

**Local Development Framework**

**Development Policies**

**Adopted October 2010**

**Selected policies revised July 2014**

## **Preface – Development Policies following Focused Review July 2014**

This document was updated in July 2014 as a result of Colchester Borough Council's Focused Review of its Local Plan.

The National Planning Policy Framework (NPPF), published by the Government on 27 March 2012, replaced a considerable amount of planning policy previously contained within a number of national policy documents. The consolidated guidance is intended to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF is a material consideration in the preparation of local plans and also provides guidance in the determination of planning applications. This means that its publication created a need for local authorities to reconsider their intentions for reviewing and developing local planning policies.

The Focused Review was an initial, limited, review of policies which could be readily amended without the need to prepare further extensive evidence in respect of those specific policies. Only those policies that clearly required updating due to non-compliance with the NPPF were included in this stage. Revisions do not include any amendments to the spatial strategy, housing and employment targets, or allocations.

The Focused Review underwent two stages of consultation to allow for widespread involvement in the review process, in compliance with the Council's Statement of Community Involvement and the Town and Country Planning (Local Development (England) Regulations 2012). The initial Issues and Options consultation stage, carried out in March – April 2013, provided an opportunity for the Council to outline the areas which it considered needed to be reviewed. The Council then consulted on revised policies, prior to submission to the Secretary of State for examination.

The Council is now developing a new Local Plan which will include amendments to the spatial strategy; housing and employment targets; and site allocations, as these issues require the support of updated evidence base work. The Full Review is programmed for adoption in 2017.

These are the policies that have been amended by the Focused Review:

- **Changes to the system of planning obligations and introduction of Community Infrastructure Levy** – the text has been modified to reflect latest guidance on planning contributions in relation to both site specific and strategic infrastructure improvements (Development Policy DP3).
- **Equestrian uses** - Policy DP24 is deleted as the changes to the rural policies in the Core Strategy (Core Strategy Policy H6) are considered

to address the issues previously covered in this detailed policy on equestrian uses.

- **Minor changes** – Minor changes include updates to ensure consistency with the NPPF; removal of references to superseded Planning Policy Statements and Guidance Notes, and wording clarification (Development Policies DP1, DP15 and DP16).

All other policies remain unchanged, until they are replaced through the Full Review of the Local Plan.

# Development Policies

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\*\* Selected policies revised following July 2014 Focused Review

# 1. Executive Summary

## Introduction

- 1.1 The Development Policies Development Plan Document (DPD) is one of the planning policy documents that make up Colchester's Local Development Framework (LDF). The LDF replaces the 2004 Local Plan and provides strategy and policies to guide development in Colchester to 2021 and beyond. The development decision making process is informed by all of the documents that contribute to the LDF, as well as by national policies, so individual LDF documents should not be read in isolation. The Development Policies document includes a list of relevant national and local policies for each policy to aid understanding of policy links.
- 1.2 The first document in the LDF to be produced was the Core Strategy which was adopted by the Council in December 2008 following an examination led by an independent Inspector appointed by the Government. This sets out the long-term spatial vision for the Borough and the spatial objectives and strategic policies to deliver that vision. The Core Strategy should be consulted for further details about the nature of the LDF system and its national, regional and local planning context. The Core Strategy contains 23 strategic policies which provide the cornerstone for the more detailed policies contained in the Development Policies.
- 1.3 Consultation with the public and stakeholders is an essential part of the preparation of all LDF documents. The Development Policies DPD has been through a number of consultation stages, including an initial Issues and Options stage in November/December 2007, a consultation on the Council's preferred approach in January/February 2009 (Regulation 25), and this final consultation which precedes submission of the document to the Planning Inspectorate and subsequent examination and adoption.

## Development Policies

- 1.4 The 25 policies in the Development Policies DPD have been developed to further aid the decision making process by providing detail as needed for particular issues and areas dealt with more generally in the Core Strategy. The Development Policies document sets out the specific criteria against which planning applications for the development and use of land and buildings will be considered and provides local standards for the development of sites. Some issues, such as affordable housing, are not covered by Development Policies since they are addressed in principle at the Core Strategy level and guided by very detailed policy at the Supplementary Planning Document level.

1.5 The Development Policies document is in general conformity with the Core Strategy and follows a similar format. As with the Core Strategy, the policies in the document have been grouped into the following categories;

- **Sustainable Development** – 4 policies concerning the promotion of high quality design, assessing health impacts, and the provision of infrastructure and community facilities
- **Centres and Employment** – 6 policies providing detail on the provision and regulation of different employment uses
- **Housing** – 3 policies providing detail on ensuring high quality housing standards
- **Urban Renaissance** – A policy to provide detail on preserving and enhancing historic environment assets
- **Public Realm** – 2 policies concerning the provision of adequate open space
- **Transport and Accessibility** – 3 policies providing detail on ensuring good accessibility and access; criteria for transport infrastructure proposals; and setting parking standards
- **Environment and Rural Communities** – 5 policies providing detail to ensure protection and enhancement of the natural environment, appropriate water/flooding management measures, and standards for particular coastal/countryside uses
- **Energy, Resources, Waste, Water and Recycling** – A policy providing detail on criteria for renewable energy schemes

1.6 Some of the 25 development policies apply to all areas of the Borough. In the case of others, however, the policy only applies to a specific area (e.g. DP5 Colchester Town Centre Uses). The extent of these area specific policies is shown on the Proposals Map. The final section of the document addresses how the Council will monitor the extent to which the Development Policies are helping to deliver objectives outlined in the Core Strategy and other key documents such as the Council's Strategic Plan and the Sustainable Community Strategy.

