation July-September 2016</p> <p>Submission Plan Consultation June- August 2017</p> <p>Submission to PINs 9 October 2017</p> <p>Examination Hearing Sessions for Section One from 16 January to 25 January 2018</p> <p>Additional Hearing Session 9 May 2018</p> <p>Letters from Inspector received 8 June 2018, 27 June 2018 and 2 August 2018</p> <p>NEAs responded to Inspector's letters, 20 July 2018 and 19 October 2018</p> <p>NEAs prepared updated evidence base documents including SA during 2018/19 financial year</p> <p>Technical Public Consultation on updated evidence base documents 19 August - 30 September 2019</p> <p>Further Examination Hearings Sessions (Section One) from 14 - 30 January 2020</p> | <p>Section One Adoption Winter 2020/21 (if adopted independently)</p> <p>Local Plan Adoption Winter 2021/22</p> |

| Development Plan Document | Progress / Current stage Comments | Target Date/ Key Milestones |
|---|---|---|
| | Letter from Inspector received 19 May 2020 Main Modifications Consultation 27 August to 9 October 2020 | |
| Community Infrastructure Levy (CIL) | Draft Schedule delayed to align with the New Local Plan Consultation on Draft Schedule Evidence Base February 2016 The Planning for Change White Paper published in August 2020 includes proposals to replace CIL with a nationally set Infrastructure Levy. Any further update regarding this will inform the Council's future work. | Schedule to align with Local Plan adoption |
| Planning Obligations SPD | Initial draft prepared for member approval for public consultation Presentation at Local Plan Committee December 2019 Consultation 24 January to 9 March 2020 | Following consultation, decision made to review and reconsult once Local Plan adopted |
| Recreational disturbance Avoidance and Mitigation Strategy (RAMS) SPD | Initial Draft of SPD approved for consultation and note the findings of the RAMS Strategy Document Local Plan Committee February 2019 As other partners have adopted the RAMS Strategy Document, this was adopted by Local Plan Committee October 2019 Approval of updated RAMS SPD for consultation by Local Plan Committee October 2019 RAMS SPD consultation 10 January to 21 February 2020 RAMS SPD adopted by Local Plan Committee August 2020 | RAMs SPD Adopted August 2020 |
| Statement of Community Involvement (SCI) | Statement of Community Involvement Updated in July 2020 to reflect specific requirements arising from national | No update currently required. |

| Development Plan Document | Progress / Current stage Comments | Target Date/ Key Milestones |
|-------------------------------|--|--|
| | guidance and procedures on dealing with Covid-19 implications. Subject to review following government regulation changes or new examples of best practise introduced. | Position to be reviewed annually or in line with national policy and guidance changes in relation to Covid-19. |
| Joint Strategic Growth DPD(s) | Planning Framework Document(s) related to strategic growth areas will need to be aligned with New Local Plan and comply with Duty to Co-operate with neighbouring authorities. Issues and Options Consultation November 2017 to February 2018 | Programmed for adoption in Winter 2022/23, dependent upon Local Plan adoption. |

4.2 As noted above, the Inspector of the section 1 Local Plan wrote to the NEAs on 8 June 2018 outlining areas of future work required to progress the Emerging Local Plan and three options for the NEAs to consider. A supplementary post hearing letter was also received on 27 June 2018 confirming the OAHN study and requirement figures contained in the Emerging Local Plan to be soundly based.

4.3 Further information about the three options was provided via a secondary letter on 2 August 2018. As a result of this the Local Plan Committee meeting scheduled for 13 August 2018 was postponed to give members more time to consider implications of the Inspector's letter and to obtain further advice. The Local Plan Committee meeting was rescheduled to 13 September 2018 where it was agreed additional work would be undertaken to continue the examination.

4.4 On 19 October 2018 the NEAs responded to the Inspector's letters to seek confirmation of the proposed programme for preparation of the updated evidence base, Sustainability Appraisal and a proposed period of suspension of the examination until February 2019 when this additional work is scheduled for completion.

4.5 A further letter from the Inspector was received on 21 November 2018 outlining points of clarity regarding the proposed methodology for the Sustainability Appraisal. The Inspector advises that the NEAs should take as much time as is required to ensure this additional work addresses all the concerns outlined in the Inspectors letter dated 8 June 2018.

4.6 It was agreed that it would be appropriate for the examination to be suspended until all the NEAs have considered and approved the updated evidence base and Sustainability Appraisal and confirmed their position on the Plan's Strategy.

4.7 Local Plan Committee approved public consultation for the updated evidence base documents on 22 July 2019. Following approval by both Braintree District Council and Tendring District Council, a public consultation was carried out between 19 August - 30 September 2019. The following documents were the subject of this technical consultation:

- Additional Sustainability Appraisal;
- North Essex Rapid Transit System: from Vision to Delivery;
- Modal Share Strategy for the North Essex Garden Communities;
- Employment Provision for the North Essex Garden Communities;
- Build Out Rates at the Garden Communities;
- Habitats Regulations Assessment;
- Delivery Mechanisms Position Statement;
- State Aide Position Statement;
- Viability Assessment Update;
- Infrastructure Order of Costs Estimate;
- Infrastructure Planning, Phasing and Delivery; and
- Suggested amendments to the Publication Draft Braintree, Colchester and Tendring Local Plans: Section 1.

4.8 Following this public consultation, all responses were forwarded to the Inspector for review and further consideration. The Inspector outlined that further hearing sessions were required to gain additional information in order to be able to determine whether or not the Section 1 Plan is sound and legally compliant.

4.9 The Inspector issued further Matters, Issues and Questions on 11 November 2019 to set out the topics for the further hearing sessions, the issues of consideration and the questions which require further information. Although further hearing statements were not obligatory (for all participants expect the NEAs), the Inspector requested these were received via the Programme Officer by 2 December 2019. Any responses to hearing statements, including the NEAs were received via the Programme Officer by 16 December 2019.

4.10 Further Hearing Sessions were held for 7 days between Tuesday 14 January and Thursday 30 January 2020 at the JobServe Community Stadium (formerly The Weston Homes Community Stadium).

4.11 The North Essex Authorities (NEAs) received a letter from the Section 1 Inspector on [15 May 2020](#). The Planning Inspector concluded that the Plan had been deemed to be legally compliant, the Sustainability Appraisal, subject to some issues on deliverability, had been accepted and he concluded that the Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) had been assessed correctly. The Inspector also reconfirmed his original position on housing numbers with a requirement of 920 houses per annum for Colchester, although this would need to be reviewed in the light of the 2018 household projections. The Inspector was also content with the range of delivery mechanisms and with road links and other infrastructure issues and with employment contributions.

- 4.12 However, there were significant issues on which he had not been convinced. He had not been satisfied that routes three and four of the Rapid Transit System were deliverable and he had expressed concern about the proposed annual rate of housebuilding. He had not accepted some of work done by the NEAs on land values which had implications for his view on the viability of garden communities at Colchester Braintree Borders and West of Braintree. The Inspector therefore concluded that neither of these garden communities were likely to be delivered. However, he had concluded that the Section 1 Plan could be sound if those garden communities were removed and the Tendring Colchester Borders Garden Community only was included.
- 4.13 The Inspector also stated that the Local Plan has met the legal requirements including the Duty to Co-operate. Local Plan Committee confirmed their position with regard to the Section 1 Emerging Local Plan, which is to proceed and consult on Modifications. This position was also confirmed at Braintree and Tendring District Councils.
- 4.14 The Inspector published the formal modifications and consultation was undertaken alongside the revised SA and HRA for a six-week period from 27 August to 9 October 2020. The modifications, SA and HRA were published on the [Examination website](#).
- 4.15 The Inspector also asked for comments in relation to housing in light of the 2018 based household projections. The NEA's have submitted their response to this which is available on the [Examination website](#). This demonstrates that there is no meaningful change for Colchester.
- 4.16 The NEAs are awaiting further correspondence from the Inspector.
- 4.17 All correspondence mentioned above between the NEAs and the Inspector is available on the [Examination website](#).
- 4.18 Following the Section 1 Inspectors Letter of May 2020, the Planning Inspectorate have appointed two Inspectors to examine the Section 2 Emerging Local Plan. The Inspectors are Jameson Bridgwater PGDiTP MRTPI and Anne Jordan BA (Hons) MRTPI. The Section 2 Examination will commence, once the Section 1 examination has concluded.

Neighbourhood Plans

- 4.19 Neighbourhood planning has remained high on the national government's agenda since regulations were introduced in 2012. Revisions to the Neighbourhood Planning Regulations in January 2018, the revised NPPF (February 2019) and changes to the National planning practice guidance in May 2019 continue to demonstrate the importance of Neighbourhood Plans (NPs) for housing provision and local planning matters.

4.20 A number of Neighbourhood Plans have progressed during the monitoring period. Table 3 summarises the current position of NPs within the Borough.

4.21 During the 2019-20 monitoring period the following has occurred:

- Wivenhoe Neighbourhood Plan successful in referendum on 2 May 2019 and the Plan was formally made (adopted) in May 2019 and is now part of the Development Plan used for decision making;
- West Bergholt Examination concluded in May 2019, with a successful referendum held on 19 September 2019. The West Bergholt Neighbourhood Plan was made at Full Council on 16 October 2019 and is now part of the Development Plan used for decision making;
- Eight Ash Green Examination concluded in September 2019, with a successful referendum held on 7 November 2019. The Eight Ash Green Neighbourhood Plan was made at Full Council on 5 December 2019;
- Marks Tey Neighbourhood Plan Regulation 14 Consultation held from 24 February to 22 July 2020 (this consultation period was extended beyond the minimum six week period as a result of Covid-19);
- Great Tey Neighbourhood Plan Call for Sites Summer 2019;
- Tiptree Neighbourhood Plan Regulation 14 Consultation held from 8 June 2019 to 21 July 2019;
- Tiptree Neighbourhood Plan submitted to CBC in accordance with Regulation 15 in March 2020; and
- Continued work for a number of other Neighbourhood Plans.

4.22 The following key milestones have occurred in the next monitoring period (2020/21) but for completeness have also been recorded in this report:

- Tiptree Neighbourhood Plan Regulation 16 Consultation held from 22 June to 10 August 2020;
- Tiptree Neighbourhood Plan Examination commenced in August 2020. The Examiner issued his report recommending the plan cannot proceed to referendum in October 2020 and
- West Mersea Neighbourhood Plan Regulation 14 Consultation held from 23 October to 11 December 2020.

Table 3: Neighbourhood Plans Progress

| Neighbourhood Plan | Area Designated | Current Stage |
|---------------------------|------------------------|--|
| Boxted | October 2012 | Adopted December 2016, part of the Development Plan used for decision making. |
| Myland and Braiswick | January 2013 | Adopted December 2016, part of the Development Plan used for decision making. |
| Wivenhoe | July 2013 | Adopted May 2019, part of the Development Plan used for decision making. |
| West Bergholt | July 2013 | Adopted October 2019, part of the Development Plan used for decision making. |
| Eight Ash Green | June 2015 | Adopted December 2019, part of the Development Plan used for decision making. |
| Tiptree | February 2015 | <p>Regulation 16 consultation held 22 June to 10 August 2020</p> <p>Examination commenced in August 2020.</p> <p>Examiner's Report issued October 2020 recommending the Plan cannot proceed to referendum.</p> <p>The Tiptree Neighbourhood Plan process will recommence at the Regulation 14 stage.</p> |
| Copford with Easthorpe | May 2015 | <p>Evidence gathering and plan preparation</p> <p>Consultant appointed in Winter 2019/20</p> <p>Regulation 14 Consultation anticipated Winter 2020/21</p> |
| Marks Tey | September 2015 | <p>Regulation 14 Consultation held 24 February 2020 to 12 July 2020. The consultation period was extended beyond the minimum six weeks as a result of Covid-19</p> <p>Submission to CBC anticipated Winter 2020/21</p> |
| West Mersea | November 2016 | <p>Consultant appointed to assist in drafting the Plan</p> <p>Regulation 14 Consultation held from 23 October to 11 December 2020.</p> |
| Great Tey | June 2017 | <p>Evidence gathering and plan preparation</p> <p>Consultant appointed and call for sites carried out Summer 2019.</p> <p>Update and Consultation following Call for Sites – Autumn 2020.</p> |
| Messing | July 2013 | Work abandoned. No active NHP group currently. |
| Stanway | June 2014 | Work abandoned. No active NHP group currently. |

5. Planning Applications

5.1 The level of planning applications provides a useful backdrop against which the effects of policies can be considered. Table 4 below summarises planning applications determined in this monitoring period.

