



Local Development Framework

Site Allocations

Annex to Sustainability Appraisal
Report

November 2009



Introduction

Regulation 30(3)(c)(i) of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 requires local planning authorities to send each of the specific consultation bodies invited to make representations under regulation 25(i) a copy of the Development Plan Document and each of the documents referred to in paragraph (1)(a) to (e) (of Regulation 30). The Sustainability Appraisal report is referred to in paragraph 1(a). The Sustainability Appraisal report was sent to each of the consultation bodies referred to in regulation 25(i) as part of the regulation 27 consultation and made available to all other consultees. More detail concerning the monitoring framework and a draft Sustainability Statement has been prepared. Rather than producing a revised Sustainability Appraisal report the Council has published this annex to the Sustainability Appraisal report. This annex has been sent to the consultation bodies referred to in regulation 25(i), placed on deposit at the Council's principal offices and placed on the website along with the other submission documents. This approach is supported by national guidance on Sustainability Appraisals¹.

Minor amendments are also required to the flood risk sequential test report and appropriate assessment report. Whilst these reports were published separately at the Regulation 27 stage these assessments have been carried out as part of the Sustainability Appraisal and so it is appropriate to highlight necessary changes in this annex to the Sustainability Appraisal report.

Monitoring framework

The monitoring table in section 8 of the Sustainability Appraisal report has been replaced with the following as a result of monitoring for the Annual Monitoring Report 2009.

¹ Paragraph 3.5.2 of chapter 3 of the document 'Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents' states that where a submission DPD is a refinement of one of the preferred options further SA would not be needed but an annex to the SA report would explain the position.

Sustainability Appraisal Monitoring

Indicator is meeting or exceeding target

Indicator is on track to meet target but more work is needed

Indicator is significantly below target

Objectives	Assessment Criteria	Indicators	Target where applicable	2007/08	2008/9	Comment
1. To ensure that everyone has the opportunity to live in a decent and affordable home.	- Will the delivery of affordable housing increase?	Affordable housing completions (Core Output Indicator)	East of England Plan and Core Strategy target of 35% of new dwellings to be affordable	265 (21%)	120 (12%)	Affordable housing completions were significantly less than the previous year and significantly less than the 35% target.
	- Will it deliver the number of houses needed to support the growing population?	The number of net additional dwellings for the current year (Core Output Indicator)	Contribute to East of England Plan target for Colchester of 17,100 houses to 2021 = 825 a year	1,243	1,041	Whilst there were less housing completions than the previous year completions are still significantly above the target of 825.
	- Will it deliver a range of housing to meet the diverse needs of the Borough?	Percentage of completions that are flats (Local Output Indicator)	N/A	62% flats	-	This indicator is no longer reported in the AMR.
		Percentage of residential completions that are two or three bedroom properties (Local Output Indicator)	N/A	54.7% 2 bedrooms 18% 3 bedrooms	-	This indicator is no longer reported in the AMR.
	- Will it provide good quality and sustainable housing?	Number of zero-carbon homes completed	Contribute to national target of 100% zero carbon homes by 2016	0	0	
2. To ensure that development is	- Will it promote regeneration?	Number of new homes completed at ward level within Growth/	Meet Core Strategy housing	-	-	Indicator hasn't been developed yet.

located sustainably and makes efficient use of land		Regeneration Areas (New AMR indicator)	provisional housing targets for Growth/Regeneration areas to contribute to East of England Plan target for Colchester of 17,100 houses to 2021			
		Amount of new employment completed at ward level in Growth/Regeneration Areas. (New AMR indicator)	Meet Core Strategy provisional employment targets for Growth/Regeneration areas Contribute to East of England Plan target for 20,000 new jobs to be created in the Haven Gateway by 2021	-	-	Indicator hasn't been developed yet.
	- Will it reduce the need for development on greenfield land?	Percentage of new and converted dwellings on previously developed land (Core Output Indicator)	National target of 60% of new development on Previously Developed Land	81%	87%	Significantly higher than the target and slightly higher than the previous year.
	- Will it provide people with good access to their needs?	% of new development within 30 minutes of community facilities (Core Output Indicator)	100% of major new development to be accessible to community facilities	99.48%	98%	
	- Will it help make efficient use of land?	Percentage of new dwellings completed at less than 30 dwellings per hectare, between 30 and 50 dwellings per hectare and above 50 dwellings per hectare	100% over 30 dwellings per hectare	0 < 30 dph 23% 30 – 50 dph	-	This indicator is no longer reported in the AMR.

				77% > 50 dph		
	- Will it reduce the risk of flooding?	Number of planning permissions granted contrary to the advice of the Environment Agency on either flood defence grounds or water quality (Core Output Indicator)	0 applications to be approved contrary to EA advice	0	0	
3. To achieve a prosperous and sustainable economy and improve the vitality of town centres	- Will it improve the delivery of employment to support the growing population?	Amount of floorspace developed for employment, sq ^m (Core Output Indicator)	Contribute to East of England Plan Haven Gateway target of 20,000 jobs to 2021	B1-B8 Gross = 27,046 Losses B1-B8 = 70,877 Net B1-B8 = -43,831	B1-B8 Gross = 26,603 Losses = 67,212 Net = -40,609	For the second year in a row the amount of B1-B8 floorspace within the Borough has decreased. Whilst the amount of floorspace developed has decreased from the previous year the net loss of employment land was less than the previous year.
	- Will it support the vitality and viability of town centres?	Amount of completed retail, office and leisure development delivered in the town centres (Core Output Indicator)	N/A	A1 – D2 = Net 470	A1 – D2 Gains = 0, Losses = 1,200 Net = -1,200	
	- Will it provide a good range of shops, services and facilities?	Amount of completed retail, office and leisure development (Core Output Indicator)	N/A	A1 – D2 = Net 4,639	A1 – D2 Gains = 13,277 Losses = 4,069 Net = 9,208	
	- Will it help sustain the rural economy?	Number of Parish Plans/Village Design Statements adopted as guidance (New Local AMR Indicator)	Assist villages in the preparation of Parish Plans/Village Design	-	3	VDS' have been adopted for Dedham, Langham and Wivenhoe. Other parishes are working on VDS' and PPs.