## 2. Introduction and Background

- 2.1 The Development Policies document forms part of the Local Development Framework (LDF) process that came into effect in 2004. This will replace the Local Plan and provide a strategy for the development of Colchester to 2021 and beyond.
- 2.2 Since the revocation of Regional Spatial Strategies (RSS) (the East Of England Plan being the relevant RSS for Colchester) by the Secretary of State for Communities and Local Government on 6 July 2010, the Development Plan for Colchester Borough comprises the Colchester LDF and the 'saved' policies from the Adopted Essex and Southend-on-Sea Structure Plan. The LDF is essentially a portfolio that consists of a collection of individual documents. The adoption of this Development Policies DPD and the Site Allocations DPD, supersedes the Adopted Review Colchester Borough Local Plan of March 2004, which will have been 'replaced'. The Local Development Scheme sets out the details of the Development Plan Documents the Council will prepare in the next few years and when each will be prepared. The Development Policies DPD must be in conformity with the adopted Colchester Core Strategy. That document was founded upon the then extant East of England Plan. Whilst the evidence base for the East of England Plan remains material to the current DPD documents it needs to be clearly understood that the East of England Plan is no longer part of the Development Plan.
- 2.3 The determination of planning applications must be made in accordance with the Development Plan unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004). For this reason it is important that the separate documents that contribute to the Development Plan are not read in isolation. Other material considerations can also affect the decision making process when planning applications are determined.
- 2.4 The Development Policies Development Plan Document (DPD) is only one part of the Development Plan and does not repeat national or regional planning policy. Consequently, users must refer to a range of other policies and documents when using the policies. In particular:
- National planning policy contained in Planning Policy Statements (PPS) and Planning Policy Guidance (PPG);
  - County level policies contained in the Essex & Southend-on-Sea Replacement Structure Plan (2001), the Essex and Southend Waste Local Plan (2001) and the Essex Minerals Local Plan (1996);
  - The Core Strategy (2008);
  - Relevant Supplementary Planning Guidance (SPG) and Supplementary Planning Documents (SPD).
- 2.5 This list is not exhaustive, and a holistic policy approach will be required against all relevant policies available at the time that applications for planning permission are made. Some policies require evidence and background information to be submitted to inform policy judgements; the



level of detail required will be proportionate to the size and scale of proposals. Some issues, such as affordable housing and planning contributions, are not covered by Development Policies since they are addressed in principle at the Core Strategy level and guided by very detailed policy at the Supplementary Planning Document level. Applicants are advised to seek preliminary advice from the Council where there is any doubt as to the policy considerations prior to formally submitting their planning applications to ensure all relevant policies are addressed.

- 2.6 A table has been provided at the start of each section of the Development Policies DPD to assist in identifying other relevant national or local policies extant at the time of adoption of this document.

### **The Development Policies Document and its relationship to other documents**

- 2.7 The Development Policies DPD is intended to provide detailed guidance and policy to aid the consideration of planning applications.
- 2.8 **Core Strategy DPD:** The Core Strategy was the first DPD to be produced. The objectives and policies in the Core Strategy were tested through the process of an examination by an independent Inspector appointed by the Government and the Core Strategy was then adopted by the Council in December 2008. This document sets out the long-term spatial vision for the Borough, and the spatial objectives and strategic policies to deliver that vision. The general principles underlying the detailed policies set out in the Development Policies document have accordingly been agreed. The Core Strategy should be consulted for further details about the nature of the LDF system and its national, regional and local planning context. The Core Strategy contains 23 strategic policies which will be used in decision making. The 25 policies in the Development Policies have been developed to further aid the decision making process by providing detail as needed for particular issues and areas dealt with more generally in the Core Strategy.
- 2.9 **Site Allocations DPD:** The Site Allocations DPD provides area specific allocations and sets out the criteria for the boundaries shown on the Proposals Map. The document is intended to provide further details on where development should occur to assist the delivery of the Core Strategy and the consideration of planning applications. It has been developed in parallel with the Development Policies DPD.
- 2.10 **Proposals Map:** The Proposals Map illustrates the planning strategy for an area by showing the boundaries of allocations and designations set by planning policies. It is revised as each new development plan document is adopted to ensure it always reflects the up-to-date strategy for the area. The Proposals Map in the adopted 2004 Local Plan is now accordingly being revised by the allocations and designations provided in

the Site Allocations document and to a lesser extent, by area-specific policies in the Development Policies document.

2.11 **Sustainable Community Strategy:** The LDF provides the primary means of delivering the spatial elements of the Sustainable Community Strategy prepared by the Local Strategic Partnership, Colchester 2020. The Sustainable Community Strategy provides a vision and action plan for achieving co-ordinated action between partners to deliver sustainable development. The Core Strategy sets out specific links between the documents.

2.12 **Strategic Plan:** Colchester's Strategic Plan (2009 – 2012) identifies nine priorities for action. The Development Policies DPD will be expected to contribute to all the priorities by ensuring development in the Borough is sustainable and of a high quality.

