



Colchester Borough Council

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

Hearing Statement – Local Planning Authority

**Main Matter 13 – Policies DM6, DM7 and DM14
Economic Development in Rural Areas and the
Countryside; Agricultural Development and
Diversification; and Rural Workers' Housing**

April 2021

Main Matter 13 – Policies DM6, DM7 and DM14 - Economic Development in Rural Areas and the Countryside, Agricultural Development and Diversification and Rural Workers' Housing

Are the Economic Development in Rural Areas and the Countryside, Agricultural Development and Diversification and Rural Workers' Housing Policies justified by appropriate available evidence, having regard to national guidance, and local context, and CLP 1?

Do policies DM6, DM7 and DM14 provide a clear direction as to how a decision maker should react to a development proposal?

- 13.1 Yes, Policies DM6, DM7 and DM14 are justified by appropriate available evidence. They have regard to national policy, local policy and CLP1. They provide a clear direction as to how a decision maker should react to a development proposal as they each contain criteria governing the consideration of relevant proposals.
- 13.2 National guidance relevant to all of the above policies for rural communities is contained within the fifth NPPF Core Planning Principle, which provides that plan-making involves 'recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it' (para 17). Section 3 provides detail on how planning policies should support economic growth in rural areas, while paragraph 55 of the housing section provides guidance on ensuring housing is located where it will enhance or maintain the vitality of rural communities. Separate sections below on the rural economic policies DM6 and DM7 and on the rural housing policy DM14 address how each of those policies address this NPPF Core Principle and relevant aspects of economic and housing growth.
- 13.3 Adopted Section 1 Policy SP3 of the Local Plan provides general guidance on the spatial hierarchy for the North Essex Authorities. It requires that each local authority will identify a hierarchy of settlements where new development will be accommodated, with proposals beyond the main settlements to be supported where they assist diversification of the rural economy, conservation and enhancement of the natural environment.
- 13.4 As required by Policy SP3, Section 2 policy SG1 sets out the spatial hierarchy for Colchester which ranks areas of the Borough in order of their sustainability merits and the size, function and services provided in each area. This means that development is focused on highly accessible locations to reduce the need to travel. The more limited level of development acceptable in rural areas reflects the importance of preserving the rural character of the Borough while enhancing rural communities and the rural economy.

- 13.5 Policy OV2 (Countryside) covers both economic and residential schemes. It notes that some business schemes do require a rural location and may be supported on that basis, while more generally, proposals for sustainable rural businesses may be supported if they meet the criteria detailed in policy DM6. Wording on residential development in the countryside is proposed to be modified to ensure it properly reflects current Government guidance seeking to regulate the balance between rural vitality and safeguarding rural character. Instead of stating that residential development in the countryside, outside defined settlement boundaries, will be restricted to small scale rural exception sites, the proposed modified included in the recommended modification schedule (CBC6.1) wording is:

“Residential development **proposals** in the countryside, outside defined settlement boundaries, will **need to demonstrate that they respect the character and appearance of landscapes and the built environment and preserve or enhance the historic environment and biodiversity.**”

Policy DM6 Economic Development in Rural Areas and the Countryside and Policy DM7 Agricultural Development and Diversification

- 13.6 Policies DM6 and DM7 exemplify the approach to sustainable rural economic development found in national policy and in the recommendations of the Council's employment evidence base.
- 13.7 Section 3 of the NPPF, Supporting a prosperous rural economy, states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. In particular, it promotes the development and diversification of agricultural and other land-based rural businesses, which can involve adaptation to new markets and ways of operation and diversification of activities.
- 13.8 The 2015 Employment Land Needs Assessment ([EBC 3.2](#)) provides an analysis of the stock of rural employment land in Colchester which includes purpose built, stand-alone business parks, industrial estates, and converted rural premises and barns. Rural employment sites form an important element of the overall offer of commercial land in Colchester, and the ELNA notes a steady demand for this space, particularly for local needs at affordable rates. In line with national trends, Colchester's rural areas have seen a transition between a predominance of agricultural economic activity to a more mixed economy of small businesses and tourist-related business. National policy has accelerated this trend, with permitted

development rights reducing the number of buildings used for agricultural purposes. The ELNA recommends that the Council continue ‘to safeguard against any future downturns in traditional rural activities by encouraging the conversion and re-use of rural buildings for non-agricultural uses in order to grow and diversity the employment offer in Colchester’s rural economy.’ (para 4.48).

