



Colchester Borough Council

**Independent Examination – Section 2 Colchester
Borough Local Plan 2017-2033**

Hearing Statement – Local Planning Authority

Main Matter 5 - North Colchester (Policies NC1 to NC4)

April 2021

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Are the policies and site allocations for North Colchester justified by appropriate available evidence, having regard to national guidance, and local context, including meeting the requirements of the CLP 1?

Do the housing land site allocations in North Colchester show how they will contribute to the achievement of the overall housing requirement of the CLP Section 1 (14720 new homes) and its timescale for delivery?

- 5.1 The allocations in North Colchester directly reflect the sustainable development principles underpinned by the NPPF, being at the top of the spatial hierarchy. Development within the urban area of Colchester achieves all three dimensions of sustainable development that is: economic, social and environmental as defined in the NPPF (paragraph 7). The Council's Hearing Statement covering an Introduction to Place Policies explains the process the Council followed, in allocating sites. In accordance with the NPPF the allocation of sites took account of the evidence base which includes a Strategic Land Availability Assessment ([EBC 2.17](#)) as well as the Sustainability Appraisal as required by legislation. The Sustainability Appraisal (SA) ([CBC 2.2](#)) identifies, describes and evaluates the likely significant effects on the environment of the plan and reasonable alternatives. More details about the SA and how it has influenced the site selection process for allocations in principle is contained in the Introduction to Place Policies Statement. Appendix 1 of the SA report includes tables for each site allocation policy justifying why the preferred option (site) was selected and why reasonable alternatives were rejected. A table summarising the appraisal of the preferred sites and reasonable alternatives is included to provide a comparison of likely effects. Commentary is included on the cumulative and synergistic effects of the allocation(s).
- 5.2 The CLP 2 Policy SG1 provides the Spatial Strategy for Colchester. The Town Centre is the most sustainable location for new development given its central location and good access to public transport, walking and cycling routes. Although there is scope for development to be provided at higher densities in the Town Centre, there remain limited opportunities for further growth with demand on land for a mix of uses, Matter 4b covers this further. The surrounding built up area of Colchester which includes land in the North provides the next level of sustainability due to its urban location, public transport routes and pedestrian and cycle connectivity. The site allocations in North Colchester accord with the Spatial Strategy as set out in Policy SG1.
- 5.3 The allocation of sites for growth in North Colchester is consistent with the CLP Section 1. The 'Vision for North Essex' in the Colchester Local Plan Section 1

identifies that *'Sustainable development principles will be at the core of the strategic area's response to its growth needs... 'and that '... the undeveloped countryside and the natural and historic environment will be conserved and enhanced. Key to delivering sustainable development is that new development will address the requirement to protect and enhance the historic environment and settlement character'*.

- 5.4 Policy SP3 in the CLP Section 1 states that *'Existing settlements will be the principal focus for additional growth across the North Essex Authorities area within the Local Plan period.'* It further provides clarity for each authorities Section 2 Plan: *'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'*. The urban area of Colchester is at the top of the Spatial hierarchy making these allocations compliant with the CPL Section 1.
- 5.5 North Colchester is one of 5 geographical areas which together comprise the urban area of Colchester. The north of Colchester has been the subject of various planning applications and development in recent years, and this is expected to continue in this plan period.

Policy NC1: North Colchester and Severalls Strategic Economic Area

Zones 1, 2 & 3

- 5.6 The North Colchester and Severalls Strategic Economic Area includes the areas known as the Northern Gateway and Severalls and Colchester Business Parks. These areas are safeguarded for the identified uses based on a zoned approach.
- 5.7 The Council has prepared a specific Topic Paper ([TP4](#)) on retail and town centre policy which should be read in conjunction with this hearing statement in relation to Zone 2 in particular.
- 5.8 The policy approach taken for North Colchester in NC1 is justified by appropriate available evidence and has regard to national guidance and local context and meets the requirements of CLP1. The designation of the North Colchester and Severalls Strategic Economic Area addresses the requirements of 2012 NPPF paragraph 20-21 to plan proactively to meet the development needs of business and support an economy fit for the 21st century, but balanced by the caveat contained in paragraph 22 that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