2.13 It is important to note that all of the documents that contribute to the LDF must be read in conjunction with one another, as well as national policies, rather than in isolation. In determining planning applications, the Council will require any relevant policies throughout the documents to have been satisfied in order for the proposed development to be considered acceptable.

## **Development Policies - Format of the document**

2.14 The purpose of the Development Policies DPD is to:

- Set out the criteria against which planning applications for the development and use of land and buildings will be considered; and
- Set local standards for the development of sites.

2.15 The Development Policies document is in general conformity with the Core Strategy and follows a similar format. The document is split into a number of sections. At the start of each section a cross-referencing table has been provided to assist in identifying other relevant national or local policies. As with the Core Strategy, the document has been broken down into the following sections;

- Sustainable Development
- Centres and Employment
- Housing
- Urban Renaissance
- Public Realm
- Transport and Accessibility
- Environment and Rural Communities
- Energy, Resources, Waste, Water and Recycling

2.16 Some of the 25 development policies apply to all areas of the Borough. In the case of others, however, the policy only applies to a specific area (eg. DP6 Colchester Town Centre Uses). The extent of these area specific policies is therefore also shown on the Proposals Map.

2.17 At the rear of the document you will find a section on the monitoring and implementation of the Development Policies DPD. Appendices include a glossary with definitions for some of the common terms used within the Development Policies document and the LDF as a whole as well as a reference list of policies, strategies and studies that comprise the Council's evidence base for the Local Development Framework.

## **Consultation**

2.18 One of the key ingredients of the new LDF planning system is the recognition of the need for the earliest and fullest public involvement in the preparation of new planning documents. The Development Policies DPD has been subject to a number of stages of consultation during its production.

## **Issues and Options**

2.19 The first consultation on possible development policies, known as 'Issues and Options', took place at the end of 2007. The purpose of the Issues and Options stage was to explore how general principles could be embellished and modified to produce detailed Development Policies sufficient to guide specific development and projects. At that stage no detailed policy wording had been written. The Council wanted to gather people's views about the general direction of proposed policy and the level of detail needed to ensure that new policies addressed local needs while avoiding the repetition of national/regional policy. In some cases, such as affordable housing or planning gain, the option of providing a further level of detail in the form of a Supplementary Planning Document (SPD) was raised. The representations received at this stage informed the production of the subsequent draft policies.

## **Regulation 25 (Preferred Approach)**

2.20 The Development Policies Regulation 25 consultation was carried out during January and February 2009. The Regulation 25 document set out the Council's preferred approach to the management of future development in the Borough.

2.21 The consultation covered the requirements of the new regulations governing the plan making process (published June 2008). This included the requirement for authorities to consult 'specific' and 'general' bodies (as defined in regulations) on what the 'content' of the strategy should be. The regulations also required authorities to consider whether residents and businesses should be included at that stage. The Council chose to use the Regulation 25 stage to not only seek guidance from the 'specific' and 'general' bodies on whether the current approach is one they support but also to re-consult the public. Because a large scale public consultation exercise had already been undertaken at the Issues and Options stage, the Council advanced the Development Policies DPD

to identify its preferred approach. The preferred policies were presented alongside alternative options with the reasons why they had not been included.

## **Sustainability Appraisal**

2.22 Sustainability Appraisal incorporating the requirements of the Strategic Environmental Assessment has been undertaken at each stage of the document's production. The Sustainability Appraisal is a systematic process used at each stage of the policy making process to help inform the drafting of the options.

2.23 A Sustainability Report has been published for consultation alongside the submission version of this DPD. This sets out the outcomes of the sustainability assessment of the policy options and demonstrates how the options meet the local sustainability objectives.

## **Submission document**

2.24 A submission version of the Development Policies document was published for a six week period of public consultation during September and October 2009. The work undertaken during previous stages of consultation was important in the development of this submission document. The reports from the previous consultation exercises, the draft Sustainability Appraisal reports, and the evidence studies completed to date were all made publically available. The submission document and any representations made were then submitted to the Planning Inspectorate in November 2009 for public examination in Spring 2010.

### 3. Sustainable Development Policies

#### Relevant National Policy

Planning Policy Statement 1: Sustainable Development (February 2005)  
Planning Policy Statement 3: Housing (June 2010)  
Planning Policy Statement 4: Planning for Sustainable Economic Growth (December 2009)  
Planning Policy Statement 7: Sustainable Development in Rural Areas (August 2004)  
Planning Policy Statement 12: Local Spatial Planning (June 2008)

#### Core Strategy Policy

SD1: Sustainable Development Locations  
SD2: Delivering Facilities and Infrastructure  
SD3: Community Facilities

#### Development Policies

DP1: Design and Amenity  
DP2: Health Assessments  
DP3: Planning Obligations and the Community Infrastructure Levy  
DP4: Community Facilities

## **Policy DP1: Design and Amenity (Revised July 2014)**

**All development must be designed to a high standard, avoid unacceptable impacts on amenity, and demonstrate social, economic and environmental sustainability. Development proposals must demonstrate that they, and any ancillary activities associated with them, will:**