Table 4: Planning Applications Summary 1 April 2019 to 31 March 2020

| Planning Applications from 1 April 2019 to 31 March 2020 | |
|--|---|
| The number of applications received (major, minor and other) | 1,594 |
| The number of applications approved | 1,330 |
| The number of applications refused | 130 |
| The number of appeals made | 41 |
| The number of appeals allowed | 5 (1 Partial, 2 Withdrawn & 37 Dismissed) |
| The number of departures | 0 (for determinations within the period) |
| Minor applications decided within 8 weeks | 93% |
| Major applications decided within 13 weeks | 95% |

5.2 The total number of applications (major, minor and others i.e. change of use and listed building consent) received between 1 April 2019 and 31 March 2020 of 1,594 shows a slight decrease on last year's total of 1,659. This figure however does not include all applications i.e. discharge of condition and preliminary inquiries. When these are added the total for the year is 2,475.

5.3 Decision rates remain high with 93% of minor applications decided within 8 weeks; the same percentage as recorded in 2018/19 and 2017/18. Performance in the major applications category has increased from 84% in 2018/19 to 95% in this monitoring period. This is higher than the previous two monitoring years of 93% and demonstrates that majority of applications are being determined within the specified decision time limits.

5.4 Overall, it can be seen that the Council's implementation of project management measures for applications, including pre-application advice and Planning Performance Agreements have and continue to enhance consistency and quality in processing applications.

6. Key Theme: Housing Indicators

Overview

- 6.1 In line with the NPPF, the Council is required to ensure sufficient housing land is supplied to meet local housing needs. The Council has developed an Objectively Assessed Need (OAN) target for the submitted Emerging Local Plan of 920 houses a year which takes into account the requirements of the NPPF 2012; and will ensure the Borough provides a 5 year supply of specific deliverable sites and identifies a supply of specific developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15.
- 6.2 The target of 920 homes a year reflects a comprehensive evidence base which includes the following:
- Objectively Assessed Housing Need Study produced by Peter Brett Associates (PBA) in July 2015 and updated November 2016 for Braintree, Chelmsford, Colchester and Tendring Councils:
 - Review of the Strategic Housing Market Assessment (SHMA) work in Chelmsford, Colchester, Braintree and Tendring to bring it into compliance with the NPPF and PPG - HDH Planning and Development Ltd, December 2015.
- 6.3 Following publication of the revised NPPF in February 2019, chapter 5 sets out central government's position in relation to how LPAs will need to ensure the delivery of a sufficient supply of homes. This includes the expectation that strategic policy making authorities will follow a Standard Methodology for assessing local housing need unless there are exceptional circumstances. As the Emerging Local Plan has been submitted on or before 24th January 2019, as per the transitional arrangements outlined in the NPPF 2019, the Emerging Local Plan will be assessed upon the NPPF 2012. Accordingly, the Council believes there are exceptional circumstances that justify the use of an alternative methodology for strategic policies.
- 6.4 In other circumstances, i.e. decision making, the starting point for calculating housing need will be the Standard Method which will inform the 5 year land supply requirement until such time as the new Local Plan is adopted.
- 6.5 The Council has published an updated [Housing Land Supply Annual Position Statement \(May 2020\)](#) for the current 5 year period. This demonstrates that Colchester has a sufficient supply of deliverable housing sites against the Emerging Local Plan target (920 dwellings per annum) and Standard Method (1,140 dwellings per annum (including 5% buffer)) which the council is required to have regard to until such a time when the Emerging Local Plan is adopted.

| | | |
|---------------------|------------------|---------------------------------------|
| Housing Indicator 1 | Housing Delivery | Indicator for Core Strategy Policy H1 |
|---------------------|------------------|---------------------------------------|

6.6 Most of the housing programmed for delivery in the 2001-2023 period has already been accounted for by previous Local Plan allocations, housing completions and planning permissions. Colchester delivered 18,042 new homes between 2001/02 and 2019/20 at an average rate of 950 dwellings per year. During the last monitoring period, a total of 1,124 units were delivered within the Borough. See Table 5 and Figure 1 below.

Table 5: New Dwelling Completions in Colchester 2001/2 to 2019/20

| Year | Total Units |
|--------------------------------------|---------------|
| 2001/2002 | 566 |
| 2002/2003 | 980 |
| 2003/2004 | 916 |
| 2004/2005 | 1,277 |
| 2005/2006 | 896 |
| 2006/2007 | 1,250 |
| 2007/2008 | 1,243 |
| 2008/2009 | 1,028 |
| 2009/2010 | 518 |
| 2010/2011 | 673 |
| 2011/2012 | 1,012 |
| 2012/2013 | 617 |
| 2013/2014 | 725 |
| 2014/2015 | 943 |
| 2015/2016 | 1,149 |
| 2016/2017 | 912 |
| 2017/2018 | 1,048 |
| 2018/2019 | 1,165 |
| 2019/2020 | 1,124 |
| Total from 2001/02 to 2019/20 | 18,042 |

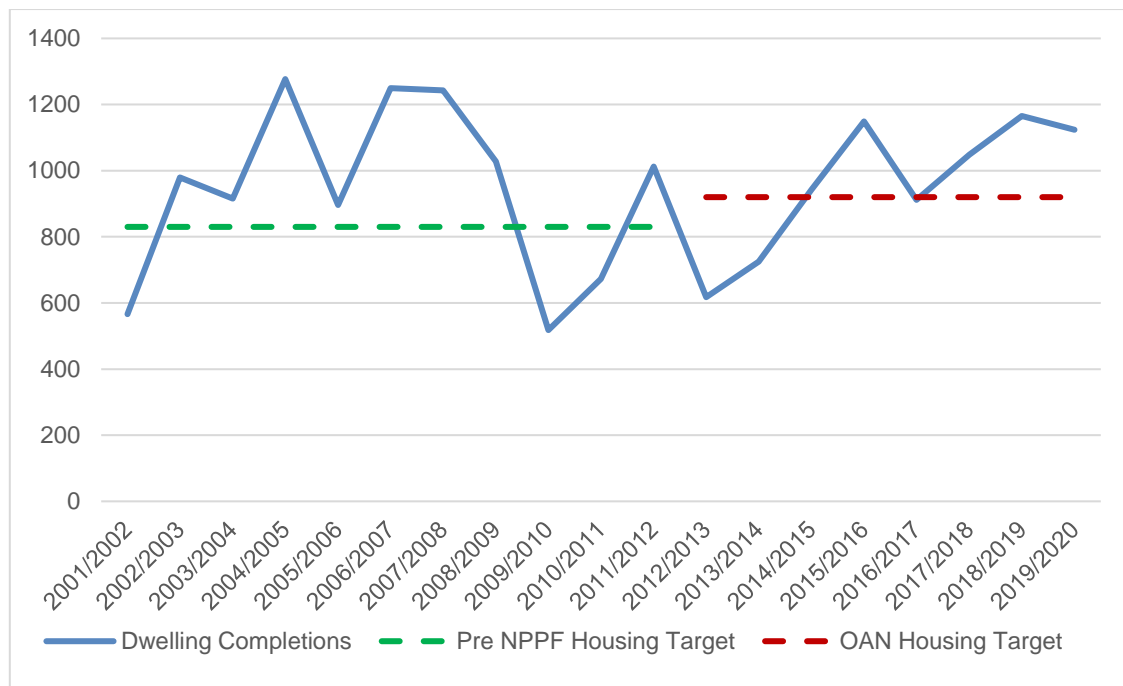


Figure 1: New Dwelling Completions in Colchester 2001/02 to 2019/20

6.7 Table 6 illustrates the context of delivery rates across other Essex authorities, Colchester continues to demonstrate a good track record against housing requirement.

Table 6: Essex Local Authority Housing Delivery

| Authority | 2014/15 | 2015/16 | 2016/17 | 2017/18 | 2018/19 | 2019/20 | Total Units |
|--------------------|--------------|--------------|--------------|--------------|--------------|--------------|---------------|
| Basildon | 678 | 816 | 412 | 341 | 340 | 471 | 3,058 |
| Braintree | 409 | 523 | 291 | 491 | 555 | 883 | 3,152 |
| Brentwood | 159 | 111 | 150 | 213 | 246 | 200 | 1079 |
| Castle Point | 202 | 123 | 114 | 150 | 200 | 71 | 860 |
| Chelmsford | 826 | 792 | 1,002 | 1,008 | 1,256 | 832 | 5,716 |
| Colchester | 943 | 1,149 | 912 | 1,048 | 1,165 | 1,124 | 6,341 |
| Epping Forest | 229 | 267 | 157 | 526 | 426 | 223 | 1,828 |
| Harlow | 201 | 225 | 340 | 347 | 676 | 725 | 2,514 |
| Maldon | 68 | 230 | 243 | 166 | 306 | 426 | 1,439 |
| Rochford | 167 | 148 | 117 | 299 | 262 | 347 | 1340 |
| Tendring | 267 | 245 | 658 | 565 | 915 | 784 | 3,434 |
| Uttlesford | 463 | 554 | 722 | 966 | 983 | 485 | 4,165 |
| Essex Total | 4,612 | 5,183 | 5,118 | 6,120 | 7,330 | 6,571 | 34,926 |

Source: Essex County Council, District/Borough and Unitary Councils

6.8 Colchester's build rate has been on target in recent years. When taking an average of the past three years Colchester has provided a net additional 1,112 new homes per year, which provides reassurance on future target delivery. In addition to

locational and market factors, this reflects the Council's willingness to work with developers to bring schemes forward. The Council accordingly expects to be able to continue a sufficient rate of delivery.

6.9 Of the 1,124 dwellings completed in this monitoring period, 399 units were from windfall sites. This is a higher than the 243 windfall units delivered in 2018/19 and is higher than the average delivery rate of 285 windfall units over a five-year period. See Figure 2 and table 7 below.

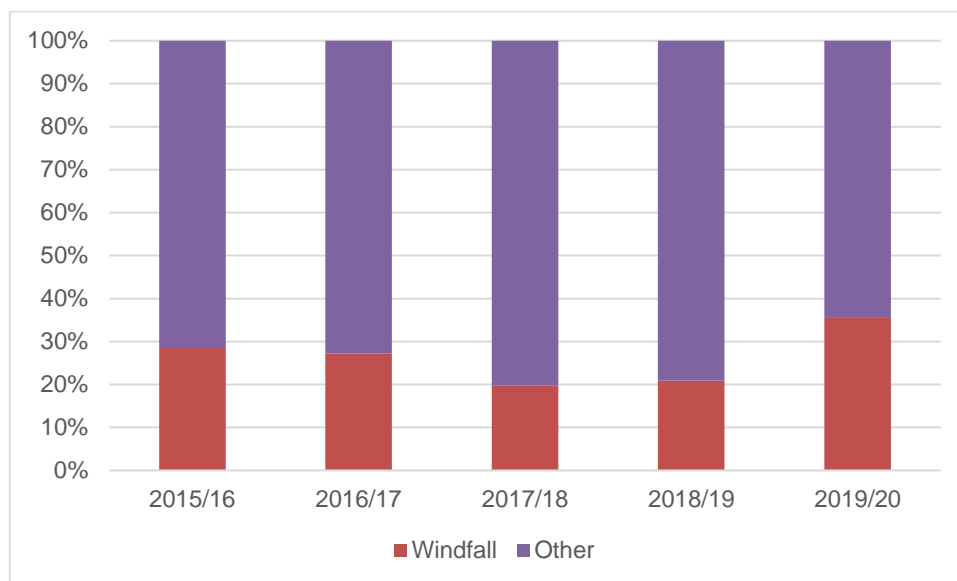


Figure 2: Percentage of Windfall Site Completions 2015/16 to 2019/20

Table 7: Colchester Historic Windfall Completions

| Year | 2015/2016 | 2016/17 | 2017/18 | 2018/19 | 2019/20 | Average |
|-----------------------------------|-----------|---------|---------|---------|----------------|---------|
| Number of Dwellings from Windfall | 328 | 248 | 207 | 243 | 399 | 285 |

6.10 The housing completions included in this report shows that a net of 1,124 homes were built between 1 April 2019 and 31 March 2020. This is marginally lower than the previous years' total of 1,165 homes but is considered to still demonstrates good local market conditions. See Table 8 below.