- 13.9 Policy SG4 provides for a range of employment sites across the Borough to enable balanced job and housing growth. Table SG4 lists a number of Local Economic Areas (LEAs) in rural areas, spread across the Borough. Policy SG4 provides a list of criteria for these Local Economic Areas which need to be met if an employment use is proposed to be lost. Policy DM6 cross-references to these criteria, and for new economic development proposals not within LEAs, the policy provides criteria covering a wide range of possible scenarios including conversion and re-use of existing rural buildings; extension; replacement; new development; and expansion of an existing business. Providing detailed criteria for a range of potential rural economic development proposals ensures that the special circumstances unique to each, can be properly taken into account, and allows a proportionate approach to be taken to factors such as retention of existing businesses.
- 13.10 Two modifications suggested by Natural England and agreed in the Statement of Common Ground are recommended (to be added to Examination Statement of Common Ground webpage). For Policy DM6, it is proposed is to move the section on Habitats Regulation Assessment from explanatory text to the policy. For Policy DM7, it is proposed to add a specific mention of Sites of Special Scientific Interest to the lists of areas that could be adversely affected by development proposals. The Use Classes Order has been modified since submission of the CLP, specifically in relation to Class B1 which has been revoked. A modification is therefore considered necessary to the terminology used in Policy DM6. This reflects the fact that B2 and B8 uses are still considered appropriate within Local Economic Areas and on rural sites, but that the whole range of E class uses are not. The proposed modification therefore clarifies that uses which can be carried out in a rural area without detriment to its intrinsic character and beauty and which do not result in significant traffic generation will also be considered appropriate ie Use Classes E(g)(i) Offices to carry out any operational or administrative functions; E(g)(ii) Research and development of products or processes and E(g)(iii) Industrial processes. Other uses within Class E are more appropriately located in accessible locations within existing centres or settlements. The recommended modification will amend Policy DM6 criteria (i) as follows;

.... “Within allocated Local Economic Areas and on rural sites providing an economic function, the following uses are considered appropriate in principle;

- (i) ~~Business (B1)~~ **Offices to carry out any operational or administrative functions- E(g)(i); Research and development of products or processes- E(g)(ii); Industrial processes- E(g)(iii),** general industrial (B2), storage and distribution (B8);

Policy DM14 Rural Workers' Housing

- 13.11 Paragraph 55 of the 2012 NPPF states that one of the few special circumstances justifying isolated homes in the countryside is the essential need for a rural worker to live permanently at or near their place of work in the countryside. Policy DM14 addresses this very particular issue and provides detail to ensure judgements are informed by all relevant variables, which can differ between proposals for permanent, temporary, and existing workers' dwellings. While exact numbers of rural workers' dwellings in the Borough are difficult to assess giving the varying status and nature of tied dwellings, the issue of permissions creating or retaining rural workers' dwelling regularly emerges as a contentious issue for planning applications in rural Colchester.
- 13.12 Policy DM14 seeks to strike a balance, firstly for existing rural worker dwellings, between maintaining the supply of rural workers' housing needed for specific rural agricultural and forestry businesses and releasing accommodation no longer needed for this purpose into the wider housing market, and secondly, for new proposals, between the legitimate demands of rural businesses who can demonstrate a functional need for housing to be provided to support their business and the limits placed by national and local policy on development in the countryside.
- 13.13 The Council considers that the policy as submitted is sound and is not proposing any modifications. The criteria concerning the requirements for demonstrating that an existing rural worker dwelling is no longer considered able to justify a functional need are appropriate in their detail given the limited supply of such housing, and the wish to ensure that any permanent loss is properly justified. The criteria that they be continuously marketed for 12 months is warranted in this context.