- (i) Respect and enhance the character of the site, its context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, proportions, materials, townscape and/or landscape setting, and detailed design features. Wherever possible development should remove existing unsightly features as part of the overall development proposal;**
- (ii) Provide a design and layout that takes into account the potential users of the site including giving priority to pedestrian, cycling and public transport access, and the provision of satisfactory access provision for disabled people and those with restricted mobility;**
- (iii) Protect existing public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance, pollution (including light and odour pollution), daylight and sunlight;**
- (iv) Create a safe and secure environment;**
- (v) Respect or enhance the landscape and other assets that contribute positively to the site and the surrounding area; and**
- (vi) Incorporate any necessary infrastructure and services including recycling and waste facilities and, where appropriate, Sustainable Drainage Systems (SuDS), and undertake appropriate remediation of contaminated land.**
- (vii) Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.**

**For the purpose of this policy ancillary activities associated with development will be considered to include vehicle movement.**

### **Explanation**

3.1 New development can play an important role in achieving a high quality environment. Applicants submitting new proposals will need to demonstrate that new development will relate well to the existing surrounding context, both natural and built, resulting in development of a coherent and interesting character. Requests for information to demonstrate these points will be reasonable and proportionate to the nature and scale of the proposal, in line with the Government's efforts to streamline the planning system. For many applications, a Design and Access Statement will be the main source of justification on the design of a proposal. In simple terms this will explain how the design has come about and what the scheme is trying to achieve. For larger schemes, applicants may wish to refer to the Urban Place Supplement developed by Essex County Council, which provides detailed guidance on the

scope of a context appraisal for urban areas and considers the spatial, built form, functional, operational, and community context for new proposals.

- 3.2 Development must positively contribute to the public realm, identifying, preserving or enhancing the existing sense of place, townscapes or streetscapes, key views, roofscapes, landmarks, green links and spaces, and other focal points. Development schemes should protect existing landscape features such as mature trees, hedgerows and ponds, wherever possible. Additional planting may be required to maintain and enhance these features.
- 3.3 Good design also relates to the layout of the development. Giving priority to non-car based modes of transport including pedestrians and cyclists will assist in creating an environment that is both attractive and safe for its intended users, and also help to promote sustainable forms of development.
- 3.4 Well-thought out site plans include a consideration of how design can reduce anti-social behaviour by orientating and placing buildings, windows and access points to provide clear lines of sight and natural surveillance. Public and private open space should be clearly differentiated, avoiding piecemeal and isolated patches of public space that could be prone to vandalism.
- 3.5 By definition, good quality development should not result in an adverse impact on the amenities of nearby properties. The Council's Supplementary Planning Document (SPD) on Extending Your House provides guidance on preserving existing privacy by ensuring that there is not excessive overlooking created by new development and the physical built form of the development does not have an oppressive or overbearing effect that would adversely affect existing outlook or light enjoyed by occupiers of nearby properties. The Essex Design Guide and the Urban Place Supplement published by Essex County Council are further useful sources for detail on achieving appropriate design in new development and avoiding undesirable impacts.
- 3.6 Internal infrastructure and services necessary for a development to function effectively should be provided in conjunction with the commencement of the development so as not to place undue strain on the existing environment and local economy. The Council's Supplementary Planning Document on Sustainable Construction provides further guidance on how to integrate sustainable features into new development, including renewable energy, water efficiency measures, Sustainable Drainage Systems (SuDS), recycling facilities, and sustainable construction techniques.
- 3.7 PPS23 (Planning and Pollution Control) provides guidance on pollution, including land contamination assessments. Colchester's approach to dealing with the development of land that could be contaminated is set

out in 'Land Affected by Contamination: Technical Guidance for Applicants and Developers, 2<sup>nd</sup> Edition' (Essex Contaminated Land Consortium Jan 2004).



## **Policy DP2: Health Assessments**

**All development should be designed to help promote healthy lifestyles and avoid causing adverse impacts on public health.**

**Health Impact Assessments (HIA) will be required for all residential development in excess of 50 units and non-residential development in excess of 1,000 square metres. The purpose of the HIA will be to identify the potential health consequences of a proposal on a given population, maximise the positive health benefits and minimise potential adverse effects on health and inequalities. A HIA must consider a proposal's environmental impact upon health, support for healthy activities such as walking and cycling, and impact upon existing health services and facilities. Where significant impacts are identified, planning obligations will be required to meet the health service impacts of the development. Any HIA must be prepared in accordance with the advice and best practice for such assessments.**

### **Explanation**

- 3.8 In recent years there has been a growing acknowledgement that the quality of the built environment and its sustainability are key factors in both the direct health of and the life style choices affecting the health of residents, workers and visitors of new developments.
- 3.9 Most development has a potential impact upon the health services and facilities that are provided in the Borough. Likewise, through the design of new development, healthy living can be promoted. The extent of these impacts needs to be assessed to ensure that adequate health services continue to be provided for the community as a whole. For developments which have relatively little impact upon health services, an initial assessment may be sufficient to satisfy the requirements of this policy. For developments where an initial assessment indicates more significant health impacts, a comprehensive Health Impact Assessment will be required. The Borough Council will liaise with the East of England NHS and Local Primary Care Trust when assessing the scope and scale of likely impacts. Further details on preparing Health Impact Assessments can be found in the Guidance Note on HIAs produced by the Essex Planning Officers Association (March 2008).