Table 8: Housing Completions (site by site basis) 1 April 2019 to 31 March 2020

| PLANNING REFERENCE | SITE LOCATION | 2019/20 |
|------------------------------------|--|---------|
| BERECHURCH | | |
| 160071 | BOURNE COURT, COLCHESTER | 5 |
| 162958 | 17 BLACKHEATH, COLCHESTER | 9 |
| CASTLE | | |
| 152840 | 78 MALDON ROAD | 1 |
| 172739 | 42 CROUCH STREET, COLCHESTER | 26 |
| 180181 | 36A – 42 BARRACK STREET, COLCHESTER | 7 |
| 182202 | 1A LEXDEN ROAD | 1 |
| 180495 | 1 TRINITY STREET COLCHESTER | 13 |
| GREENSTEAD | | |
| 181829 | AIM HIRE SITE, HAWKINS ROAD, COLCHESTER | 151 |
| 181907 | AVON WAY HOUSE, AVON WAY, COLCHESTER | 152 |
| LEXDEN & BRAISWICK | | |
| 160927 | 37 OAKS DRIVE, COLCHESTER | 1 |
| 151495 | HIGH TREES, ST CLARE DRIVE, COLCHESTER | 2 |
| 182169 | 24 BRADBROOK COTTAGES, ARMOURY RD, WEST BERGHOLT | 1 |
| 152322 | LITTLE PORTERS, PORTERS LN, FORDHAM HEATH | 1 |
| 162169 | MERCERS PLACE, HALSTEAD ROAD, EIGHT ASH GREEN | 4 |
| MILE END | | |
| 100502 | FORMER SEVERALLS HOSPITAL PHASE 2, COLCHESTER | 167 |
| 150473 | CHESTERWELL, (Both Outlets) | 62 |
| 150600 | LAND ADJ 89 NAYLAND RD, COLCHESTER | 3 |
| 160920 | 248 MILL ROAD, COLCHESTER | 1 |
| NEW TOWN & CHRISTCHURCH | | |
| 152730 | BROOKLAND YOUTH CENTRE, BROOK STREET | 5 |
| 170621 | GARRISON DEVELOPMENT - K1 (McCARTHY & STONE) | 53 |
| 180057 | GARRISON DEVELOPMENT - J2r2 (J2Br) (BOVIS) | 52 |
| 151087 | GARRISON DEVELOPMENT - A1 (MEE01 & MEE03) | 6 |

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| PLANNING REFERENCE | SITE LOCATION | 2019/20 |
|------------------------------|---|---------|
| 131336 | 47 & 49 WICKHAM ROAD, COLCHESTER | 1 |
| 170818 | LAND R/O 92-94 MERSEA ROAD | 2 |
| 190379 | 56 MILITARY ROAD. COLCHESTER | 1 |
| 193466 | 8C MAGDALEN STREET | 2 |
| 180308 | 13.14 1-7 WINNOCKS ALMS, COLCHESTER | 2 |
| OLD HEATH & HYTHE | | |
| 181552 | LAND ADJ 33 ABBOTS ROAD COLCHESTER | 1 |
| 150492 | CANNOCK MILL, OLD HEATH ROAD | 23 |
| 162165 | 92 HYTHE HILL, COLCHESTER | 1 |
| 172549 | 13 FINGRINGHOE ROAD, COLCHESTER | 1 |
| SHRUB END | | |
| 170485 | 65 JOHN KENT AVENUE, COLCHESTER | 1 |
| ST JOHNS AND ST ANNES | | |
| 161355 | 287 IPSWICH ROAD, COLCHESTER | 1 |
| 130560 182804 | 78 BROMLEY ROAD, COLCHESTER | 1 |
| 161281 | 13 SUFFOLK CLOSE, COLCHESTER | 1 |
| 170735 | LAND BETWEEN 42 AND 58 PARSONS HEATH, COLCHESTER | 4 |
| 172057 | FORMER M & F WATTS | 2 |
| STANWAY | | |
| 120848 | RAILWAY SIDINGS SITE, NORTH OF HALSTEAD ROAD, STANWAY | 7 |
| VARIOUS | LAKELANDS | 37 |
| 152826 | LAND BETWEEN AND FRONTING DYERS ROAD AND WARREN LANE, STANWAY | 32 |
| 180873 | DYERS ROAD, COLCHESTER (MERSEA HOMES) | 2 |
| 170023 | SLAPTON, 11 LUCY CLOSE, STANWAY | 1 |
| 170207 | 24 VILLA ROAD, STANWAY | 1 |
| 170023 | SLAPTON, 11 LUCY CLOSE, STANWAY | 1 |
| 160696 | WYVERN FARM, LONDON ROAD, STANWAY | 64 |
| 190079 | NEW BARNS, CHURCH LANE, STANWAY | 1 |
| MARKS TEY & LAYER | | |

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| PLANNING REFERENCE | SITE LOCATION | 2019/20 |
|------------------------------|---|---------|
| 161283 | NEW HALL, COPT HALL LANE, GREAT WIGBOROUGH | 1 |
| 152368 | 15 MALTING GREEN ROAD, LAYER DE LA HAYE | 1 |
| 152626 | L/A 172 OLD LONDON ROAD, MARKS TEY (NOT DUPLICATE) | 1 |
| 163146 | SALCOTT COTTAGES, THE STREET, SALCOTT | 1 |
| 172108 | LAYER MARNEY NURSERIES, SMYTHES GREEN, LAYER MARNEY | 4 |
| 171984 | "BIRCHWOOD" BIRCH STREET, BIRCH, COLCHESTER | 1 |
| 182328 | 132 HIGH ROAD, LAYER DE LA HAYE | 1 |
| 180808 | "MILL FARM" BIRCH STREET, BIRCH, COLCHESTER | 1 |
| MERSEA & PYEFLEET | | |
| 100927 | PLOT TO THE REAR OF 19 EMPRESS AVENUE, WEST MERSEA | 1 |
| 120907 | LAND REAR OF 19 ROSEBANK ROAD, ACCESS OFF BLACKWATER DRIVE, WEST MERSEA | 1 |
| 145978 | 24 OAKWOOD AVENUE, WEST MERSEA | 1 |
| 151500 | 21 PRINCE ALBERT RD, WEST MERSEA | 2 |
| 160750 | STANDISH, IVY LANE, EAST MERSEA | 1 |
| 163155 | PLANE HALL FARM, SOUTH GREEN ROAD, FINGRINGHOE | 1 |
| ROWHEDGE | | |
| 144693 | ROWHEDGE WHARF (Bloor) | 42 |
| 160551 | ROWHEDGE WHARF, FORMER ROWHEDGE PORT, ROWHEDGE (Hills) | 46 |
| 173175 | 18 RECTORY ROAD ROWHEDGE | 4 |
| RURAL NORTH | | |
| 170997 | HILL FARM, BOXTED | 10 |
| 171207 | PEARTREE HILL, MOUNT BURES | 1 |
| 150859 | TEY CROSS FARM, EARLS COLNE RD, WAKES COLNE | 1 |
| 160333 | STURGEONS FARM, MIDDLE GREEN, WAKES COLNE | 1 |
| 170137 | GREAT LOVENEY HALL, UPPER GREEN, WAKES COLNE | 1 |
| 181654 | BARRITTS FARM, QUEEN HEAD ROAD, BOXTED | 1 |
| TIPTREE | | |
| 122134 | GRANGE ROAD, TIPTREE | 34 |
| 130245 | LAND ON NORTH EAST SIDE OF FACTORY HILL, TIPTREE | 40 |

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| PLANNING REFERENCE | SITE LOCATION | 2019/20 |
|-----------------------------------|------------------------------|--------------|
| 162809 | 110 CHURCH ROAD, TIPTREE | 2 |
| 181725 | 93 MALDON ROAD, TIPTREE | 1 |
| WIVENHOE | | |
| 172360 | 71 THE AVENUE, WIVENHOE | 2 |
| 163158 | 5 HIGH STREET, WIVENHOE | 1 |
| 170958 | 15-16 NELSON CLOSE, WIVENHOE | 2 |
| 171652 | 10-14 NELSON CLOSE | 4 |
| DWELLING COMPLETIONS TOTAL | | 1,124 |

| Housing Indicator 2 | Percentage of new and converted dwellings on previously developed land (brownfield) | Indicator for Core Strategy Policies SD1, H1 and UR1 |
|---------------------|---|--|
|---------------------|---|--|

6.11 This indicator has been removed from the AMR. The Council have defended a number of planning appeals over the last couple of years, which have been in conflict with key Policies SD1, H1 and ENV1 of the Adopted Local Plan in addition to other site-specific policies which may apply to each case. Regardless of the outcome of the appeal decision, a consistent conclusion of the extent to which elements of these key policies are up to date and consistent with the NPPF has emerged.

6.12 Policy SD1 is considered out of date in respect of the housing and job requirement figures and by requiring a sequential approach that gives priority to previously developed land (PDL). As a result, this portion of the policy is no longer required to be monitored. It should be noted that the remaining elements of the policy are considered up to date and consistent with the NPPF.

Brownfield Register

6.13 The Council has a statutory requirement to publish and maintain a Brownfield Land Register. The Council has published a register which provides up-to-date and consistent information on brownfield sites that local authorities consider to be appropriate for residential led development. The register is in two parts, Part 1 comprises all brownfield sites appropriate for residential development and Part 2 outlines those sites granted permission in principle.

6.14 The Council has granted planning permission on a number of brownfield sites via the traditional planning application process only. There a number of brownfield sites across the borough where building works have now commenced. No new sites have been submitted to the register in this monitoring period. The register is live and is published on the Council website and provides transparent information about sites within the register. The Council continues to have an open call for sites for the register as advertised on the Council website.

6.15 There are 28 sites on the current register and several sites are currently going through the planning application process, such as the former Essex County Council Lexden Road hospital site currently being considered for over 100 new homes. If applications are successful, these sites will be removed from the register as and when building works have commenced and progressed.

6.16 Further information can be found [online](#).

| Housing Indicator 3 | Affordable housing completions | Indicator for Core Strategy Policies H4 |
|---------------------|--------------------------------|---|
|---------------------|--------------------------------|---|

6.17 During this monitoring year 202 new build affordable housing units were delivered, 159 were affordable rent, and 43 were Shared Ownership. This amounts to 18% of all new homes delivered. No new build social rent properties were delivered. The

comparable figures for the previous three years were 110 (9.4%) in 18/19, 132 (12.5%) in 17/18, and 100 (10.96%) in 16/17. This demonstrates the highest number of new build affordable housing units delivered in the last four years.

6.18 193 of the new homes were delivered through section 106 obligations.

6.19 For the year 2019/20, no commuted sums were received for affordable housing.

| Housing Indicator 4 | Percentage of affordable housing in rural areas | Indicator for Core Strategy Policies H4 and ENV2 |
|---------------------|---|--|
|---------------------|---|--|

6.20 9 new build affordable homes were delivered in rural areas during this monitoring period.

| Housing Indicator 5 | Gypsy and Travellers Provision | Indicator for Core Strategy Policy H5 |
|---------------------|--------------------------------|---------------------------------------|
|---------------------|--------------------------------|---------------------------------------|

6.21 The Council worked with other districts to produce an Essex Gypsy and Traveller Accommodation Assessment (GTAA) to help provide an assessment of current provision and future need for pitches (Published in July 2014, with September 2014 revisions and a Colchester specific report in June 2017). The GTAA established that Colchester had 12 local authority pitches at Severalls Lane, 15 private pitches, and one site where the use was tolerated and considered lawful due to the length of time it had occurred.

6.22 Council monitoring established that in January 2020 there were 34 caravan/mobile units across 11 sites within the Borough. This includes 15 on the Local Authority Site at Severalls Lane. The actual number of caravans present in the Borough may vary at any point in time and explain any differences between the number of caravans permitted by planning applications and the number of caravans recorded in the caravan count.

6.23 The Council amended Core Strategy Policy H5 (Gypsies and Travellers) in its Focused Review (July 2014) to clarify that it will use national policies to help determine planning applications for gypsy and traveller sites prior to the adoption of a new Local Plan.

6.24 The development of new policies and allocations for gypsies, travellers and travelling show people has been guided by the Gypsy and Traveller Accommodation Assessment work noted above, which found that the Council will need to provide an overall total of 15 further pitches to meet demand to 2033, including 2 pitches for nomadic travellers, and 13 pitches for those identifying as gypsies and travellers. This is outlined in Emerging Local Plan policy DM11.

7. Key Theme: Economic Growth

Overview

7.1 Colchester has a vibrant economy ranked 10th in the UK Vitality Index by Lambert Smith Hampton (2019) which ranks 66 towns and cities outside of London. High scoring towns and cities have healthy and robust local economies, are best placed to support growth and will provide opportunities for business to expand. Complementary to this growth is a steadily growing population, estimated to be at 194,7000 in 2019.

7.2 Future economic growth through job and business creation is outlined in the [Colchester Economic Growth Strategy \(2015-2021\)](#). A mid-term review of the strategy (2019) has highlighted the following priority sectors, classified as such due to high growth potential and high numbers of jobs:

- **Creative, Digital and Tech:** Publishing, software and games development and digital marketing enabled further by Ultrafast Gigabit broadband connectivity
- **Care:** The concentration of NHS and allied services and care homes together with demographic trends across North Essex offers opportunity for innovation and growth in the sector
- **Energy:** Colchester is well-positioned to benefit from the major projects coming on stream in the region including wind, nuclear and heat networks
- **Construction:** The North Essex construction pipeline is significant, including infrastructure projects, schools' expansion, major residential and associated commercial development. This will ensure growth in this sector for decades to come.