			Statements and achieve 100% adoption rate			
4. To achieve more sustainable travel behaviour and reduce the need to travel.	- Will it reduce the need to travel?	% of new residential development within 30 minutes of public transport time of a GP, hospital, primary and secondary school, employment and a major retail centre (Core Output Indicator)	100% of major new development to be accessible to community facilities	99.48%	98%	Only 19 residential developments were more than 30 minutes from the identified services.
	- Will the levels of sustainable travel increase?	Percentage of journeys to work by walking and cycling and percentage of journeys to work by public transport	Encourage modal shift through Travel Plan and planning application processes. Information will be collected from the census & Travel Plan coordinator to monitor change	14.5% walking/ cycling 13.2% public transport	-	Data was taken from Census.
	- Will it improve sustainable transport infrastructure and linkages?	-	-	-	-	Indicator hasn't been developed yet.
	- Will it reduce dependence on car travel?	Percentage of journeys to work by walking and cycling and percentage of journeys to work by public transport	Encourage modal shift through Travel Plan and planning application processes. Information will be collected from the census & Travel Plan coordinator to monitor change	14.5% walking/ cycling 13.2% public transport	-	Data was taken from Census.
5. To improve the education, skills	- To provide more quality and accessible education,	Number of applications resulting in new, extended or improved	100% of new permitted	-	-	Indicator hasn't been developed yet.

and health of the Borough's population	health, recreation and community facilities?	community facilities and/or financial contributions towards leisure facilities (AMR Local Indicator(s) to be developed on community facilities contributions secured for key infrastructure and facilities)	developments to comply with SPD on Open Space, Sport and Recreational Facilities and Community Facilities			
6. To create safe and attractive public spaces and reduce crime.	- Will attractive and safe public spaces be created?	To reach a target of at least 2.83 hectares of public open space in all areas by 2011 (Local Output Indicator)	100% of all new permitted developments to comply with SPD for Open Space Sport and Recreation standards	-	-	
	- Will the fear of crime and actual crime be reduced?	All crime – number of crimes per 1000 residents per annum (Significant Effects Indicator)	Reduce crime rates across the Borough. Delivered in partnership with Essex Police. These targets will be monitored through the Colchester Community Safety Crime and Disorder Reduction	1048.3 recorded crimes per 1000 of the population	1020.3 recorded crimes per 1000 of the population	
7. To conserve and enhance the townscape character, historic and cultural assets of the Borough	- Will it enhance the historic and cultural assets of the Borough?	No loss of listed buildings (by demolition) (Local Output Indicator)	No loss of listed buildings	0	0	
	- Will it enhance the character and attractiveness of the Borough's settlements?	Amount of development in designated areas (The existing local AMR indicator is to be extended to include Areas of Landscape Conservation Importance)	-	49 in Dedham Vale AONB 34 in SINCS 5 in SSSIs	77 in AONB, 5 in LoWS and 4 in SSSIs	AONB – Area of Outstanding Natural Beauty LoWS – Local Wildlife Sites SSSI – Site of Special Scientific Interest
8. To conserve and enhance the natural	- Will it enhance the landscape character of the borough?					

environment, natural resources and the biodiversity of the Borough.	- Will it enhance designated areas of the countryside and coastal environment?					
		Number of SSSIs in favourable condition	All SSSIs to be in favourable condition by 2010		6 in favourable condition, 1 in unfavourable condition, 3 unfavourable condition but recovering and 1 unfavourable condition but declining	There are 10 SSSIs in the Borough. The Upper Colne Marshes SSSI has units that are in favourable condition and unfavourable but recovering condition.
	- Will it protect and improve biodiversity?	Change in areas and populations of biodiversity importance (Core Output Indicator)	-	-	-	Indicator hasn't been developed yet.
	- Will it improve environmental quality in terms of water air and soil quality?	Quality of Rivers (Contextual Indicators)	The Water Framework Directive requires all rivers to achieve good ecological status by 2015	66.67% good biological quality 41.16% good chemical quality	19% good biological status 5% good physico-chemical status 100% of rivers less than good overall ecological status/potential	Whilst it would appear that water quality in Colchester has deteriorated when compared with the status as reported under the General Quality Assessment (last years data) this is not the case. Water quality has not deteriorated, but under the Water Framework Directive stricter targets are set and so this year compared to last years data is not comparable.
		Number of Air Quality Management Areas	-	2	2	Mersea Road and Brook Street

		Contaminated land brought back into beneficial use, hectares	-	-	5.75	
9. To make efficient use of energy and resources, and reduce waste and our contribution to climate change.	- Will it reduce pollution and greenhouse gas emissions?	The environmental quality indicators above are all relevant.				
	- Will it increase the use of renewable energy and reduce the use of fossil fuels?	Renewable Energy Installed by Type (Core Output Indicator)	-	5 applications approved	1	This is less than the previous year. The application was for ground source energy.
	- Will it reduce, reuse and recycling resources and minimise waste?	Amount of domestic waste recycled	60% by 2021	31%	36.9%	Better than last year, but still below the target.