### **Policy DP3: Planning Obligations and the Community Infrastructure Levy (Revised July 2014)**

**The Council may choose to implement a Community Infrastructure Levy (CIL), further to the enabling provisions in the 2008 Planning Act. The CIL will be a charge used to help fund necessary local and sub-regional infrastructure which supports the objectives of the Core Strategy and the development of the area. A CIL charging schedule would stipulate a charge, per square metre of gross internal floorspace, for each main use class of development. A proportion of CIL funds would be passed to Parish/Town councils. The Council will work with partners to deliver key infrastructure projects, as identified in the Core Strategy. The Council will continue to seek planning obligations through Section 106 agreements with details set out in Supplementary Planning Documents.**

#### **Explanation**

3.10 Community Infrastructure Levy was introduced by the Planning Act 2008 and came into force on 6 April 2010, through the Community Infrastructure Levy Regulations 2010 (as amended). The Council is not required to introduce a CIL charging schedule, but may choose to do so. If this is the case, a standard charge, per square metre of gross internal floorspace, will be set for each main use class of development. CIL funding would contribute to infrastructure and facilities, which would be identified in a Regulation 123 list.

In addition to a CIL payment, developments will be expected to address infrastructure requirements directly related to the development, including affordable housing through provision on site, or through a Section 106 contribution. In the event that the Council does not adopt a CIL charging schedule, contributions will continue to be sought through Section 106 contributions. The Core Strategy (Table 6d – Key Facilities and Infrastructure) identified the key infrastructure needed to support Core Strategy objectives, and the Council continues to work closely with other public and private sector providers to refine the list as necessary and deliver projects. Supplementary Planning Documents (SPDs) set out standard charges that will be applied to new development in appropriate circumstances.

## **Policy DP4: Community Facilities**

**Support will be given to the provision of new community facilities, and to the retention and enhancement of existing community facilities, where these positively contribute to the quality of local community life and the maintenance of sustainable communities in accordance with other policy requirements.**

**The involvement of the local community will be sought in identifying the importance of local facilities. Any proposal that would result in the loss of a site or building currently or last used for the provision of facilities, services, leisure or cultural activities for the community, or is identified for such uses by the Site Allocations DPD/Proposals Map, will be supported in cases where the Council is satisfied that:**

- (i) An alternative community facility to meet local needs is, or will be, provided in an equally or more accessible location within walking distance of the locality (800 m); or**
- (ii) It has been proven that it would not be economically viable to retain the site/building for a community use; and**
- (iii) The community facility could not be provided or operated by either the current occupier or by any alternative occupier, and it has been marketed to the satisfaction of the Local Planning Authority in order to confirm that there is no interest and the site or building is genuinely redundant; and**
- (iv) A satisfactory assessment has taken place that proves that there is an excess of such provision and the site or building is not needed for any other community facility or use.**

### **Explanation**

3.11 The Council wishes to protect viable community facilities and services that play an important role in the social infrastructure of the area and support sustainable communities. In communities where access to alternatives may be very limited, the presence of key facilities may be very important in maintaining the quality of life. Examples of community sites and buildings include amenity open space, children's play areas, sports fields, village halls, local shops, leisure and cultural centres, public houses, community centres, churches, allotments, post offices, petrol stations, doctor's surgeries, libraries and schools, etc.

3.12 The release of any community facilities must be fully justified. The Council will require any application involving the loss of a facility to be supported by written evidence and applicants should contact the Council at the earliest stage to discuss the details. The level of detail to be submitted will vary according to the level of access to alternative facilities and the extent to which the facility contributes towards sustainable communities but could be expected to include such evidence as:

- (i) In the case of a business, the current and projected trading performance;

- (ii) In the case of a community facility, the current and projected patterns of use;
- (iii) The nature and condition of the building and the cost of repairs, renovations or improvements needed to allow the facility to continue in operation;
- (iv) The extent of the local catchment including the location of the premises in relation to local settlement pattern and accessibility;
- (v) The nature and location of comparable facilities;
- (vi) The potential to relocate the use into other premises in the community;
- (vii) In respect of public houses, the approaches and attempts to transfer from a chain of tied pubs to a free house;
- (viii) In the case of a business, evidence that it has been offered on the open market as a whole (parts having not been identified for separate sale) and at a realistic market value. This should be for a period of not less than six months by a competent agent. Evidence should include sales literature, details of approaches, and details of offers; and
- (ix) Evidence that the local community has been notified in writing of the intention to close the facility and has not, within a period of six months come forward with a realistic proposal to assume operation of the facility, including its proposals to finance and operate the facility.

3.13 The importance of particular facilities will vary between communities, and it is essential that the community is involved in considering the importance of any facility and the suitability of any proposals for alternative forms (and locations) of provision, and in developing means of retaining facilities, should their continued viability of operation be in doubt. Applicants proposing to redevelop or convert facilities valued by the community will be expected to consult local communities about the relative importance of the facilities which could be lost. Not all facilities satisfactorily meet the needs of local communities, and it may be that combining or rationalising facilities might be appropriate. The Council has undertaken a Community Facilities Audit which will be used to assess proposals for the provision or loss of facilities. Sport England should be consulted on any application that is likely to prejudice the use of or lead to the loss of use of land used as a playing field (whether presently used, or used within the last 5 years, or allocated for such use).