7.3 Other sectors are classified as 'core' to the local economy to support growth opportunities for the Borough and include the financial and business services, retail, tourism and advanced manufacturing sectors.

7.4 The North Essex Economic Strategy (NEES) 2040 has been developed in partnership with Braintree District, Colchester Borough, Essex County, Tendring District and Uttlesford District Councils. This provides a platform for strategic intervention at a scale which will achieve transformation in the overall economic prosperity of the North Essex area and compliment local economic activity delivered by the partners. The overall vision of the strategy is as follows:

“North Essex is a high-value, productive and sustainable economy. People choose to live and work locally, in new and established communities that are well connected and inspire innovation and creativity.”

7.5 To deliver this vision, four key missions have been identified that will focus the partners shared activity over the next five years:

- Driving innovation and technology adoption;
- Developing a skilled and resilient workforce;
- Creating a network of distinctive and cohesive places; and
- Growing a greener, more sustainable economy.

7.6 The North Essex Economic Strategy was recently approved by Cabinet on 20 November 2019. The Strategy can be viewed [online](#).

Business and Demography Growth

7.7 As of March 2019, Colchester had 7,180 enterprises consisting of 8,460 local units. The type of enterprise is defined by the number of employees. A micro enterprise would have 0-9 employees, small 10-49, medium 50-249 and large being above 250. Figure 3 below shows the type of enterprises in Colchester.

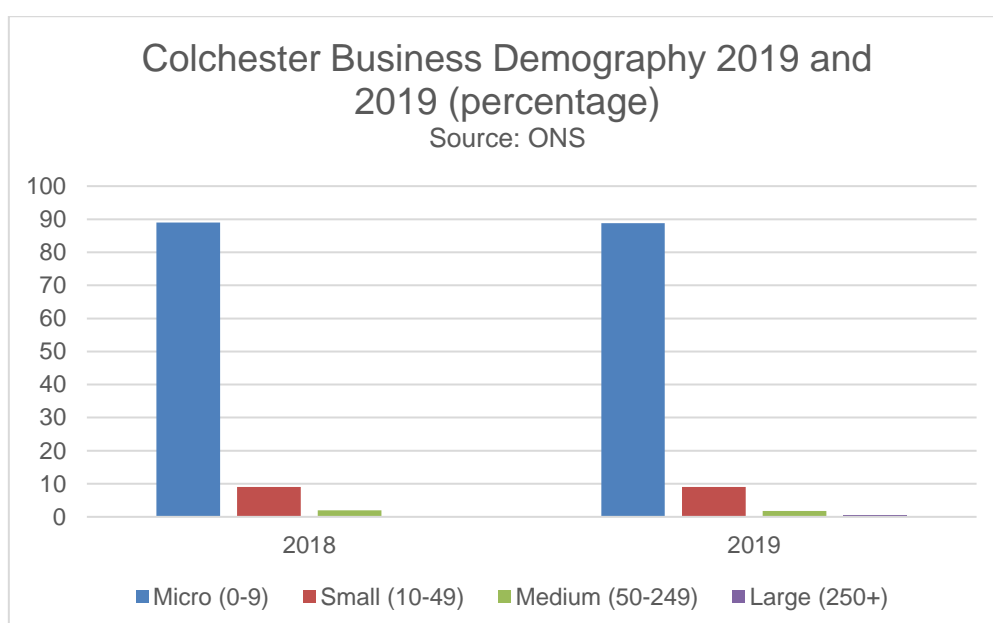


Figure 3: Types of Enterprises in Colchester

Micro enterprises are the most dominant across Colchester, making up 89% of total enterprises in 2018, and remaining largely the same at 88.8% in 2019. There have been minor fluctuations between small and medium enterprises, while there continues to be below 1% of the total enterprises classified as large in Colchester.

Employment Growth

7.8 The latest figures available from the ONS demonstrate that during the monitoring period, 90,700 people in Colchester were in employment, which included 52,000 (61.9%) full time workers and 32,000 (38.1%) part time workers.

7.9 In 2019, there were 124,500 people within the Borough considered as working age (age 16-64). This included 88,400 of this population in employment, with self-employment comprising 6,900 people. Within the working age population, 32,700

people are economically inactive which includes students, sick, retired or homemakers and there are a further estimated 3,900 unemployed.

7.10 Although the number of people registered as claimants for out of work benefits appears high at 2,720 people (2.2% of the total Colchester population), as Universal Credit is rolled out across the Country, the number of people recorded as being on the Claimant Count is likely to rise due to the broader span of claimants who are required to look for work than previously required under Jobseekers Allowance. However, the Colchester figure of 2.2% of the total population, does compare favourably with the eastern region figure of 2.4% and the Great Britain average of 3%.

7.11 The total number of people unemployed has risen, from 3,100 in 2018/19, to 3,600 in this monitoring period. This represents 3.8% of the Colchester population, and is below both the Regional and National averages of 3.2% and 3.9% respectively.

7.12 In 2019, 45,700 people aged 16-64 had achieved an NVQ Level 4+ qualification (degree or higher-level) representing 36.8% of the working age population in Colchester. Although, a slight decline in comparison to 2018 (38%), this equals the regional average of 36.8% for the East of England but is slightly lower than the Great Britain figure of 40.3%.

7.13 In 2019/20, 800 apprenticeships were started; ranging from intermediate (280), advanced (320) and higher (200) levels. The apprenticeships also cover a wide age range with 200 apprentices aged 19, 220 aged 19-24 and 380 aged over 25.

7.14 In 2018/19 in Colchester 12,285 people were studying a course in a Further Education College, with a training provider, within their local community or are employees undertaking an Apprenticeship or other qualification in the workplace.

Key Programmes Update

7.15 Colchester Borough Council's commercial arm Colchester Amphora Trading is driving the development of the £200m Northern Gateway development which surrounds the Community Stadium, home of Colchester United FC. This landmark development is themed around health and leisure reflecting the need to keep the area's rapidly ageing population fit, active and healthy and encouraging participation in sport and leisure activities. Construction is well under way north and south of the A12's Junction 28, bringing 76 acres of new sport and leisure facilities to Colchester's booming population including a new cycling track, a new sports centre with café, gym, studio and sports hall and a new Club House for Colchester Rugby Club. New homes, a healthcare campus and potentially 500,000sq ft of new office space will be developed to the south of the A12.

7.16 Such developments offer great opportunities to rethink supporting infrastructure and the Northern Gateway development is leading the way on the installation of a pioneering new heat network which is one of only nine flagship schemes in the UK to be funded by the Government. The network will significantly reduce carbon emissions from heating buildings and is the largest scale project of its kind in the country.

- 7.17 Government funding has also been secured to install Gigabit fibre broadband to the development which is adding 1gb simultaneous connectivity to the town centre's existing gigabit fibre network. This connectivity is proving to be very attractive to existing Colchester businesses and new businesses seeking improved connectivity. Full fibre Ultrafast Broadband is critical to attract new businesses into Colchester for a growing population. It's also vital to help existing businesses looking to expand and grow and is key to getting Colchester recognised as a hub for technology and digital businesses.
- 7.18 The University of Essex's £250m expansion plan is also spearheading local growth, which is well under way, servicing a double-digit rise in student population as well as the University's global ambitions. This year has seen the opening of a new £12m Innovation Centre offering 38,000sq ft of office space for 50 technology start-ups benefitting from its proximity to the internationally renowned University's computer science and engineering faculty. A new £18 million STEM Centre also opened earlier this year ensuring a strong talent pipeline for Studio X, an incubation facility co-located in the Innovation Centre.
- 7.19 2019 has seen the commencement of the £9m Mercury Rising expansion project which will completely renovate, improve and extend the theatre space, production and workshop facilities as well as building a new business incubation space to support local creative talent which complements the new creative business centre in Queen Street run by SPACE Studios. A new high-spec big top at Abbey Field was the temporary home of The Mercury Theatre which opened in Autumn 2019 and closed after the Panto season in 2020.
- 7.20 Amphora Trading has also brought 43,000sq ft of new premium office space to the town. Its development of two new office buildings, let to Birkett Long and Aston Lark, provide valuable income to the Council and contributed to a 34-place leap in the National Hot Office Location Index 2019 published by Property Week with a national ranking of 48.
- 7.21 Colchester has submitted a bid to the Government's Town Deal fund in October 2020. The aim of the fund is to help boost economic growth through supporting a variety of improvement projects. Colchester is one of 101 places across the UK bidding for up to £25m each.
- 7.22 Many millions have been invested in Colchester in recent years but some of our public spaces look tired. Some of our communities need better facilities. Some of our residents need support to realise their potential and to help them to grow Colchester's economy. We all know that climate change means that we need to find different ways to get around too. We hope that, if we are awarded this funding, we can take steps to improve all these issues facing Colchester. In short, this funding is needed to help to improve Colchester and to help its people realise their potential.

7.23 In September 2020 Colchester was awarded £1m to kickstart town centre improvement right away. This will be spent transforming St Nicholas Square (bounded by Three Wise Monkeys, the rear of the new St Nicholas Hotel and the former Co-op building). It will also complement the area around The Mercury Theatre and Balmerne Gate by redesigning space there also. This will provide a much better first impression coming over the bridge from St Mary's car park. In making the town centre a more attractive place we hope that it will make it a great place to be, to meet friends, to rest and to appreciate the town's heritage.

7.24 If Colchester is awarded the full £25m then the projects chosen will see Colchester becoming a healthier, greener place. A place which celebrates and respects its history and heritage. A place which is on the front-foot to compete for other opportunities which come forward. A place which is more equal than before and a place which is actively recovering from the economic impact of Covid-19.

7.25 The Government will be making its decision on this funding in early 2021.

| Economic Growth Indicator 1 | Amount of floorspace developed for employment by type (sqm) | Indicator for Core Strategy Policies CE1, CE2 and CE3 |
|-----------------------------|---|---|
|-----------------------------|---|---|

7.26 The [2015 Employment Land Needs Assessment](#) stated that the Borough recorded moderate amounts of new development over the last few years, mainly relating to industrial (B1c/B2/B8) uses and driven by a small number of large developments.

7.27 This indicator shows the amount and type of employment floorspace (potential gains and losses and net balance) granted permission during the 2019/20 monitoring year.

Table 9: Employment Floorspace Granted on Previously Developed Land (PDL)

| | B1 m ² | B2 -B8 m ² | Total |
|--------------------|-------------------|-----------------------|--------------|
| Gains | 6,058 | 2,254 | 8,312 |
| Losses | -2,285 | -145 | -2,430 |
| Net balance | 3,773 | 2,109 | 5,882 |

7.28 Table 9 outlines that overall, if all applications were implemented there would be a potential net gain of commercial floorspace in both B1 and B2-B8 use classes as well as in overall employment floorspace across the Borough from planning permissions issued this monitoring period.

Table 10: Applications leading to the largest potential gains and losses in floorspace across Colchester 2019/20.

| Application Reference | Description | Address | Floorspace in sqm |
|--------------------------------|--|--|-------------------|
| Potential Losses B1 sqm | | | |
| 192954 | Change of use of land and modification and conversion of the existing building from B1 (a) office to Holiday let to accommodation and parking | 115A Treetops, Bromley Road, Colchester | -1099.74 |
| 192776 | Change of use from B1 office to a sui generis use to provide a tattoo studio | 1a Mercantile House, Sir Isaacs Walk Colchester | -238.80 |
| 200417 | Notification for prior approval for proposed change of use of first to third floors inclusive from offices (B1a) to 13no. residential apartments (C3). | First to third floors inclusive, 3 High Street, Colchester | -225.74 |

| Application Reference | Description | Address | Floorspace in sqm |
|-------------------------------------|---|--|-------------------|
| 193016 | Change of use of ground floor and first floor rooms to residential use and alterations to frontage (revised description). | 49 High Street, West Mersea | -205.02 |
| Potential Losses B2 - B8 sqm | | | |
| 192691 | Change of use from B8 (storage and distribution) to B1(C) (light industrial). Retrospective | 1a Wimpole Road, Colchester | -145 |
| Potential Gains B1 - B8 sqm | | | |
| 190471 | Proposed industrial unit plant storage area and associated car parking | Land at, Edward Park, Grange Way | 3386 |
| 191006 | Proposed Warehouse and plant room equipment extension | Essex Governor Services Ltd, Wormingford Road, Fordham | 2275 |
| 192784 | Proposed sales/repair building at Poplar Nurseries for 'Grasshopper' mowers & garden machinery. | Poplar Nurseries Ltd, Coggeshall Road, Marks Tey | 160.57 |
| 192691 | Change of use from B8 (storage and distribution) to B1. | 1a Wimpole Road, Colchester | 145 |

| | | |
|------------------------------------|--|---|
| Economic Growth Indicator 2 | Amount of floorspace developed for employment by type, which is on previously developed land (PDL) (sqm). | Indicator for Core Strategy Policies SD1, CE1, CE2, CE3, UR1 |
|------------------------------------|--|---|

7.29 The purpose of this indicator is to show the amount and type of employment floorspace (gross) granted permission on previously developed land (PDL) during the 2019/20 monitoring period.