Sustainability Statement

Whilst a Sustainability Statement is not required until a DPD is adopted this draft Sustainability Statement has been produced principally to help explain to the Inspector how the SA has informed the plan making process. It effectively tells the story of the SA and its relationship with the Site Allocations DPD. Prior to adoption of the Site Allocations DPD this Sustainability Statement will be finalised and published alongside the adoption statement in accordance with Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004.

Background

A Sustainability Appraisal (SA) is required to be carried out for all Development Plan Documents (DPDs). SA is a continuous process which assesses DPDs against a series of sustainability objectives. These sustainability objectives are wider than the plan objectives and collectively define what the Council and relevant stakeholders would ideally like to achieve in terms of sustainable development. SA helps Local Planning Authorities (LPAs) identify the relevant economic, social and environmental performance of possible options and policies and evaluate which are the most sustainable. It essentially involves asking at key intervals in plan preparation “how sustainable is my plan?” The Environmental Assessment of Plans and Programmes Regulations 2004 gives effect to EU Directive 2001/42/EC on the ‘assessment of the effects of certain plans and programmes on the environment’ [the Strategic Environmental Assessment (SEA) Directive] and places an obligation on LPAs to carry out a SEA on land use and spatial plans. Clearly there is some overlap with the requirement for an environmental assessment under these Regulations and the requirement to carry out a SA. It is therefore best practice to incorporate the requirements of the SEA Directive into the SA process, which Colchester Borough Council has done.

This statement complies with the requirement in paragraph (1)(b)(iii) of Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004 to produce a statement when a plan, which was subject to environmental assessment, is adopted.

Site Allocations DPD

The Site Allocations DPD follows on from the Core Strategy and allocates land for a number of uses, including housing, employment and nature conservation; and sets out the criteria for the allocations and boundaries shown on the Proposals Map. The preparation of the Site Allocations involved 4 broad stages:

- Issues and Options;
- Regulation 25;
- Regulation 27; and
- Submission.

SA is an iterative process and involved numerous stages; a report was prepared to accompany the first three of the broad stages listed above. A SA Scoping Report accompanied the Site Allocations Issues and Options document in December 2007, a revised SA Scoping Report was prepared to accompany the Regulation 25 consultation document in January 2009, a draft SA Report was prepared to accompany the Regulation 27 consultation in September 2009 and an annex was prepared at the submission stage.

Since the time of the Core Strategy Amended Preferred Option all SA work is carried out in-house by the spatial policy team. National guidance makes it clear that this is an acceptable, even desirable, arrangement. The decision was taken to carry out SA work in-house principally as a result of representations from the Government Office for the East of England and Natural England regarding a lack of integration between the Core Strategy Preferred Options and the SA, which was prepared externally.

SA Task D2(ii)

Where a Planning Inspector makes significant changes to a DPD in their binding report they must be satisfied that sufficient SA material is available to demonstrate what significant effects are likely. Where significant changes have been made by the Inspector the LPA must incorporate these changes and amend the SA report. A significant change is likely to be one that changes the strategy or fundamentally alters the focus and intent of a policy.

(This section will be finalised once the Inspectors binding report has been received.)

Purpose of the Sustainability Statement

Regulation 16(4) of the Environmental Assessment of Plans and Programmes Regulations specifies the particulars that must be included in the adoption statement required under Regulation 16(i)(b)(iii).

Accordingly this statement sets out:

- a) how environmental considerations have been integrated into the plan or programme;
- (b) how the environmental report has been taken into account;
- (c) how opinions expressed in response to -
 - (i) the invitation referred to in regulation 13(2)(d);
 - (ii) action taken by the responsible authority in accordance with regulation 13(4) have been taken into account;
- (e) the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and
- (f) the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

Please note that criterion (d) of the regulations is not relevant to the Core Strategy as it refers to transboundary issues with other member states.

(a) How environmental considerations have been integrated into the plan and

(b) How the environmental report has been taken into account

Carrying out the SA has ensured that sustainability (environmental, economic and social) considerations have been integrated into the Site Allocations DPD from the beginning of the plan preparation process. As part of the first scoping exercise the SA framework was slightly amended from the Core Strategy SA framework to ensure that the sub-objectives are the most relevant to the Site Allocations DPD. The outcomes of consultation on the Issues and Options document and the SA Scoping Report informed the next stages of the plan-making process and the SA process.

A strategic sieve was carried out, which assessed every site put forward by third parties in terms of conformity to the Core Strategy. Those sites that were considered to be contrary to the Core Strategy, this was principally in terms of their location outside of an identified settlement boundary or growth area or within a medium/high flood risk zone, were discounted from further consideration. These sites were listed in appendix 3 of the Regulation 25 consultation document. There was one exception to this; the alternative sites put forward as part of the Core Strategy were appraised. The Council is of the view that these sites do not conform to the pattern of development set out in the Core Strategy, however it was considered appropriate to consider these sites at the Site Allocations level in further detail. Furthermore, the allocated Local Plan sites where development has not yet commenced were appraised. Although these sites were carefully assessed during the preparation of the Local Plan and consideration was given to their contribution to sustainable development they were not subject to SA. As part of the revised scoping exercise the baseline data, which reflects all sustainability considerations, and the review of relevant policies, plans, programmes and sustainability objectives were updated from the SA of the Core Strategy to ensure that the Site Allocations SA was based on the most up to date and comprehensive data. A comparative assessment of sites was then carried out and this informed the work on the Regulation 25 consultation document (January 2009), which set out potential sites for allocation. A recommendation was made as part of this initial appraisal as to whether a site (option) should or should not be allocated based on its comparative performance against the sustainability objectives. Whilst this initial appraisal work tended to focus on the principle of the proposed development on the site some recommendations were made for mitigation and enhancement measures. Whilst the Council did not make a commitment to allocate sites included in the Regulation 25 document the SA helped to identify sites that would result in negative sustainability impacts, which could be discounted from inclusion in this document and therefore further consideration. The Regulation 25 consultation document and the initial appraisal of sites were in conformity.