3.14 Support will be given to the provision of additional facilities where this will enhance the sustainability of community life and will meet the anticipated needs of a growing and changing population. The use of developer contributions and/or the Community Infrastructure Levy may well be appropriate in this respect. Further details of appropriate contributions can be found in the Community Facilities SPD and the Provision of Open Space, Sports and Recreation Facilities SPD.

## 4. Centres and Employment Policies

### Relevant National Policy

Planning Policy Statement 1: Sustainable Development (February 2005)  
Planning Policy Statement 4: Planning for Sustainable Economic Growth (December 2009)  
Planning Policy Statement 7: Sustainable Development in Rural Areas (August 2004)

### Core Strategy Policy

CE1: Centres and Employment Classification and Hierarchy  
CE2: Mixed Use Centres  
CE2a: Town Centre  
CE2b: District Centres  
CE2c: Local Centres  
CE3: Employment Zones  
ENV2: Rural Communities

### Development Policies

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

## **Policy DP5: Appropriate Employment Uses and Protection of Employment Land and Existing Businesses**

**Appropriate employment uses within designated employment zones will include:**

- (a) Business (B1), general industrial (B2), storage and distribution (B8);**
- (b) Display, repair and sale of vehicles and vehicle parts, including cars, boats and caravans;**
- (c) Indoor sports uses, exhibition centres and conference centres;**
- (d) A limited element of retailing where this is ancillary to another main use under (a);**
- (e) Services specifically provided for the benefit of businesses based on, or workers employed within, the Employment Zone; and**
- (f) Other employment-generating uses, such as those related to recreation and tourism, which meet local needs and/or promote rural enterprise.**

**In certain employment zones in the rural areas and growth areas some of the above uses will not be appropriate. The Site Allocations DPD sets out site specific issues for local employment sites including sites in rural areas where B8 (distribution) employment uses will not normally be permitted, and includes specific policies setting out appropriate employment uses on strategic sites within the growth areas. In accordance with the Core Strategy B1 office uses will be directed to the town centre and mixed use centres.**

**Employment uses in rural local employment zones will need to give special consideration to the context of the site. Development on these sites should seek to minimise impact on the rural landscape and be appropriate in terms of scale, height and built-form. Expansion of businesses outside of the local employment zone will be considered in relation to Policy DP9.**

**Sites and premises currently used or allocated for employment purposes will be safeguarded for appropriate employment uses. Any use that may have an adverse effect on employment generation will only be permitted where the Local Planning Authority is satisfied that:**

- (i) The supply, availability and variety of alternative employment land is sufficient to meet borough and local requirements;**
- (ii) Evidence can be provided to demonstrate that no suitable and viable employment use can be found, or is likely to be found in the foreseeable future;**
- (iii) There would be substantial planning benefit in permitting an alternative use, for example in removing a use which creates residential amenity problems such as noise or odours;**
- (iv) There are demonstrable economic benefits to the area that would result from allowing redevelopment, for example by facilitating the**

- retention of a business in the area through funding a new site or premises; and**
- (v) The traditional maritime character of the coastal areas would not be adversely affected.**

**Where redevelopment of employment land is accepted for a new employment use or an alternative use, particular consideration will be given towards ensuring the future viability of individual businesses (e.g. tenants of an estate or premises) that might be displaced. Planning contributions towards alternative employment, regeneration and training schemes will be sought where sites are redeveloped for non-employment uses and alternative employment land is not provided.**

### **Explanation**

- 4.1 Policy CE3 in the Core Strategy sets out the Council's approach to appropriate land uses within the employment zones. The 'B' Use Class has traditionally encompassed the majority of uses considered to constitute employment uses in planning terms, but an expanded list is required to provide clarity on the associated and ancillary employment uses in the Employment Zones set forth in the Core Strategy Centres and Employment hierarchy. Hotels, offices, and assembly and leisure are noted as potential secondary land uses within employment zones.
- 4.2 The uses listed in DP5 are also likely to be appropriate for other sites and premises lawfully used for employment purposes, subject to their impact on residential amenity and other relevant policies in the LDF. New large-scale office development will be directed towards the Town Centre in accordance with the Core Strategy. Employment development proposals within the countryside will also need to have regard to the provisions of Policy DP9, Employment Uses in the Countryside (and DP17 Accessibility and Access).
- 4.3 The loss of employment land, whether in existing employment use or proposed for employment development within the Site Allocations DPD, could affect the LDF's ability to achieve its employment objectives. The Core Strategy establishes the scale and general location of land for employment purposes and states that as a general principle such land should be safeguarded. Further detail is however required as it may be that local circumstances, reflecting a lack of viability of the existing operation, may give rise to proposals to find an alternative use. Where the local need for employment land can be met elsewhere, it may be that alternative uses could be considered favourably (within the context of the other policies in the LDF).
- 4.4 Exceptionally, an alternative use may be preferable, providing evidence is submitted of marketing the site for a reasonable period of time. The marketing campaign will need to be agreed between the authority and applicant(s) before it begins, including the length of the campaign; asking price; sales particulars; and number frequency and source of

advertisements. Applicants will also need to demonstrate that the site is no longer usable and viable for another form of employment use, for example where continuation of the employment use would be detrimental to other planning objectives such as regeneration, protecting or enhancing residential amenity or the appearance of the countryside, or where other economic benefits to the area might result. Consideration of overall economic benefits must also extend to include addressing the future of any firms displaced through the redevelopment, including redevelopment for a new employment use.