Table 11: Employment Land granted on PDL

| | B1 | B1(b)-B8 | Total |
|----------------------------|-----------|-----------------|--------------|
| Gross on PDL | 2,672 | 2,254 | 4,926 |
| Gross on Greenfield | 3,386 | 0 | 3,386 |
| % on PDL | 44% | 100% | 41% |

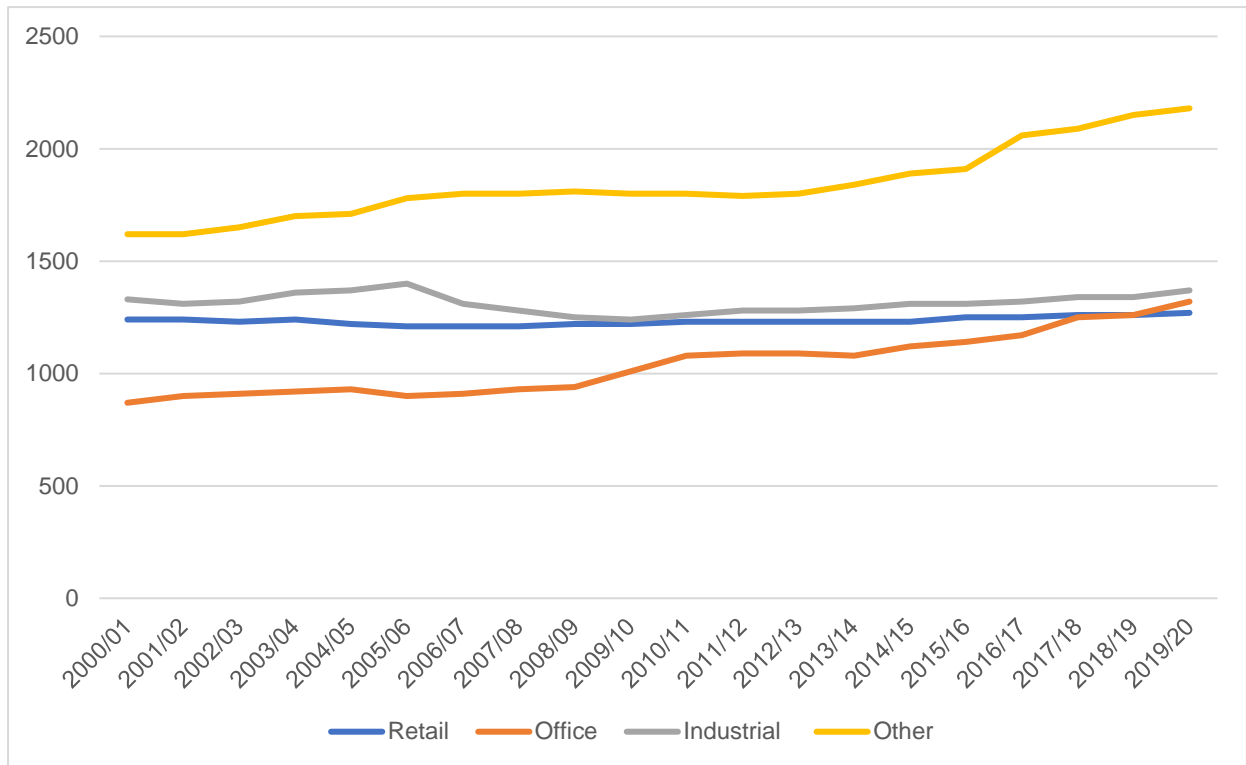
7.30 During this monitoring period, there has been one large development of B1 usage on a greenfield site (Edward Park, Grange Way). The remaining developments are on PDL due to the remaining gains in various categories being through the change of use of existing buildings or extensions to existing buildings.

| | | |
|------------------------------------|----------------------------------|--|
| Economic Growth Indicator 3 | Employment land available | Indicator for Core Strategy Policies CE1, CE2 and CE3 |
|------------------------------------|----------------------------------|--|

7.31 Demand for commercial space is largely a derived demand from the levels of business formation and expansion in the economy. It is also subject to wider changes in working practices, such as hot desking, flexible and homeworking in B1 jobs leading to intensification in the use of existing space.

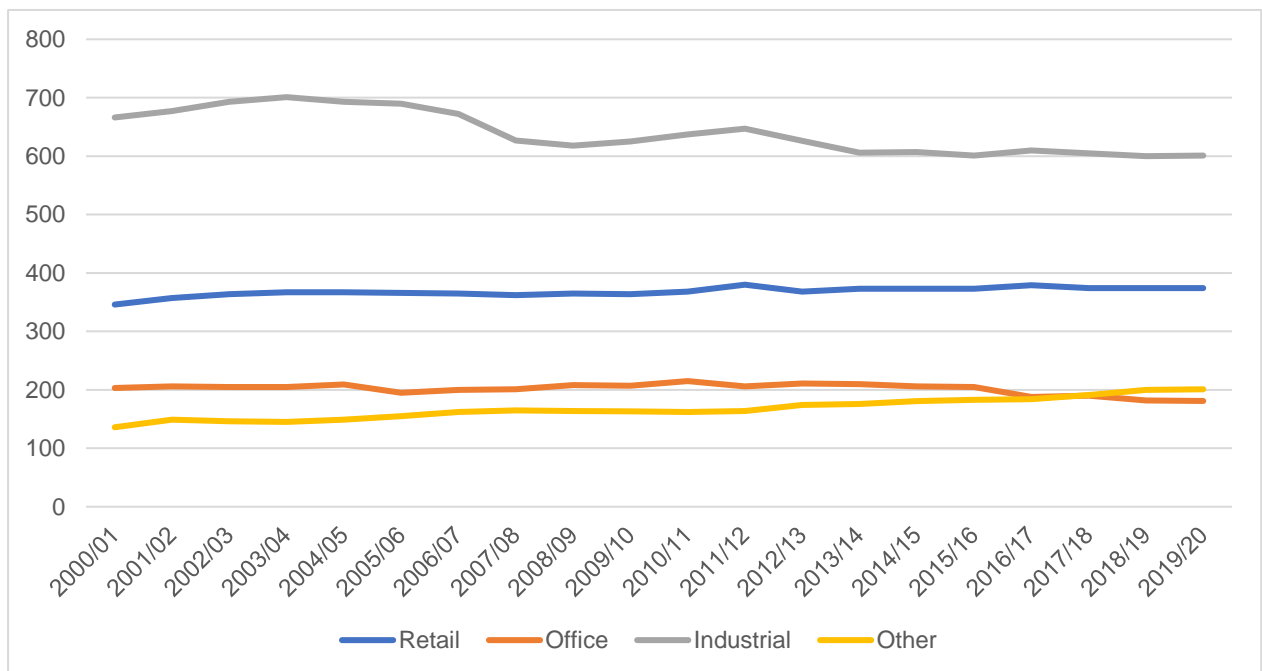
7.32 Available data for each year from 2000/2001–2019/2020 covers four major categories of rateable property – Office, Retail, Industrial (including factories and warehouses) and ‘Other’. This is a useful measure of local and wider economic changes.

7.33 Figures 4 and 5 below outline the number of commercial properties and corresponding floorspace for each of the four major categories.



Source: VOA

Figure 4: Total Number of Rateable Commercial Properties by Major Class in Colchester, 2000 to 2020



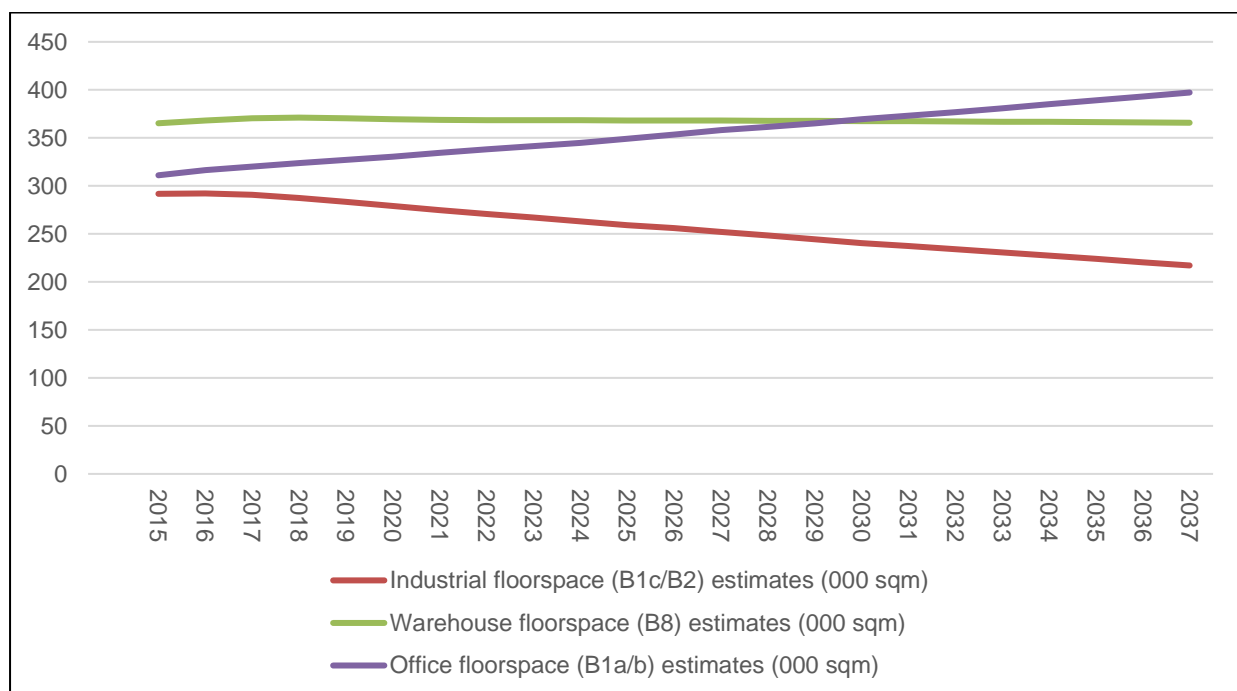
Source: VOA

Figure 5: Total Floor Space (000m²) by Major Category in Colchester, 2000 to 2020

7.34 Within the major categories, there has been:

- A marginal increase in the number of retail properties, while the retail floorspace remains unchanged from at 374,000m² recorded yearly since 2017/18.
- A sustained significant increase in the number of office properties (constructed and in various stages of being let as shown in the Floor Space graph) but no net floor space growth reflecting the growth in start-up space
- There has been historic fluctuation in the number and floorspace of industrial properties, with 1,370 properties in this monitoring period being the highest recorded since 2004/05, despite floor space showing minimal variation.
- Continuation of previous trends showing a significant increase in the number and floorspace of 'Other', encompassing health, social care, leisure, tourism, hospitality and sui generis.

7.35 The Council's May 2017 [Employment Land Supply Delivery Trajectory Report](#) provides an assessment of the availability and deliverability of sites identified by the council as having the potential to contribute towards meeting future office and industrial floorspace requirements identified in the Local Plan currently under examination, which covers the period to 2033. The report concludes that Colchester has sufficient employment space in overall quantitative terms to meet the needs associated with growth over the Plan period. The report considers 15 identified sites in detail but also notes that there will be other sites that make some contribution to meeting future needs including emerging proposals for new Garden Communities.



Source: EEFM, January 2016

Figure 6: Projected Employment Land Use in Colchester 2015 – 2037

7.36 The Council's evidence base for employment land is from three sources; 2015 Colchester Employment Land Needs Assessment, 2017 Employment Land Trajectory by NLP and North Essex Garden Communities Employment and Demographic Study April 2017. The range of hectares of employment land to be provided in the Joint Strategic Section 1 and then carried forward Section 2; was based on two of the four scenarios developed by NLP to consider future need for employment land.

7.37 Following examination of the Section 1 Local Plan, the Inspector has proposed modifications to provide the higher end of a range of employment land is required to be lowered from 55.8 to 30ha. This lower number still reflects one of the four NLP scenarios (The Baseline Job Growth EEFM scenario of 29.8 rounded to 30ha for simplicity).

7.38 Through the Section 1 Examination, it has been concluded that 2.8ha of employment land is required at the Tending Colchester Borders Garden Community. This will be further developed through detailed masterplanning work.