Following the Regulation 25 consultation period the spatial policy team began work on identifying sites for allocation to meet the housing and employment targets included in the Core Strategy and other land use allocations, including

a review of settlement boundaries. As the spatial policy team had potential sites in excess of the Core Strategy targets the SA, through the appraisal of options, helped to identify the sites that would result in the most positive sustainability effects. The SA appraised the sites that had not been discounted at the previous stage in more detail; whereas before the SA focused on the principle of development this stage fulfilled tasks B3 and B4 of the SA by predicting and evaluating the effects of the sites. At this stage of the SA the appraisal went into more detail than previously and significantly more mitigation and enhancement measures were identified. This stage of the SA contributed to the decision on what sites should be allocated in the Regulation 27 document. Furthermore, the majority of the mitigation and enhancement measures recommended in the SA were incorporated into the Regulation 27 document, ensuring that potential adverse effects from the development of the allocated sites can be mitigated. New sites submitted by third parties as part of the Regulation 25 consultation and sites with planning permission where development has not commenced were appraised at this stage. However, the appraisal of sites with planning permission was a very brief and permissive appraisal considering the fact that the Council has already granted consent for these proposals and carefully considered the likely effects of implementation in more detail than required as part of SA. The SA Report was issued for a 6 week consultation period alongside the Site Allocations Regulation 27 document in September 2009.

At submission stage an annex to the SA Report was published, which included a draft of this Sustainability Statement, the monitoring framework and minor amendments to the flood risk sequential test and appropriate assessment reports. Whilst the initial appraisal was published in the SA revised scoping report in January 2009 and stakeholders were invited to make representations to contribute to the next stage of the SA only two representations were received.

(c) How opinions expressed in response to -

- (i) the invitation referred to in regulation 13(2)(d);**
- (ii) action taken by the responsible authority in accordance with regulation 13(4) have been taken into account**

A key component of the SA process is consultation with stakeholders and the public. The consultation throughout the SA process has been in accordance with:

- Regulations set out in the Environmental Assessments of Plans and Programmes Regulations 2004.
- The Colchester Borough Statement of Community Involvement.

The SA Reports prepared for the Issues and Options stage, Regulation 25 stage and Regulation 27 stage of the Site Allocations DPD were sent to all statutory consultees on Colchester's LDF consultation list, as detailed in the Council's Statement of Community Involvement. All documents were also made available at Council offices, public libraries, the Council's website (www.colchester.gov.uk) and on request to any consultees. Representations made during the consultation periods were recorded and are publicly available

on the Council's website. Responses received have also been used to amend the Site Allocations.

Sites submitted as part of the Regulation 25 consultation were forwarded to the SEA consultation bodies (Natural England, Environment Agency and English Heritage), the Highways Authority and Anglian Water to ensure that these sites have been subject to consultation and that these expert comments can inform the SA.

The table, below, sets out the representations received to the various SA Reports and the Council's response.

SA Scoping Report (accompanied Issues and Options document)		
Stakeholder	Comment	Response
No comments received		
SA Revised Scoping Report (accompanied Regulation 25 consultation document)		
Environment Agency	We are in broad agreement with the findings of the flood risk sequential test. Notwithstanding the passing of the Sequential Test, we would take the opportunity to emphasise the importance of any developer carrying out a site specific Flood Risk Assessment to demonstrate that for sites within Flood Zones 2 and 3, safe access and egress can be achieved. We have particular concerns over the development proposals at Waldegraves Caravan Park (site S003) and Coopers Beach (site S026). Given the vulnerability classification of caravan parks, we would expect the developer to provide a full and complete Flood Risk Assessment in support of any planning application.	Comment noted, sequential test completed. Need to further consider Waldegraves and Coopers Beach Caravan Parks.
Gladedale Special Projects Division/ Barton Willmore	It is considered that the SA is flawed within some areas of its assessment of the site. The comprehensive redevelopment of Chitts Hill site alongside the adjacent 'Railway Sidings' site which is allocated for residential development (carried over from the previous Local Plan) will together constitute a substantial development of residential dwellings. This will create opportunities for improvement of the sustainable transport network in the local vicinity, particularly for pedestrians and cyclists. Furthermore, the site is located in close proximity to existing bus routes and within walking distance to a future key public transport link identified in the Core Strategy. The site is situated in close proximity to a local school facility and open space. Further, the site is bounded to the north by the railway serving central Colchester and south by the A12. The railway serves as a natural urban boundary with the countryside stretching beyond. Development of the Chitts Hill site would therefore not set a precedent for further development in the countryside as it would round off the settlement of Colchester to its natural boundary with the railway.	The appraisal has shown that the Chitts Hill site is not as sustainable as other sites within the Stanway growth area and as there are alternative sites within Stanway which can deliver the housing target and result in more positive sustainability impacts the SA is correct to recommend that this site is not allocated for development. Whilst the principle of residential development on the railway sidings site, adjacent to Chitts Hill, has been accepted through the granting of planning permission this is not adequate justification for more residential development in this area.
SA Report (accompanied Regulation 27 document)		