- 5.9 CLP1 provides a target range for new employment floorspace in Colchester of 22-30 ha. but the specific allocation of that floorspace was left as a matter for the detailed Colchester-specific allocations and policies in Section 2.
- 5.10 Evidence for the allocation of employment uses within North Colchester is based on the analysis in the Council's 2015 Employment Land Needs Assessment (ELNA) ([EBC 3.2](#)) and 2017 Employment Land Trajectory ([EBC 3.3](#)), both prepared by Lichfields. The ELNA ranked land within the North Colchester area at the top of the Site Assessment Matrix for Colchester, with land at Northern Gateway ranking 26 out of 30 possible points covering a range of deliverability considerations (p. 63 ELNA). Based on their site assessment work and evaluation of market considerations, the Lichfield work recommended that North Colchester, along with the Knowledge Gateway and a reduced Stanway Strategic Economic Area, should remain as a key locale for commercial development to meet the demand within Colchester for new employment land.
- 5.11 To address the need for flexibility in securing new commercial investment, the policy provides for a zoned approach to commercial development, including employment uses in zone 1, leisure/community hub in zone 2 and a range of sport and recreation uses in zone 3. In the first instance, the general concept of directing particular commercial uses to particular areas is considered compatible with the Council's plan-making functions. On the more particular issue of the treatment of main town centre uses, the Retail and Town Centre Study Update 2020 noted that the Council needed to be satisfied that the allocations meet the sequential test, which was the case for the approved mixed use leisure scheme. The Retail and Town Centres [Topic Paper 4](#), confirmed that the planning applications for the cinema-led scheme in zone 2 (application numbers 160825 and 201631) have been considered by the Council to have satisfied the sequential test and the sports centre and playing pitch uses for zone 3 (planning application 180438) did not comprise main town centre uses triggering the need for a sequential test.
- 5.12 The Policy is considered to be sound as submitted. A modification is proposed in the Retail and Town Centres Topic Paper to remove the sentence restricting main town centre uses in zone 1, given that main town centre uses include offices. This recommendation is relevant to Policy NC1. A modification, as set out in the Draft Schedule of Recommended Modifications ([CBC 1.6](#)), is also proposed to NC1 to delete references to the outdated Use Classes.
- 5.13 Application 180438 for the Colchester Northern Gateway Sports Hub was approved in 2018 and construction completed in 2021. The new facility is due to open later this month. The scheme forms part of the wider Colchester Northern Gateway. A key component of the development is the relocation of sports pitches and Colchester Rugby Club from Mill Road to this site. This will facilitate redevelopment of the rugby club land for residential and commercial uses which is the subject of a separate planning application.

- 5.14 The Indoor Sports Facility Strategy ([EBC 5.8](#)) identified a need for more indoor sports facilities to support the growing population of Colchester, especially in north Colchester. The Playing Pitch Strategy and Action Plan ([EBC 5.11](#)) identified the need to increase the number of sports pitches (including artificial grass pitches) and to enhance the quality of existing pitches to improve provision, maintain quality and meet growing demand. The Playing Pitch strategy also identified a number of indoor facilities required to compliment outdoor provision, including an indoor sports hub and a rugby club pavilion.
- 5.15 The Settlement Boundary Review (April 2017) ([EBC 2.14](#)) concluded that the A12 is a strong defensible boundary to north Colchester. Although in recent years, some development has occurred to the north of the A12 including the Park and Ride and the service station, to maintain the strong boundary and to avoid coalescence with Great Horkesley and other villages the settlement boundary has not been altered. The Colchester Northern Gateway Sports Hub is outside of the Settlement Boundary.