- 4.5 In exceptional circumstances that result in the loss of employment land or employment premises, the Council will require suitable employment land to be provided and/or a contribution towards the Council's business incubation/grow-on space needs, employment, training or other regeneration programmes and initiatives in mitigation. Details of what should be submitted with any application for change of use and how commuted sums will be calculated are included as Appendix 3 of this document.
- 4.6 Change of use to residential is very unlikely to be acceptable in the countryside, unless it is for affordable housing in accordance with the requirements of Policy H4 in the Core Strategy and the proposed Affordable Housing SPD (due to be adopted late 2010).



## **Policy DP6: Colchester Town Centre Uses**

**A balance will be maintained between retail and non-retail uses in Colchester Town Centre to retain its vitality and viability. Within the Inner and Outer Cores of the Town Centre (as defined on the Proposals Map) the primary retail focus will be encouraged and maintained. Within the Town Centre Mixed Use Areas (as defined on the Proposals Map) surrounding the Inner and Outer Cores, a wider range of uses will be supported in accordance with the requirements of Policy CE2 in the Core Strategy.**

- (a) In the Inner Core the Council will seek to maintain a high level of retail use with at least 85% A1 retail use on each street frontage. Alternative appropriate non-retail uses, particularly A3 uses will also be supported provided that they contribute to the vitality of the Town Centre and would result in: no more than 15% of the street frontage being used for non-retail purposes; no more than two consecutive non-retail uses in the street frontage; and, no loss of active street frontage.**
- (b) In the Outer Core a greater mix of retail and non-retail uses is appropriate. The Council will seek to maintain at least 50% retail use on each street frontage. Alternative appropriate non-retail uses, particularly A2, A3 and D1 uses will also be supported provided that they contribute to the vitality of the Town Centre and would result in: no more than 50% of the street frontage being used for non-retail purposes; no more than three consecutive non-retail uses in the street frontage; and, no loss of active street frontage.**
- (c) In the Town Centre Mixed Use Areas appropriate uses will be supported where the proposal will: contribute to the design quality, activity levels and character of the area; complement other uses on the frontage; and, have no significant adverse impact on neighbourhood amenity.**

**Within the Town Centre support will also be given to bringing upper floors back into use, particularly for C3 residential purposes and B1 business uses. Proposals relating to the ground floors must maintain access to upper floors and not prejudice their effective use. Proposals that result in the loss of residential accommodation in the Town Centre will only be permitted where there are proven over-riding planning benefits.**

**Within the St Botolphs Regeneration Area support will be given for proposals where they reflect priorities for land uses that are established through local regeneration programmes, and where they will promote a more vibrant and economically successful centre. This will include securing appropriate retail, commercial, cultural and leisure areas, and seeking an appropriate balance between residential and commercial uses.**

**Note: For the purpose of this policy ‘street frontage’ is the entire length of the relevant side of the road measured in linear metres at ground floor level, except in the High Street where the street frontage shall be the combined length of both sides of the road.**

## **Explanation**

- 4.7 The importance of protecting the retail focus in the Town Centre and balancing priorities between land uses has been well established through policies in the Local Plan. Retail uses are considered to form the core use underpinning the Town Centre’s viability and vitality. Equally, appropriate levels of other uses such as culture, leisure and restaurants also support Town Centre activity and health, particularly outside shopping hours. The primacy of retail uses will, however, be maintained in the heart of the Town Centre. In the Town Centre mixed use areas a flexible approach requires criteria to balance different priorities such as securing more housing, providing a livelier living environment, creating a mix of uses in the night time economy and improving safety by ensuring a constant public presence. The potential for encouraging additional uses may also be seen more positively, and bringing into use (or back into use) upper floors is an example where supporting mixed residential uses alongside a mix of formal and informal cultural and leisure use is felt to increase the vitality and sustainability of the Town Centre.
- 4.8 The Proposals Map defines an Inner and Outer Core where retail uses are focussed. Within the Inner Core in the Local Plan (generally bordered by Culver Street East and West, the east side of Head Street, Eld Lane and Short Wyre Street) a retail use in excess of 90% has been maintained. The Proposals Map redefines the Inner Core to include Trinity Street and Sir Isaacs Walk because of their position at the heart of the Town Centre, even though a lower amount of retail use exists. The Council wish to secure the role of this whole area as primary shopping frontage; however, it also wishes to enable more restaurants to move in, particularly those that will remain open throughout the afternoon and evening hours. The Council consider that a revised figure of 85% retail frontage for the Inner Core maintains an appropriate balance between retaining the centre’s role as a regional shopping centre and promoting vitality within the area. The Inner Core is also shown to include Vineyard Gate and Osborne Street, which are part of the St Botolph’s Regeneration Area, where the Council will encourage regeneration with a strong retail focus.
- 4.9 The Outer Core also has a strong retail element but includes a wider range of services such as banks, pubs and clubs, restaurants and takeaways. The Council recognise that these contribute to the overall shopping experience; however, too high a concentration of non-retail uses can discourage pedestrian footfall toward the retail uses. The Council encourages retail uses within these secondary (Outer Core) frontages, but recognises that a lower percentage of retail use is

appropriate than in the primary (Inner Core) frontages. A revised figure of 50% is considered appropriate for the frontages within the Outer Core: High Street, St Botolph's Street, St Johns Street and the north side of Crouch Street (east of Balcerne Hill).