7.39 Any changes proposed to the Section 2 Local Plan as a result of the loss of the remaining two garden communities, will be explored through the Section 2 Examination anticipated to commence in 2021.

| Economic Growth Indicator 4 | Total amount of floorspace for 'town centre uses' (sqm) | Indicator for Core Strategy Policy CE2a |
|------------------------------------|--|--|
|------------------------------------|--|--|

7.40 The purpose of this indicator is to show the amount of floorspace (potential gross and net) for town centre uses within (i) the town centre area and (ii) the local authority area which has been granted planning permission in the monitoring period.

Table 12a: Uses within the Town Centre Area

| (i) Town Centre area (sqm) | | | | |
|-----------------------------------|---------------------|----------------------|-------------------|--------------|
| | A1-A2 Retail | B1(a) Offices | D2 Leisure | Total |
| Gains | 101 | 0 | 181 | 282 |
| Losses | -417 | -313 | 0 | -730 |
| Net balance | -316 | -313 | 181 | -448 |

Table 12b: Uses within the Local Authority Area (excluding Town Centre)

| (ii) Local Authority Area (sqm) | | | | |
|--|---------------------|----------------------|-------------------|--------------|
| | A1-A2 Retail | B1(a) Offices | D2 Leisure | Total |
| Gains | 1,674 | 340 | 16,926 | 18,940 |
| Losses | -1,695 | -2,248 | -2,827 | -6,770 |
| Net balance | -21 | -1,908 | 14,099 | 12,170 |

7.41 Table 12a show potential losses of retail floorspace within the Town Centre. The gains in floor space are due to two planning applications, both of which are extending existing A1/A2 locations.

7.42 Additionally, Table 12b demonstrates a potential gain in D2 leisure floorspace in the Local Authority Area. There is a large anticipated increase in D2 leisure gains due to numerous locations building glamping pods, camping facilities and holiday let accommodations.

8. Key Theme: Transport

Overview

- 8.1 Continued engagement with the community has illustrated that transportation and traffic issues are still very high up on the public's list of priorities. The Core Strategy sets out the Borough Council's approach to transport, which seeks to change travel behaviour to manage demand, especially of peak hour car traffic.
- 8.2 The Borough Council worked with Essex County Council and others to produce the draft Colchester Future Transport Strategy. The Strategy's vision is to 'transform Colchester into a place which prioritises active and safe sustainable travel to bring about health, environmental and economic benefits'. A consultation is being held on the Strategy until 18 December 2020. More information is available [online](#).

Walking and Cycling in Colchester

- 8.3 Following the adoption of the Essex Cycling Strategy, Colchester Borough Council continues to work with Essex County Council on the Colchester Cycling Action Plan and the Walking Strategy and as part of the Government's Local Cycling and Walking Investment Plan.
- 8.4 In addition to this, a number of training and promotional campaigns have been delivered to encourage residents to take up cycling. Bikeability courses are on offer during school holidays to adults and children to develop cycle skills. A monthly e-newsletter updating on local cycling matters is also sent out.

Transport Infrastructure

- 8.5 Construction continues on the A133 Ipswich Road/Harwich Road improvement scheme. The scheme sees the replacement of the double roundabouts located at Ipswich Road and Harwich Road with a single roundabout at each location. The carriageway between Ipswich Road and Harwich Road junctions is also being widened to accommodate two formal lanes in each direction, and the scheme will include upgrading existing pedestrian crossings and general improvements to the current off-carriageway cycle and footway provisions. The scheme will improve the performance of the two key intersections on the A133.
- 8.6 A major safety issue has been found at the Cowdray Avenue bridge in Colchester, as it runs over the main railway line. The Cowdray Avenue Bridge repairs and final works to Ipswich Road are expected to be completed in the winter of 2020/21.
- 8.7 The Borough Council lobbies for investment in St Botolphs roundabout to allow better walking and cycling environment and access from the east of the town centre.
- 8.8 The Borough Council worked with Greater Anglia, the rail operator, to help promote investment in the Colchester, Wivenhoe, Marks Tey, Hythe rail stations, allowing better access for all and encouraging rail use instead of the private car.

Air Quality

- 8.9 In 2019/20 Colchester Borough Council continued work in implementing the Healthier Air for Colchester – Air Quality Action Plan (AQAP) 2016-2021. This AQAP was produced in partnership with Essex County Council and outlines the ambitious set of measures the Council proposes to take to improve air quality in Colchester between 2016 and 2021. Actions include the adoption of a new [Hackney Carriage and Private Hire licensing policy](#) which requires emission standards for taxis and a no vehicle requirement for vehicle idling within the boroughs Air Quality Management Areas (AQMAs).
- 8.10 Colchester Borough Councils AQAP identified that bus emissions within Colchester Town Centre are a significant source of pollution within AQMA 1 – central corridors. Since 2015, the Council both individually and in partnership have secured funding to retrofit 40 buses which serve the town centre with SCRT technology to operate at Euro VI standard. SCRT technology reduces emissions of NOx and NO2 by up to 95% and diesel particulate filters fitted to reduce particulate emissions. This allows buses to operate at the same emissions standard as new Euro VI buses.

Defra Funded Air Quality Project

- 8.11 In April 2019, the Council was awarded £249,100 (the third highest amount awarded) to deliver an air quality behaviour change project aimed at reducing air pollution in Colchester's Air Quality Management Areas (AQMA)'s.
- 8.12 The two year project's objectives are to reduce the numbers of vehicles on the road by increasing the number of people walking and cycling for short journeys particularly through the AQMA areas and to encourage widespread take up of No Idling (switching engines off) when parked and stationary at junctions and traffic lights. It has been shown from projects in other parts of the country that small changes to driving habits, such as switching the engine off whilst stationary, can reduce pollution by up to 30%.
- 8.13 This will be achieved through a bottom up approach working closely with the local community, partners and stakeholders to explore the issues around what causes air pollution, raise awareness of the health impacts of air pollution particularly from vehicles, instil a sense of personal responsibility and identify interventions and solutions to encourage personal action to reduce air pollution.
- 8.14 Two air quality community engagement officers (1.6 Full time equivalents) were employed in 2019 to deliver the Department for Environment Food and Rural Affairs (Defra) funded air quality project. The delivery officers carried out a significant period of community engagement between October 2019 to January 2020, including a Clean Air Survey, focus groups and meetings with local resident associations, community groups and businesses and participatory appraisal at doctors' surgeries, supermarkets and other locations.
- 8.15 A short [Clean Air Film](#) was produced to raise awareness of air pollution and its health impacts and to encourage participation in the survey. The aim of the community engagement was to understand current driving habits of people in

Colchester and gain insight into the current knowledge level of pollution and its effects on health and well-being and motivations for behavioural change. A [report of the findings](#) can be found on the council website and were used to inform the next stages of the project and develop a No Idling campaign.

8.16 In response to the survey findings the Council also submitted a further bid to Defra and was successful in obtaining a £59,785 grant for a feasibility study into driver facing traffic signal countdown timers and signage to encourage drivers to switch off their engines when stationary at traffic lights and rail crossings, which were two of the top interventions identified by the community engagement that would help residents get into the habit of switching off their engine when stationary.

8.17 Work with the schools within the AQMA commenced, and some short term air quality monitoring studies were undertaken. This showed that localised air pollution outside the schools did increase during the school run. Bespoke work has started with one of the schools to look at ways to mitigate this, for example, looking at the scope for a walking route into the back of St James' to encourage more pupils to walk and to access the school away from the traffic. Funding is now being sought to pursue this project.

8.18 The project partnered with Anglia Ruskin University (ARU) and Essex County Council (ECC) to start a project to develop a pre- and post-evaluation assessment of Bikeability aiming to enhance Bikeability provision. Feedback from parents and pupils will be used to identify suitable sustainable interventions that would encourage a bigger take up of cycling post training.

| | | |
|-----------------------|---|--|
| Transport Indicator 1 | To obtain an agreed Travel Plan for all major commercial/community developments | Core Strategy Indicator for Policy TA1 |
|-----------------------|---|--|

Travel Change Behaviour

8.19 The Colchester Travel Plan Club (CTPC) has continued to work closely with CTPC members and Essex County Council to further develop their travel plans, and to begin the process of gaining Modeshift STARS accreditations.

8.20 While continuing to work closely with existing members like East Suffolk and North Essex Foundation Trust, the University of Essex, Colchester Institute and The Maltings student accommodation, the Elmstead Road student accommodation has joined CTPC as a full member, and CTPC has been working with them and the University to create a joined-up approach to travel change behaviour at the University.

8.21 CTPC has continued to work with Colchester Borough Council officers to develop and facilitate CBC active and sustainable travel projects to benefit CTPC members.

8.22 The Borough Council continues to work closely with the train operating company under the Station Travel Plan. The Borough continues to be an active partner in the Community Rail Partnership scheme.

8.23 A total of 114 Residential Travel Information Packs have been provided to new residents of residential developments in Colchester in 2019/20 as detailed below:

Table 13: Residential Travel Information Packs Issued 2019/20

| Developer | Number of packs provided | Development name |
|---------------------|--------------------------|-------------------------------|
| Robert E Lee | 5 | The Old Rectory |
| Lynton Homes Ltd | 29 | Hill Farm |
| East Anglian Group | 20 | Kingsford Heath |
| Bellway Homes Ltd | 50 | Forest View @ Kingswood Heath |
| Aspire Projects Ltd | 10 | Florence Park Homes |

9. Key Theme: Environment and Heritage

Overview

9.1 The natural environment of the Borough has been shaped by both physical process and land management over time. These processes have created the high quality landscapes and diverse habitats and biodiversity/geodiversity found throughout the Borough. These include internationally significant areas of coastal and intertidal habitats, mudflats and salt marsh and shell banks, which constitute some of the features of interest within the Mid Essex Estuaries Special Area of Conservation (SAC).

9.2 New development has the potential to fragment or lead to the loss of habitat. The Council seeks to conserve and enhance Colchester's natural environment, countryside and coastline as well as preserving its archaeological and built heritage through the protection and enhancement of sites of international, national, regional and local importance.

9.3 The Borough Council continues to direct development away from land at risk from all types of flooding and will also seek to ensure that new development does not increase the risk of flooding either on or off site through the increased use of Sustainable Urban Drainage Systems (SuDS).

| Environment Indicator 1 | Number of planning applications approved contrary to Environment Agency advice on flood defence or water quality grounds | Core Strategy Indicator for Policy ENV1 |
|-------------------------|--|---|
|-------------------------|--|---|

9.4 No applications were granted contrary to Environment Agency advice during the monitoring period.

9.5 A new indicator monitoring the number of SuDS schemes will be developed for the new Local Plan.

| Environment Indicator 2 | Number and area of Local Nature Reserves (LNRs) Local Sites (LoWs) within Colchester | Core Strategy Indicator for Policy ENV1 |
|-------------------------|--|---|
|-------------------------|--|---|

9.6 No new Local Nature Reserves (LNRs) or Local Wildlife Sites (LoWs) were designated during the monitoring period.

| Environment Indicator 3 | Amount of development in designated areas (SSSI, AONB) | Core Strategy Indicator for Policy ENV1 |
|-------------------------|--|---|
|-------------------------|--|---|

9.7 Policy ENV1 of the Core Strategy seeks to protect the Borough's biodiversity within designated sites. During this monitoring period, 47 applications have been approved in the Dedham Vale Area of Outstanding Natural Beauty and a further 98 applications within other designated sites (SSSIs (15), SAC (10), SPA (12), SINC (48), RAMSAR (12) sites and Habitat Directive (1)).

| | | |
|--------------------------------|---|---|
| Environment Indicator 4 | Increase in areas of public open space | Core Strategy Indicator for Policy PR1 |
|--------------------------------|---|---|

9.8 The Council adopted 13,211m² additional areas of open space during the monitoring year 2019/20.

9.9 As of April 2018, across the borough 1.8% of land is used for outdoor recreational, and a further 7.6% of land is residential gardens. Of the total land within Colchester Borough, 10% of all land is developed, 89.5% of land is undeveloped and 0.5% is vacant.²

| | | |
|--------------------------------|---|---|
| Environment Indicator 5 | Recorded loss of listed buildings Grade I and II+ (by demolition), Scheduled Monuments or nationally important archaeological sites and assets on the Colchester Local List to development | Core Strategy Indicator for Policy UR2 |
|--------------------------------|---|---|

9.10 In the 2019/20 monitoring period, no Listed Buildings (Grade I & II) were lost due to demolition, development or dereliction.

9.11 No Scheduled Ancient Monuments were lost as part of development proposals in the monitoring period.

9.12 It was agreed at Local Plan Committee October 2019, to revise the Local List Selection Criteria and to agree a five-year review of the Local List Selection Criteria. This has enabled the criteria to be expanded, reflect the whole Borough and reflect the broad definition of heritage asset in the NPPF.