Gladedale Special Projects Division/ Barton Willmore	As with the representation submitted as part of the regulation 25 consultation the SA is flawed. This representation additionally states that the SA is inconsistent in its assessment of the Chitts Hill site and Railway Sidings site.	The railway sidings site has been granted consent and so subject to a permissive appraisal as with all sites with planning permission (as explained in the SA report). The appraisal of the Chitts Hill site is therefore slightly different as this is a more detailed appraisal and also compares the likely impacts of this site to other sites within the Stanway growth area. Furthermore, the appraisals differ as the appraisal of the Chitts Hill site considers the cumulative impact of both sites.
BRB Residuary	The Sustainability Appraisal submitted with the document does not discuss potential route alternative options or assess the sustainability of the route proposed for the Eastern Transit Corridor.	The SA is required to appraise options for the DPD in order to ensure that the most sustainable options are taken forward. Options should only be appraised where they are genuine. In the case of the Eastern Transit Corridor, which is at an early stage, no alternative options have been identified as alternatives would be likely to result in the demolition of existing buildings.
Myland Parish Council	Myland Parish Council state that paragraph 5.112 of the DPD, which refers to the Sustainability Appraisal, is ineffective, lacking in clarity in intention in that baseline approved development areas must be completed before new sites are permitted to proceed. They feel that the SA is too subjective and open to abuse by developers to activate long standing planning consents out not in accordance with current construction/development policy.	In accordance with the Core Strategy brownfield sites will be developed prior to greenfield sites and the supply of housing sites will be monitored to ensure that dwellings are being delivered in accordance with the RSS and Core Strategy targets.
Edward Gittins & Associates on behalf of Mr. R. Martin	The sieving system used to identify potential new sites in Tiptree in the Sustainability Appraisal is arbitrary and incomplete.	The SA for the Tiptree sites is not arbitrary and incomplete. The Grange Road site was appraised as part of the first stage of site appraisal and published in the revised scoping report. This was the only site appraised in Tiptree as it was the only site proposed for a mixed use development. However, it was later decided that all sites proposed on the edge of Tiptree should be appraised. With the exception of land to the south of the Wilkin's factory all of the fifteen sites on the edge of Tiptree were proposed for residential development. As the issues with these sites were very similar the SA focused on the proximity of each site to the approximate centre of the district centre and proximity to local wildlife sites. Whilst this is a different approach to other areas within the Borough all proposed residential sites in Tiptree have been subject to the same approach.

Mr Hayward, Fenn Wright	The evidence base and sustainability appraisal relating to the Place Farm Court allocation is suspect and further investigation is required. A full and proper assessment of the site would conclude that the site should be included as a Mixed Use site rather than being classed as a Local Employment Zone.	The SA appraised the option of mixed use development of this site as part of the developing options stage of the SA. The appraisal concluded that as the site is not located within one of the Council's regeneration/ growth areas, is a greenfield site, part of the site is within flood zone 3a, the site is directly adjacent to the Upper Colne Marshes SSSI the site should not be allocated for mixed use development. The objector requests a full and detailed site assessment but this is not appropriate as part of the SA, which is a strategic level assessment.
Lawson Planning Ltd on behalf of owner of Sundowne, Dedham	No residential sites within villages have been assessed as part of the Sustainability Appraisal process. The Council has refused to consider specific sites for residential development in smaller villages in the Borough thus failing in its duty to plan for the needs of all residents of Colchester.	Whilst it is essential that alternatives are considered as part of the SA process only reasonable, realistic and relevant options should be considered. The SA must be linked to the planning framework and so options that do not conform to national policy, the RSS or the Core Strategy should not be considered as part of the SA as they are not reasonable, realistic or relevant options. Developing sites in smaller villages would not be in conformity with the RSS or Core Strategy.

(e) The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with

PPS12 sets out a chain of conformity. This requires DPDs, which themselves sit in a hierarchy with the Core Strategy the most important document, to be in conformity with the RSS and in turn SPDs to be in conformity with DPDs. The Core Strategy was adopted in December 2008 and through the Examination process it was demonstrated that this DPD is in conformity with national guidance and the RSS.

Each site considered as part of the Site Allocations DPD is an option. It would not be appropriate for the SA to appraise every site submitted by third parties and every site identified in the Housing Land Availability Assessment. SA should only appraise those sites that are considered genuine options. As explained above the Site Allocations DPD fits into a hierarchy of documents and so sites that do not conform to this higher level policy should be discounted as genuine options. The appraisal sections of the SA revised scoping report and SA report are both split into sub-sections for each growth/regeneration area, Tiptree, rural employment centre, gypsy/travellers provision and Borough wide sites. A number of options have been considered as detailed below².

Town Centre

One site, plus twelve sites within policy SA TC1, were appraised within the town centre and all were recommended for allocation.

S127 – Land at Cowdray Centre

Sites within policy SA TC1, which have planning permission

East Colchester

Four sites, plus fifteen sites within policy SA EC1, were appraised within the East Colchester growth and regeneration area. Two of these sites were not recommended for allocation as they were not as sustainable as the other options. This is detailed in the SA report but is principally to do with flood risk issues, potential impacts on a nature conservation site and in the case of one of the sites, the detrimental impact of settlement coalescence between Colchester and Wivenhoe.

106 – Wilson Marriage Centre

S112 – Haven Road Travellers Site

S116 – Place Farm Court

S107 – Land between the University of Essex and Wivenhoe³

Garrison

Two sites, plus several sites within policy SA GAR1, were appraised within the Garrison regeneration area and all were recommended for allocation.