Policy NC1: North Colchester and Severalls Strategic Economic Area

Allocation for Residential and Open Space Uses

- 5.16 The land at and adjacent to the Rugby Club is subject to a current planning application under consideration (190665) and is described as a hybrid outline planning application for healthcare campus (5ha) of up to 300 older people's homes (C3), 4,300sqm private acute surgical hospital (C2), (1,200sqm.) medical centre (D1), 3,600sqm, 75- bed care home (C2), up to 55742sqm offices (B1a); up to 350 homes (C3), with ancillary retail & food & drink of up to 1000m2 of retail (A1), up to 500m2 of food and drink (A3), digital network of ultra fast broadband; 2 points of vehicular access from public highway, pedestrian boulevard & community green (4.5ha).
- 5.17 The planning decision (200079) issued on the 26 March 2020, approved the detailed consent for the first phase of the infrastructure which included the creation of a pedestrian 'Walk' (previously known as the Boulevard) and associated landscaping and a renewable energy centre and heat distribution network, which is under construction and will be complete by October 2021.
- 5.18 Policy NC1 allocates the area shown on the policies map which comprises the existing Rugby Club for employment use as well as residential use for approximately 300 dwellings, 260 units of Extra Care accommodation and community space.
- 5.19 The housing site allocations in North Colchester have evolved since the submission of the CLP. The Council own the land and Colchester Amphora Homes

Ltd (CAHL), the Council's commercial housing company, have submitted the planning application based on market knowledge and commercial interest.

- 5.20 Land at Oxley Parker Drive, adjacent to the 'land at and adjacent to the Rugby Club' allocation, is allocated as open space in the Plan. A planning application (193145) was recently refused for the construction of up to 40 dwellings on this site as the Council's policy supports the retention of the public open space for the existing and growing community in the area.

Policy NC2: North Station Special Policy Area

- 5.21 Colchester Station is key gateway to Colchester and regeneration of this area remains key to the continued development of Colchester that is attractive to investment, visitors and residents. The North Station area of Colchester was a designated regeneration area in the Core Strategy and some initial work developing a masterplan was undertaken post 2010. Implementation of some of the initiatives from this were delivered during the early part of 2016. Many of the concepts remain relevant and the principle of the overall vision remains, to create a welcoming gateway to the town set within a balanced mix of uses, and to enhance connectivity to and from this area of Colchester.
- 5.22 It is considered that Policy NC2 is justified by appropriate available evidence, having regard to national guidance, and local context, including meeting the requirements of the CLP1. Policy NC2 is in line with CLP1 Policy SP7 which requires all new development to reflect place shaping principles where applicable, including creating well-connected places, respond positively to local character and context to preserve and enhance the quality of existing places and their environs, and enhance the public realm. It is also in line with CLP1 Policy SP6 which sets out the requirements to deliver the high quality rapid transit network between the Garden Community, the town centre, Colchester Station and North Colchester. CLP1 Policy SP6 also requires local planning authorities to work with partners including Essex County Council, Network Rail and rail and bus operators to increase opportunities for sustainable modes of transport.
- 5.23 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 the Local Plan Committee. The area, which includes North Station Road between the Albert Road and Essex Hall roundabouts, is considered to be an important link between the railway station and the town centre.
- 5.24 Policy NC2 requires development in the Special Policy Area to assess the impact on pollution levels in the Air Quality Management Area (AQMA) and if necessary

provide adequate mitigation against any harmful effects to air quality. This is in line with NPPF paragraph 124 and Policy ENV5 which sets out the policy for proposals for developments within AQMA's.

5.25 Policy NC2 is considered to be sound as submitted. A modification to the supporting text is proposed as a result of a representation from Essex County Council to clarify the point about changing train operators. This is set out in the Draft Schedule of Recommended Modifications ([CBC 1.6](#)) as follows:

- Amend paragraph 14.35 to read: The Colchester Station Travel Plan was developed in partnership with **successive** Train Operating Companies and Essex County Council and has been running since 2008'.

5.26 Policy NC2 supports schemes which deliver objectives specific to the area around North Station and encourages a comprehensive approach to development in this area.

Policy NC3: North Colchester

5.27 The policies and site allocations in Policy NC3 are justified by appropriate available evidence, having regard to national guidance and local context including meeting the requirements of the CLP1.

5.28 The Settlement Boundary Review (April 2017) ([EBC 2.14](#)) considered two broad areas of search in north-west Colchester: land including the Braiswick sites and land west along the railway line. Due to the land west along the railway line including a large area of open space including allotments and also part of it being at high risk of flooding, development in the area was not explored further. The Braiswick sites broad area was identified as a peripheral location on the edge of Colchester, with good bus service and close to Colchester Station and that development at this location could be contained by the A12 to the north west and the golf club and Chesterwell/existing houses to the north.