9.13 At Local Plan Committee August 2020, it was agreed that the approach for additions to be made to the Local List be delegated to the Lead Officer: Planning, Housing and Economic Growth for an interim period prior to ratification by Committee. This is to enable heritage assets to be added to the Local List with immediate effect, which is especially important for heritage assets under immediate threat of damage.

9.14 It was also agreed that Colchester Local List should be renamed to the Colchester Borough Local List to reflect that the Local List relates to the entire Borough. There is currently a total of 780 heritage asset included on the Colchester Borough Local List.

Table 14: Colchester Heritage Assets

| Heritage Asset | 2019/20 | Comment |
|--|----------------|--|
| Grade I, II and II* Listed Buildings (National Heritage List for England) | 1,560 | 37 West Stockwell Street was removed from the List of Building of Special Architectural and Historic Interest in January 2020. |

² Land Use Statistics England 2018 – Live Table P400a – Ministry of Housing, Communities and Local Government. July 2020.

| Heritage Asset | 2019/20 | Comment |
|---|---------|--|
| Scheduled Ancient Monuments | 45 | No changes during the monitoring period. |
| Number of heritage assets on the National Heritage at Risk Register | 7 | Includes 1 Conservation Area (Birch), 2 Archaeological Sites, 3 Buildings/Structures and 1 Place of Worship. |
| Number of assets on Colchester's Borough's Local List | 780 | <p>The Former Pumping Station, Rowhedge Wharf was added to the Local List in October 2019.</p> <p>In October 2019, a total of 68 nominations from across the Borough were received for inclusion within the Local List.</p> <p>At Local Plan Committee August 2020, 64 additions were made to the Local List.</p> |
| Number of Conservation Areas | 24 | At Local Plan Committee April 2019, approval was granted for the statutory designation of North Station Road and Environs Conservation Area. Additional consultation was held between 10 September and 2 October 2019 for an amendment to the proposed boundary of the conservation area, no revisions were required as a result of this consultation and the designation was carried out as approved by Local Plan Committee in April 2019. |

| | | |
|-------------------------|--|--|
| Environment Indicator 6 | Percentage of household waste recycled and composted | Core Strategy Indicator for Policy ER1 |
|-------------------------|--|--|

9.15 Waste sent for disposal is a missed opportunity in a number of ways including, using waste as a resource, income generation from recycling, and the various environmental benefits.

9.16 This indicator enables the identification of how much waste is being generated by households in the Borough, and how much of this is collected, recycled or composted. Table 15 below summaries the household waste activity for this monitoring period.

9.17 During this monitoring period the average number of missed bin collections had been on course to achieve the Council's target of 150 missed bins per week on average. Due to the COVID 19 pandemic, the service was severely disrupted towards the end of the financial year and this figure has been omitted from the report on this occasion.

Table 15: Household Waste Activity

| Activity | Achieved 2018/19 | Achieved 2019/20 | Commentary |
|--|------------------|------------------|--|
| Residual waste produced per household | 346kg | 331kg | Compared against 2018/19, there has been a reduction of 15kg per household of residual waste. Performance remains excellent when benchmarked against other authorities which shows Colchester as the lowest producers of residual waste across Essex. |
| Household waste reused, recycled and composted | 53.71% | 54% | There has been a slight increase in the level of household waste being reused, recycled and/or composted. This is a continuation of improved performance since service changes were made and residents are continuing to recycle more. Compared to other districts/boroughs in Essex, Colchester continues to perform well. Epping, Rochford and Maldon are the only authorities with a higher percentage, with Rochford the best performing authority at 60.7%. |

| Environment Indicator 7 | Essex Coast RAMs | Compliance with Habitat Regulations |
|-------------------------|------------------|-------------------------------------|
|-------------------------|------------------|-------------------------------------|

9.18 Twelve Essex LPAs have been working together on a mitigation strategy to protect the internationally designated Essex Coast from the effects of increased recreational disturbance as a result of population growth throughout Essex.

9.19 The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) sets out the necessary measures to avoid and mitigate the effects from increased recreational disturbance. The RAMS sets a tariff of £125.58 per dwelling as of 2020/21, an increase from £122.30 in 2019/20. This will be indexed linked, with a base date of 2019. The tariff will be reviewed periodically and published accordingly. This tariff will apply to all residential proposals, even proposals for one dwelling. This is because the whole of the Borough is within the Zone of Influence and the RAMS seeks to avoid and mitigate the in-combination effects from all new dwellings.

9.20 In September 2019 the project become part of the 'Bird Aware' brand and launched a website: Bird Aware Essex Coast - <https://essexcoast.birdaware.org/home>. The

Bird Aware brand was developed by a mitigation partnership on the south coast (Bird Aware Solent) to communicate the importance of the birds and their habitats that breed and winter at the coast. Joining the Bird Aware brand and launching the website is an early avoidance measure and will help to spread the message of the importance of the Essex coast and the need to protect the birds in a positive way.

9.21 Consultation on the Essex Coast RAMS Supplementary Planning Document (SPD) took place in January-February 2020. Following the consultation all representations were considered and a 'You Said, We Did' consultation report was prepared. The RAMS SPD was subsequently finalised, and CBC adopted the SPD in August 2020.

9.22 Chelmsford City Council (CCC) became the Accountable Body for the project on 1 November 2020. CCC will hold all contributions from the 12 LPA partners and employ the project Delivery Officer. The recruitment process for the Delivery Officer to oversee the project is expected to start in 2021. The appointment of a Delivery Officer is one of the avoidance and mitigation measures and will launch the project into the delivery and implementation stage.

9.23 In November 2020 we transferred £62,763.58 to CCC. Contributions have been collected since December 2018. This is the first transfer of funds, and these contributions are from development that has commenced between December 2018 and November 2020. A further £100,138.68 has been secured and will be transferred to CCC once development has commenced. The next transfer will take place on 1 January 2021 and thereafter will be every quarter.

9.24 The Essex Planning Officers Association (EPOA) Chief Officer's group are the Project Board, with the role of governing and overseeing the project. The Essex Coastal Forum form part of the governance arrangements and provide a high-level elected member oversight into the project. A steering group of Officers is responsible for managing the project.

9.25 More information regarding RAMs, is available on our [website](#).

10. Key Theme: Accessible Services and Community Facilities

Overview

10.1 Accessible services and facilities are vital to the development and maintenance of communities. Community facilities should be located within or near centres and other accessible locations to maximise community access and build a sense of local community identity. The Council supports the retention and enhancement of existing community facilities that can provide a range of services to the community at one accessible location. In addition, the Council will work with local partners, such as Parish Councils or Community Associations, to plan and manage community facilities.

10.2 The Borough Council will safeguard existing facilities where appropriate and will work with partners including the local community to bring together funding from a variety of public and private sources to improve existing facilities and deliver new community facilities where needed. Development proposals will be required to review community needs (e.g. through a Health Impact Assessment) and provide community facilities or contributions towards them to meet the needs of the new population and mitigate impacts on existing communities.

| Community Indicator 1 | Recorded losses of community facilities as a result of development | Core Strategy Indicator for Policies SD1, SD2, UR1, PR1, TA3, and TA4 |
|-----------------------|--|---|
|-----------------------|--|---|

10.3 No community facilities were lost as a result of new developments during this monitoring period.

| Community Indicator 2 | Key infrastructure projects delivered (SD) | Core Strategy Indicator for Policies SD1, SD2, UR1, PR1, TA3, and TA4 |
|-----------------------|--|---|
|-----------------------|--|---|

Infrastructure and Community Project Delivery

10.4 Table 6d in Section 6 of the revised 2014 Core Strategy identifies a number of key infrastructure and community projects which have been subdivided into the categories 'necessary' and 'local and wider benefit'. Although a number of these have already been completed during the Plan period, Table 16 below provides a progress update of remaining projects during the monitoring period.

Table 16: Project Delivery Update

| Project | Progress |
|----------------------------|---|
| Collingwood Road Scout Hut | Update to current premises underway. Further planned works yet to be completed. |
| St Cedds Church Hall | Tarmacking of car park area completed in May 2019. Car park area extension and other works currently being considered as potential future projects. |
| King George V Play Park | Refurbishment to play park complete during monitoring period. |

| Project | Progress |
|--------------------------------|--|
| Wivenhoe Congregational Church | Windows replacement complete during monitoring period. |

Contributions secured towards Community, Leisure & Recreation

10.5 Core Strategy Policy PR1 seeks to ensure the protection and enhancement of Open Space, Sport and Recreational Facilities and Community Facilities. Contributions are being collected, monitored and allocated to local projects for the benefit of the increasing residential numbers.

10.6 Over this monitoring period, a total of £383,163.30 has been received for leisure services maintenances, £274,747.05 for public open spaces and a Local Equipped Area of Play (LEAP). A further £60,546.21 has been received for community facilities.

11. Key Theme: Climate Change

Overview

- 11.1 Colchester Borough Council declared a Climate Emergency in July 2019, committing the organisation to become carbon neutral in all its operations by 2030. The Council have been working with the Carbon Trust to measure the emissions from its operations, and those of related organisations, such as its wholly owned companies Colchester Borough Homes and Colchester Commercial Holdings Limited. In January 2020, the Council published its Climate Emergency Action Plan which sets out a strategy for how to reach the carbon neutral target. This can be viewed on our [website](#).
- 11.2 Several actions have already been achieved since the climate emergency declaration. 4,486 trees were planted, and 10,000 trees were given to the public as part of the Colchester Woodland Project (a project to plant 200,000 trees between 2019-2024). Sites for tree planting in 2020/21 have been identified with 11,200 trees set to be planted in the 2nd year of tree planting. The Council also received funding to purchase 25 electric cargo (eCargo) bikes and 5 electric trailers, which will be used for Council fleet operations and local businesses, to reduce emissions from travel.
- 11.3 For information regarding a Defra funded project regarding air quality, please see Chapter 8 above.

| Climate Change Indicator 1 | Carbon emissions and Climate Change | Supporting Indicator for Policy SD1 |
|----------------------------|-------------------------------------|-------------------------------------|
|----------------------------|-------------------------------------|-------------------------------------|

- 11.4 In 2018/19 the Council calculated a new carbon footprint baseline for the Council of 6004 tCO₂e (tonnes of carbon dioxide equivalent) emissions, a 40% reduction on emissions relative to 2008 levels, meeting the 40% target set for 2020 one year early.
- 11.5 In 2019/20, emissions had reduced by 6% relative to the 2018/19 baseline. As part of setting the carbon neutral target, the Council will be measuring emissions from its waste production, water consumption and employee commuting, which will be included in the Council's carbon neutral target.
- 11.6 On the back of pathway modelling of the Council's emissions to 2030, the Council is currently working with the Carbon Trust to create a new Local Authority Carbon Management Plan to set out in detail new projects that could be carried out to reduce the Council's emissions to carbon neutral by 2030. The Carbon Management Plan, alongside the Climate Emergency Action Plan will be our two main areas of work to deliver our zero net carbon target in a decade. To prioritise the actions for the year ahead (2021-2022), engagement with residents from the Borough will be implemented allowing various community groups and members to take ownership of jointly achieving the Colchester Borough Council's commitment.

| Climate Change Indicator 2 | Climate Change Adaptation | Supporting Indicator for Policies SD1, ENV1 and ER1 |
|----------------------------|---------------------------|---|
|----------------------------|---------------------------|---|

- 11.7 The Council's wholly owned Energy Company (Colchester Amphora Energy Limited) promotes the use of more low carbon sources of heat and power through a range of projects and initiatives, delivering new energy choices for people in Colchester.
- 11.8 Working with the Council, CAEL is developing a low carbon District Heating scheme at the Northern Gateway and has so far installed and tested five boreholes from which water will be abstracted to be the heat source for a 800 kW heat pump which will deliver domestic hot water and space heating to offices, housing and healthcare facilities in the development. CAEL is also working on the feasibility of developing a micro grid for the development using solar PV to generate electricity for use in the development.

| Climate Change Indicator 3 | Renewable energy installed by type | Core Strategy Indicator for Policy ER1 |
|----------------------------|------------------------------------|--|
|----------------------------|------------------------------------|--|

- 11.9 Part 40 of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 gives permitted development rights to the installation of domestic microgeneration equipment. Planning permission is only required for a limited number of renewable energy technologies. This means that the number of renewable energy installations may be higher than that indicated by the number of planning applications.
- 11.10 During the monitoring period, two applications have been granted relating to renewable energy. This includes one solar application at Colchester Arts Centre (192914) and one biomass application (193143).
- 11.11 This is a decrease of one application during 2018/19 but continues to show an increase from no applications during the 2017/18 monitoring period. Although this remains below the 10 applications (9 solar and 1 biomass) approved in 2015/16, this does demonstrate a limited demand for renewable energy despite government reductions in tariff payments for energy produced from renewable sources. There is a potential for applications to increase in the future as Government spearheads a green recovery to the Covid-19 pandemic, and climate change continues to climb the national and international government agenda.
- 11.12 BRE has developed the Home Quality Mark (HQM) as part of the BREEAM family of quality and sustainability standards. HQM will enable developers to showcase the quality of their new homes and identify them as having the added benefits of being likely to need less maintenance, cheaper to run, better located, and more able to cope with the demands of a changing climate. The HQM demonstrates a home's environmental footprint and its resilience to flooding and overheating in a changing climate, highlights the impact of a home on the occupant's health and wellbeing, and evaluates the digital connectivity and performance of the home. This is a new

scheme and the Council will support developers who choose to register under this scheme. Reference is made to the Home Quality Mark in Emerging Local Plan Policy DM25.