S093 – Land bounded by Circular Road West, Butt Road and Goojerat Road

S298 – Naffi site, North Circular Road

² All options appraised are listed and those that are allocated are shown in **bold**.

³ Whilst the proposed use put forward for this site is not supported by the Council an alternative use at the University of Essex is supported.

North Colchester

Nineteen sites were appraised within the North Colchester growth area. Three of these sites were not recommended for allocation as they were not as sustainable as the other options. This was principally as these sites were outside of the defined growth area and some distance from the Severalls site, which is the large regeneration site within the area. One of these sites is within an area of high risk of flooding and one site is part of a golf course.

52 – Land between Mile End Road and Bergholt Road

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79 – Severalls Hospital

165 – Land East Nayland Road and South A12

166 – South A12 and West Nayland Road

261 – Land East Nayland Road and South A12

262 – Land South A12 and West Nayland Road

S037 – Land North Axial Way

S044 – North Colchester

S137 – Land off Braiswick Lane

S153 & 184 – Land at Chapmans Farm, Nayland Road

S159 & 162 – Land South Moorlands Lodge, Boxted Road

S176 – Chesterwell Wood

Cuckoo Point, Severalls Lane

S064 – St Botolph's Farm

S162 – Land off Braiswick

S257 – Great Horkesley Manor Plot 2

Stanway

Twelve sites, plus open space sites within policy SA STA5 were appraised within the Stanway growth area. Five of these sites were not recommended for allocation as they were not as sustainable as the other options. This is principally due to adverse impacts on biodiversity, landscape character and for one of the sites, the potential effect on Gosbeck's Archaeological Park.

S070 - Land between Warren Lane & Dyers Road

S095 - Land north of London Road, Tollgate

S242/S243 – Stane Park

S268 – Land between the A12 & London Road

S284 – Colchester Quarry

Lakelands

Land at Fiveways Fruit Farm

S033 - Land at Furze Hill, Warren Lane

S072 - Land between Warren Lane & Dyers Road

S076 - Land at Chitts Hill

S260 - Land at Gosbecks Farm

S294 - Land at Evergreen House & D Hollick Car Sales⁴

Tiptree

Seventeen sites, plus two sites within policy SA TIP1, which have planning permission but development has not commenced, were appraised within

⁴ This site is not recommended for allocation for residential development as proposed, however it is recommended for allocation as employment use.

Tiptree. With the exception of two sites (land south of Wilkin and Sons Jam Factory and land at Grange Road) all sites were proposed for residential development. To compare the residential options in Tiptree a measurement was taken from the edge of the site to the approximate centre of the retail centre; as 800 metres is considered to be a reasonable walking distance all sites in excess of 800 metres were discounted. Sites adjacent to local wildlife sites were also discounted as it was considered that development would be likely to adversely affect nature conservation sites through increased levels of disturbance. Only two of the proposed residential sites were within 800 metres of the centre of the retail centre and unlikely to affect a local wildlife site, however as only a small amount of housing is required in Tiptree only one site is necessary. The mixed-use proposal at Grange Road was considered to be the most sustainable site to accommodate housing as it will bring community and recreational benefits to Tiptree through the mix of uses proposed at this site.

Land at Grange Road (S286)

Land south of the Wilkin & Sons Jam Factory

51 Church Road

Land r/o Shell Petrol Station, Maypole Road

S012/S158 - Bull Lane

S148 - Land at Sparrow Cottage

S230 - Land at Kelvedon Road

S269 - Land adjacent to Sparrow Cottage

S287 - Land at Vine Road

S288 - Land at Harrington Close

S160 - Land at Peakes Farm

S168 - Land to the rear of the Ship Inn

S271 - Land off Pennsylvania Lane

S283 - Land off Birchwood Road

S045 - Land r/o 30 – 72 Newbridge Road

S285 - Land north-east of Grove Road

Land east of Factory Hill

Wilkin's farm camp

Land to the south of the farm camp

Rural Employment

Fourteen sites were appraised for allocation as rural employment sites. Two of these sites, both located in Marks Tey were not recommended for allocation. Anglian Water Services advised that infrastructure improvements to the water supply networks may be required and there is insufficient capacity at Copford Sewage Treatment Works to cope with significant development at Marks Tey and the Highways Authority advised that development of the proposed sites in Marks Tey is likely to significantly affect the A120/London Road, which would increase congestion. It was therefore considered that only one site should be allocated in Marks Tey. Three sites were put forward for development in Marks Tey and it was considered that Andersons Land is more sustainable than the alternative two sites as an employment use is already established on the site and the site would not affect the gateway into Marks Tey.

Boat Yards, Coast Road, West Mersea

S120 – Andersons Land, Marks Tey
S009 – Waldegraves Business Park
S136 – Land at Queensmeade, The Folley
S169 – Depot, Old Ipswich Road, Dedham
S128 – Land at Picketts Farm, Fingringhoe
S109 – Land at Pantiles Farm
Powerplus Engineering and Whitnell Contractors Site, School Road, Langham
The Pot Emporium, Straight Road, Boxted
Straight Road, Boxted
Poplar Nurseries, Marks Tey
Land south of Peldon Common
 S118 - Land r/o Bridge Farm
 S279 - Old London Road

Sites Outside Settlement Boundaries

Twenty sites were appraised throughout the Borough and eighteen of these were not recommended for allocation. These sites are located outside of the Borough's regeneration and growth areas and so will fail to promote regeneration and are not as accessible as the allocated sites and so the need to travel will increase. Development of sites on the edge of villages are more likely than sites on the edge of Colchester Town to adversely affect landscape character and the pattern of the Borough's settlements as the scale of the development in proportion to the village will be significant. Development on the edge of villages will fail to make efficient use of land as a lower density will be required than for sites on the edge of Colchester. Furthermore, some of the sites appraised and considered unsuitable for allocation are likely to affect nature conservation sites and some fall within areas of flood risk.