5.29 The housing land allocations in North Colchester contribute to the achievement of the overall housing requirement of the CLP1. The Land at Braiswick allocation was originally proposed as three sites in the Preferred Options Local Plan for a total of 88 dwellings. Following that consultation, it was proposed that the site be developed comprehensively as an entire allocation. One of the three sites submitted as part of the Call for Sites was also withdrawn from consideration by the landowner. Policy NC3 allocates land for up to 70 dwellings on Land at Braiswick with access from Braiswick (road).

5.30 The representations that were made to this allocation mainly relate to the number of dwellings proposed and the inadequacy of the infrastructure to cope with the additional growth. These matters are considered to be addressed by policies NC3,

NC4 and PP1 which will ensure that any impacts from the development will be adequately mitigated with appropriate contributions as required.

- 5.31 An outline application was granted on appeal in October 2020 for 27 units on part of the allocated site which will facilitate access through to the remaining land.
- 5.32 The allocated site does not have any major constraints to development. The site is located on the edge of the Colchester urban area and has good accessibility to public transport.

Policy NC4: Transport in North Colchester

- 5.33 Policy NC4 is justified by appropriate available evidence, having regard to national guidance and local context, including meeting the requirements of the CLP1. Strategic transport modeling has been undertaken ([EBC 5.5](#)) which has shown links and junctions in North Colchester operating over capacity at peak times. Development will add pressure to the transport network and measures will be required to help mitigate this impact.
- 5.34 The assessment of the modelling identifies potential solutions on the highway network resulting from proposed development. These potential solutions have been reflected in the Infrastructure Delivery Plan (IDP June 2017) ([EBC 5.3](#)).
- 5.35 Policy NC4 requires developments in North Colchester to contribute to a package of sustainable transport measures including walking, cycling, public transport, travel planning and the promotion of sustainable travel. This is in line with NPPF and CLP1 Policy SP6 which requires local planning authorities to work with partners to deliver changes in travel behaviour by applying the modal hierarchy and increasing opportunities for sustainable modes of transport that can compete effectively with private vehicles.
- 5.36 North Colchester will benefit from the development of new transport infrastructure serving the Tendring Colchester Borders Garden Community. This includes an A120/A133 Link Road as well as a Rapid Transit System linking the new community to Colchester, with a preferred route options running through East Colchester to the Town Centre and onward to North Colchester to the Park and Ride site. The Section 1 CLP, Policy SP6, provides that this strategic infrastructure must have secured planning consent and funding approval in advance of the grant of planning approval for the Garden Community. In August 2019 it was announced that the A120/A133 Link Road and the Colchester Rapid Transit System (RTS) scheme had been successful in securing £99 million in funding and in March 2021 ECC confirmed the imminent submission of a planning application for the project.
- 5.37 Policy NC4 as submitted is considered sound. The following modifications are proposed to reflect updated position in terms of proposed transport infrastructure

as set out in the Draft Schedule of Recommended Modifications ([CBC 1.6](#)) as follows:

- Modification proposed to paragraph 14.46 bullet points to reflect latest position:
 - ~~A12 Technology Package between the M25 and the A14—smarter technology package to enable better management of the trunk road network. Scheme identified in the Government's Road Investment Strategy.~~
 - ~~A12 widening between Junction 25 and junction 29—scheme identified in the Government's Road Investment Strategy for start of investment to be made by 2025.~~
 - **A120 upgrades – ECC and Highways England have progressed regarding a new and improved A120 between Braintree and the A12. In March 2020 the government announced its Road Investment Strategy (RIS) which included a commitment to progress further development work on the A120 dualling to prepare the scheme for delivery. The A120 dualling scheme be considered for inclusion in the RIS3 programme 2025 – 2030.**
- Modifications are also proposed to the fourth bullet point in NC4, as set out in the Consequential Changes Topic Paper ([TP1](#)) to cross reference to the requirement for the RTS in CLP1:
 - Enhancements to the East / West public transport services, to serve the area to connect existing and new residential developments with employment and leisure opportunities. **This includes the route connecting the Tendring Colchester Borders Garden Community with the Town Centre and North Colchester required by Section 1 Policy SP6.** The type of public transport service may vary.