11.13 The Home Quality Mark is optional, and the Council is not aware of any new dwellings or approvals being registered under the scheme in 2019/20.

Appendix A – Local Plan Policies

Core Strategy Policies

| | |
|---|---|
| Sustainable Development Policies | |
| SD1 | Sustainable Development Locations |
| SD2 | Delivering Facilities & Infrastructure |
| SD3 | Community Facilities |
| Centres and Employment Policies | |
| CE1 | Centres and Employment Classification and Hierarchy |
| CE2 | Mixed Use Centres |
| CE2a | Town Centre |
| CE2b | District Centres |
| CE2c | Local Centres |
| CE3 | Employment Centres |
| Housing Policies | |
| H1 | Housing Delivery |
| H2 | Housing Density |
| H3 | Housing Diversity |
| H4 | Affordable Housing |
| H5 | Gypsies, Travellers and Travelling Showpeople |
| H6 | Rural Workers Dwellings |
| Urban Renaissance Policies | |
| U1 | Regeneration Areas |
| U2 | Built Design and Character |
| Public Realm Policies | |
| PR1 | Open Space and Recreational Facilities |
| PR2 | People Friendly Streets |
| Transport and Accessibility Policies | |
| TA1 | Accessibility and Changing Travel Behaviour |
| TA2 | Walking and Cycling |
| TA3 | Public Transport |
| TA4 | Roads and Traffic |
| TA5 | Parking |
| Environment and Rural Communities Policies | |
| ENV1 | Environment |
| ENV2 | Rural Communities |
| Energy, Resources, Waste, Water & Recycling Policy | |
| ER1 | Energy, Resources, Waste, Water and Recycling |

Development Management Policies

| | |
|--|---|
| DP1 | Design and Amenity |
| DP2 | Health Assessments |
| DP3 | Planning Obligations and the Community Infrastructure Levy |
| DP4 | Community Facilities |
| Centres and Employment | |
| DP5 | Appropriate Employment Uses and Protection of Employment Land and Existing Businesses |
| DP6 | Colchester Town Centre Uses |
| DP7 | Local Centres and Individual Shops |
| DP8 | Agricultural Development and Diversification |
| DP9 | Employment Uses in the Countryside |
| DP10 | Tourism, Leisure and Culture |
| Housing | |
| DP11 | Flat Conversions |
| DP12 | Dwelling Standards |
| DP13 | Dwelling Alterations, Extensions and Replacement Dwellings |
| Urban Renaissance | |
| DP14 | DP14 Historic Environment Assets |
| Public Realm | |
| DP15 | Retention of Open Space and Indoor Sports |
| DP16 | Private Amenity Space and Open Space Provision for New Residential Development |
| Transport and Accessibility | |
| DP17 | Accessibility and Access |
| DP18 | Transport Infrastructure Proposals |
| DP19 | Parking Standards |
| Environment and Rural Communities | |
| DP20 | Flood Risk and Management of Surface Water Drainage |
| DP21 | Nature Conservation and Protected Lanes |
| DP22 | Dedham Vale Area of Outstanding Natural Beauty |
| DP23 | Coastal Areas |
| Energy, Resources, Waste, Water and Recycling | |
| DP25 | Renewable Energy |

Site Allocations Policies

| | |
|-------------------------------|---|
| SA CE1 | Mixed Use Sites |
| Housing | |
| SA H1 | Housing Allocations |
| SA H2 | Gypsy and Traveller Accommodation |
| Urban Renaissance | |
| Town Centre and North Station | Town Centre and North Station |
| SA TC1 | Appropriate Uses within the Town Centre and North Station Regeneration Area |
| East Colchester | |
| SA EC1 | Residential development in East Colchester |
| SA EC2 | Development in East Colchester |
| SA EC3 | Area 1: Former Timber Dock |
| SA EC4 | Area 2: King Edward Quay |
| SA EC5 | Area 3: Magdalen Street |
| SA EC6 | Area 4: Hawkins Road |
| SA EC7 | University of Essex Expansion |
| SA EC8 | Transportation in East Colchester |
| Garrison | |
| SA GAR1 | Development in the Garrison Area |
| North Growth Area | |
| SA NGA1 | Appropriate Uses within the North Growth Area |
| SA NGA2 | Greenfield Sites in the North Growth Area |
| SA NGA3 | Employment Uses in the North Growth Area |
| SA NGA4 | Transport measures in North Growth Area |
| SA NGA5 | Transport Infrastructure related to the NGAUE |
| Stanway Growth Area | |
| SA STA1 | Appropriate Uses within the Stanway Growth Area |
| SA STA2 | Phasing of Greenfield sites in Stanway Growth Area |
| SA STA3 | Employment and Retail Uses in Stanway Growth Area |
| SA STA4 | Transportation in Stanway Growth Area |
| SA STA5 | Open Space in Stanway Growth Area |
| Tiptree | |
| SA TIP1 | Residential sites in Tiptree |
| SA TIP2 | Transport in Tiptree |
| SA GAR1 | Development in the Garrison Area |

Appendix B – Glossary

Affordable Housing – housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

- **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).
- **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.
- **Discounted market sales housing:** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.
- **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision or refunded to Government or the relevant authority specified in the funding agreement.

Authority Monitoring Report (AMR) – The Authority Monitoring Report sets out how well the Council is performing in delivering the objectives of its Local Development Framework. It was previously called the Annual Monitoring Report.

Brownfield (also known as Previously Developed Land (PDL)) – Previously developed land that is unused or may be available for development. It includes both vacant and derelict land and land currently in use with known potential for

redevelopment. It excludes land that was previously developed where the remains have blended into the landscape over time.

Community Facilities – Buildings, which enable a variety of local activity to take place

including, but not limited to, the following:

- Schools, Universities and other educational facilities
- Libraries and community centres
- Doctors surgeries, medical centres and hospitals
- Museums and art galleries
- Child care centres
- Sport and recreational facilities
- Youth clubs
- Playgrounds
- Places of worship
- Emergency services

Some community activities can also be provided via privately run facilities (e.g. pubs and village shops).

Community Infrastructure Levy (CIL) – The Community Infrastructure Levy is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area.

Core Strategy – The Core Strategy sets out the long-term vision for the sustainable development of Colchester and the strategic policies required to deliver that vision. It provides for the enhancement of the environment, as well and defines the general locations for delivering strategic development including housing, employment, retail, leisure, community and transport, which are then given precise boundaries in the Proposals Map. The Colchester Borough Core Strategy was adopted by the Council in 2008, and a focused review in 2014 following publication of the NPPF in 2012.

Development Policies – A document that the council have produced alongside the Site Allocations document to guide future development within the Borough. The Policies contained within this Development Plan Document, along with other relevant national and Core Strategy Policies, replaced the 2004 Local Plan policies in the determination of planning applications.

Emerging Local Plan - The Emerging Local Plan will include all major planning policy for the District in a single document. Once adopted, this will replace the Core Strategy, Development Policies and Site Allocations. This is in two sections with the Section One of the Local Plan including policies on strategic cross boundary issues including infrastructure and housing numbers including proposals for a new Garden Community, in partnership with Braintree District Council and Tendring District Council. Section two of each Local Plan considers the individual local authority policies and allocations.

Evidence Base – The evidence base for Colchester's Local Plan includes all the documents used to inform its policies and allocations, including studies, strategies,

and national, regional and local policies. Evidence Base documents can be viewed via links on the Council's website.

Flood Risk Assessment – An assessment of the likelihood of flooding in a particular area so that development needs and mitigation measures can be carefully considered.

Greenfield – Land which has never been built on before or where the remains of any structure or activity have blended into the landscape over time.

Local Development Scheme (LDS) – This is the project plan for a three year period for the production of documents including the Local Plan, Supplementary Planning Documents and Neighbourhood Plans.

Natura 2000 – The European network of protected sites established under the Birds Directive and Habitats Directive (SPA, SAC).

Neighbourhood Planning - Neighbourhood planning is a way for communities to decide the future of the places where they live and work. The government introduced this new tier of planning through the Localism Act 2011.

North Essex Authorities (NEAs) – joint authorities working to progress large scale strategic development known as Garden Communities in North Essex. This includes Braintree District Council, Colchester Borough Council and Tendring District Council.

Planning Contributions – the principle of a developer agreeing to provide additional benefits or safeguards, often for the benefit of the community, usually in the form of related development supplied at the developer's expense.

Previously Developed Land (PDL) – See Brownfield.

Private Open Space – Open spaces usually in private ownership that can fulfil similar functions as public open spaces, but which tend to have significant access restrictions to the members of the public imposed through ownership rights or a requirement to pay to use facilities.

Proposals Map – The Proposals Map shows all boundaries and designations specified in a Development Plan Document (DPD) such as the Core Strategy, Site Allocations or Development Policies. The Colchester Borough Proposals Map was adopted by the Council in 2010.

Public Open Space – includes all spaces of public value, usually in public ownership, which are generally accessible to the public and which provide important opportunities for sport, outdoor recreation as well as fulfilling an amenity function.

Public Realm – Public realm relates to all those parts of the built environment where the public has free access. It encompasses all streets, square and other rights of way, whether predominantly in residential, commercial or community/civic uses; open spaces and parks; and the public/private spaces where public access is unrestricted (at least during daylight hours). It includes the interfaces with key internal and private spaces to which the public has normally has free access.

Ramsar Site – An area identified by an international agreement which supports endangered habitats.

Town and Country Planning Regulations ('The Regulations') – The identification of a consultation stage in relation to a Regulation, i.e. Regulation 25, 27, etc. refers to the relevant section of the June 2008 amendments to the Town and Country Planning (Local Development) (England) Regulations 2004. The Regulations cover the various stages in preparing and consulting on Local Plan documents.

Travel Plan – These provide information and incentives for new residential and employment sites to use public transport. Travel Plans typically include the issuing of travel pack to new residents and businesses which may include vouchers for 12 months free or discounted travel on public transport.

Site Allocations – The Site Allocations document sets out the criteria for the boundaries shown on the Proposals Map and provides area and use specific allocations. The Site Allocations DPD was adopted by the Council in 2010.

Site of Special Scientific Interest (SSSI) – A SSSI is an area that has been notified as being of special interest under the Wildlife and Countryside Act 1981. They include the best examples of the Country's wildlife habitats, geological features and landforms.

Special Area of Conservation (SAC) – A site of European Community importance designated by the member states, where necessary conservation measures are applied for the maintenance or restoration, at favourable conservation status, of the habitats and/or species for which the site is designated.

Special Protection Area (SPA) – A site designated under the Birds Directive by the member states where appropriate steps are taken to protect the bird species for which the site is designated.

Statement of Community Involvement (SCI) – This document sets out the standards that the Council intend to achieve in relation to involving the community and stakeholders in the preparation, alteration and continuing review of the Local Plan in the determination of significant planning applications.

Strategic Housing Market Assessment (SHMA) – The SHMA is a study carried out every few years to appraise the local housing market area and identify the need and demand for different housing types and tenures within that area.

Strategic Land Availability Assessment (SLAA) – The SLAA is a collective term for housing and employment land availability assessments. This is a process carried out as part of Local Plan preparation to identify new sites for housing and employment uses, required by national policy.

Supplementary Planning Document (SPD) – A document produced by the Council to add further detailed guidance and information on a particular subject. An SPD is

subject to a formal consultation period and then is used as a material consideration when determining planning applications.

Sustainable Drainage Systems (SuDS) – A range of techniques for managing the runoff of water from a site. They can reduce the total amount, flow and rate of surface water that runs directly to rivers through storm water systems.

Sustainability Appraisal (SA) – An appraisal of the economic, social and environmental effects of a plan from the outset of the preparation process, so that decisions can be made that accord with sustainable development.

Sustainable Development – Development which meets the needs of the present without compromising the ability of future generations to meet their own needs.

Appendix C – Local Development Scheme 2019-2022

LDS Timetable 2017 - 2022