S003 – Waldegraves Caravan Park

S026 – Coopers Beach Holiday Park

15B - Land north of the A120, abutting Great Tey Road and Church Lane
 45 - Land west of Irvine Road⁵
 S065, S066, S068 - Land at Hare and Hounds Public House, Birch
 S117 & S119 - Land at Marks Tey Station
 S128 - Land at Picketts Farm, Fingringhoe
 S141 - Land at Cymbeline Way
 S142 - Land at Wick Road, Langham
 S143 & S144 - Land west of A12, Langham
 S145 – Land at School Road, Langham
 S146 – Land at School Road Langham
 S147 - Land at Choats Corner, Eight Ash Green
 S256 - Land at Abbots Hall Plot 3
 S248 - Land to the south of The Rectory, Church Lane, Abberton
 267 - Land at Marks Tey

Gypsy and Traveller Accommodation

⁵ Whilst it is recommended that this site is not allocated for residential development it is recommended that it is allocated as a local wildlife site.

Gypsies are one housing group that the Council has a duty to allocate land for, indeed the government circular on gypsy and traveller sites states that the approach set out in the circular should be seen in the context of the government's key objective for planning for housing – to ensure that everyone has the opportunity of living in a decent home. The consideration of sites to provide gypsy and traveller accommodation, however, has been constrained by the timing of the regional review of the issue. EERA's publication of a Single Issue Review of Gypsy and Traveller accommodation in July 2009 requires Colchester to provide 30 pitches by 2011 and 40 pitches by 2021. This increased level of required provision results from both the Panel Report and the Secretary of State's changes. Correspondence with GO-East established that, in light of these circumstances, they supported the Borough's approach to proceed with the Site Allocations DPD and to review the document in or as soon as possible after 2011 to identify pitches required up to 2021. To reflect this, the Council has submitted the following additional wording to Site Allocations Policy H2 for consideration as a Minor Change by the Inspector:

In accordance with para. 5.20 of the Revision to the RSS (Accommodation for Gypsies and Travellers and Travelling Showpeople in the East of England – July 2009) the Council will work with the Regional Assembly (or its successors) to review Gypsy and Traveller Accommodation Assessments and Policies H3 and H4 of the RSS. This review and the need to find sites for the period beyond 2011 will necessitate early review of the Site Allocations DPD in or as soon as possible after, 2011.

To address the need to allocate 30 pitches by 2011 the following three options were considered:

- Scenario A is to allocate authorised sites, historic sites, and sites with planning permission (22 pitches).
- Scenario B is to allocate authorised sites, historic sites, sites with planning permission, temporary permissions, and the revised application at Kelvedon Road (previously withdrawn) (25 pitches).
- Scenario C is to allocate authorised sites, historic sites, sites with planning permission, temporary permissions, revised application at Kelvedon Road, and an acceptable scheme at Vernons Road (30 pitches).

Authorised sites are considered to be part of the Borough's baseline environment and accordingly are considered appropriate to address the current demand for pitches. Scenarios A and B will not, however, meet in full the requirement for 30 pitches. The allocation of unauthorised sites, as set out in scenarios B and C, could result in adverse sustainability impacts; particularly in terms of accessibility and landscape impact, although the government circular recognises that rural sites are acceptable in principle. The first SA objective, to ensure that everyone has the opportunity to live in a decent and affordable home, carries a significant amount of weight and it is therefore considered that scenario C, which meets the RSS requirement, should be the preferred option.

Conclusion

This section of the sustainability statement has demonstrated that a wide range of options were considered as part of the Site Allocations DPD and that the SA has helped to identify the most sustainable options.

(f) The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

Regulation 17 of the Environmental Assessment of Plans and Programmes Regulations requires the responsible authority to monitor the significant environmental effects of the implementation of the DPD. Adverse effects should be identified with a view to carrying out appropriate remedial action.

An Annual Monitoring Report (AMR) is prepared every December. The AMR monitors the effects of numerous indicators, which are set out in the Core Strategy, and therefore allows the LPA to monitor the effects of the DPD.

The SA framework includes indicators for each of the SA assessment criteria and most of these indicators are included within the AMR. In order to ensure that the SA is expressly considered the AMR includes a section on the SA. This section comments on the performance of the indicators and outlines any remedial measures that will be undertaken as a response to adverse effects.

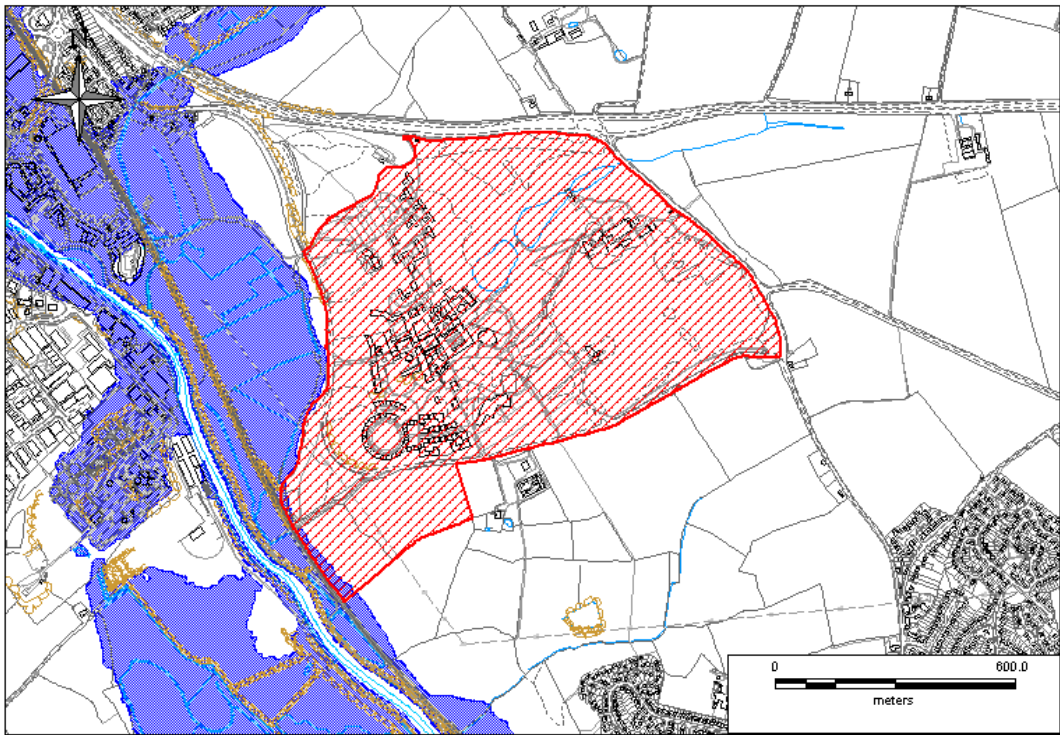
Habitat Regulations Assessment

On the 20th October 2005 the European Court of Justice ruled that the UK had not transposed the Habitats Directive into law in the proper manner. Land use plans were incorrectly described under the UK Habitats Regulations as not requiring an appropriate assessment to determine the impacts of the plan on sites designated under the Habitat and Bird Directives. The spatial policy team commissioned consultants to undertake an advisory appropriate assessment report for the Core Strategy DPD. This report concluded that providing a number of avoidance measures were implemented Colchester Borough Council, as the competent authority under the Habitat Regulations, would be able to ascertain that the Core Strategy would not adversely affect the integrity of any international sites. Whilst the Site Allocations DPD allocates land in accordance with the spatial strategy set out in the Core Strategy an appropriate assessment is still required for this DPD. The appropriate assessment concluded that the Site Allocations DPD will not have adverse effects on the integrity of international sites.

Flood Risk Sequential Test

Whilst published separately at the Regulation 27 stage the flood risk sequential test has been carried out as part of the Sustainability Appraisal process.

The following table should be added to the report and all references to 'appendix F' should be amended to 'appendix B'.

Name of site University of Essex	
Map	
	
Preferred use academic expansion	
Site flood zone	A small part of the south-western edge of this site is located within flood zone 3a
Is there an alternative reasonably available site in flood zone 1?	No
Is there an alternative reasonably available site in flood zone 2?	No
Does the site lie in the functional floodplain (zone 3b)?	No
SFRA comments	The SFRA states that an FRA for the University of Essex would be required to demonstrate that the development will not increase the risk of overland flow, both to the proposed development and to the surroundings. Surface water attenuation onsite with respect to increased infiltration and

	storage will be required to ensure post development rates are equal to or lower than pre-development rates. This can be achieved using SuDS and water recycling, rainwater harvesting, infiltration devices, porous pavement, basins and swales are all referred to. Other requirements include determining flood levels on site, suggesting finished floor levels for proposed developments and ensuring there is safe access/egress from the site during times of flood.
Will the proposed development type be acceptable in this flood zone?	Educational establishments are a more vulnerable use and so providing the exception test is passed academic expansion is acceptable.
<p>Conclusion Whilst there are alternative areas throughout the Borough, which could be suitable for educational establishments this proposal is for academic expansion of the University of Essex. The University of Essex is a campus university; all academic buildings and student accommodation are located within the grounds of the university. Other areas within the university grounds are also at risk of flooding and it is considered that academic expansion is acceptable in this location. Only a small part of the site is within the high flood risk zone and buildings should be directed away from this area with the flood risk zone forming part of the landscaping for the site. Parts (a) and (b) of the exception test are also passed:</p> <p>(a) Despite being greenfield land, this option makes efficient use of land in that it retains all university buildings together at one location close to the other academic department and student facilities and services. This can help reduce the need to travel and dependency on the private car as the primary mode of travel. This will prevent the need to allocate other areas of land at alternative locations in the Borough. Allocating the site will help support Core Strategy employment targets and increase the range of courses available at the university improving education opportunities for students.</p> <p>(b) As explained above there are no alternative sites for this use.</p>	

Appropriate Assessment

In light of the representation received from Anglian Water Services the second paragraph of page 14 of the appropriate assessment report should be amended as follows:

“The WCS reports that the Copford STW is at consented capacity. Only two allocations are proposed within this catchment area; land between the A12 and London Road (residential) and Andersons site, Marks Tey (a small extension to an existing employment site). ~~Whilst the Council are confident that AWS will apply for increased consent within the plan period for this STW as it already exceeds capacity,~~ Anglian Water Services has advised that they have no plans to increase process capacity at Copford STW or apply for an increase in consent, however they intend to redistribute some of the catchment into Colchester to relieve load on Copford STW. On a precautionary basis it has been made clear in the DPD that development of these sites cannot come forward until there is capacity to cope with the development at this STW (policy SA STA1).”