- 4.10 The Town Centre Mixed Use Areas include Head Street, North Station Road, North Hill and East Hill, which form important approaches to the Town Centre as well as a number of backstreets on the periphery of the Town Centre. These frontages have a much lower retail presence where a range of residential, shopping, office and appropriate leisure uses are likely to be acceptable in keeping with their central location and subject to their impact on local residential amenity. The area to the east of Queen Street is also a part of the St Botolph's Regeneration Area, where the Council will encourage regeneration with a more mixed use focus.

## **Policy DP7: Local Centres and Individual Shops**

**Neighbourhood Centres as defined on the Proposals Map will provide shops and some other local services for the needs of residents in the local neighbourhood. Rural District Centres as defined on the Proposals Map will provide a wider range of shops and services for the needs of residents within both the immediate neighbourhood and the vicinity of the district settlement.**

**Within the Neighbourhood Centres and the Rural District Centres the primary retail role of the centre will be safeguarded. Other uses will be supported where they complement the existing role of these centres, provided that the proposal:**

- (a) meets the needs of residents within the local neighbourhood and/or the district settlement; and**
- (b) would not reduce the number of A1 retail units in any centre to below 50% of the units used for commercial purposes.**

**Elsewhere, individual shops, not specifically defined on the Proposals Map, will be safeguarded for A1 retail purposes, unless it is demonstrated to the satisfaction of the Local Planning Authority that the existing use and/or any other retail use is no longer viable within that specific location.**

**Proposals for new retail units will be expected to be provided within the designated shopping centres in the first instance, in line with the sequential test. Elsewhere, proposals for new retail uses would have to demonstrate that they are an appropriate scale for the local area they would serve and would represent no threat to the viability and vitality of existing centres, and shops, or retail uses, planned to serve a new community and identified in a masterplan or planning permission.**

### **Explanation**

4.11 Policy CE2 in the Core Strategy promotes the role of various types of Centres and sets out the Council's approach to the land uses appropriate to them. Policies CE2a and b and DP6 provide further guidance on the Town Centre. Rural District Centres, Neighbourhood Centres and individual shops are also safeguarded by Policy DP7 but perform a more local role and function. They provide local and convenient facilities for people that are easily accessible by walking and cycling. This policy seeks to provide clarity on the uses appropriate to these more local centres and the Council's approach to the protection of existing retail units. Local shops and services are those that provide primarily for the needs of residents within a radius of 800m of the facility.

4.12 The Neighbourhood and Rural District Centres throughout the Borough vary in character, from those established within purpose-built parades to those with a looser grouping where the retail units co-exist with

residential units and community buildings such as libraries and health centres. The uses traditionally found within these centres primarily comprise A1 retail shops (including sub-post offices and hairdressers), but other uses within the 'A' Use Class (including A2 banks and estate agents, A3 cafes, A4 pubs and A5 takeaways) may also be present.

- 4.13 The Council's approach to these Centres is that the primary retail role should be safeguarded, whilst other 'A' Class uses and community uses that complement this role will also be supported, subject also to their impact on residential amenity and other relevant policies in the LDF. For calculating the number of A1 retail units as a percentage of the total number of commercial units within the centre, the Council will not include C3 dwellings or community buildings within the calculation.
- 4.14 The Neighbourhood Centres (previously referred to in the Local Plan as local shopping areas) vary greatly in size. The Council's approach to their designation is that they should normally include a grouping of several small units with an emphasis on retail sales. Individual shops, outside of the defined Centres, can also play a valuable role in contributing towards sustainable communities and should be protected.
- 4.15 The importance of these individual shops will vary between communities. In some communities, particularly the villages, a single shop may be considered a community facility as much as a retail service. Elsewhere competition from newer alternative outlets may have raised issues of viability for the existing shop. A financial viability test should therefore support applications for change of use of retail premises and applicants should contact the Council at the earliest stage to discuss the details of the test which will follow the guidelines for community facility viability covered in policy DP4. The level of detail to be submitted will vary according to the level of access to alternative facilities and the extent to which the facility contributes towards sustainable communities.
- 4.16 Proposals for new shops outside of the defined centres would need to be considered in line with the sequential test and relevant provisions set out in PPS4 (Planning for Sustainable Economic Growth) or the relevant national policy at the time.

## **Policy DP8: Agricultural Development and Diversification**

**General support for existing agricultural uses will include particular encouragement to sustainable forms of agriculture which include environmentally sensitive, organic, and locally distinctive food production, together with its processing, packing, marketing and retailing. New agricultural buildings requiring planning permission will be guided to farm locations which are sensitive to their environment.**

**Appropriate farm diversification proposals will be encouraged where they are compatible with the rural environment and help to sustain the existing agricultural enterprise without the need for subdivision of the holding or separate enterprises unrelated to the existing agricultural use. All proposals must be accompanied by a satisfactory diversification plan according to the scale of proposals, which describes how it will assist in retaining the viability of the farm and how it links with any other short or long term business plans for the farm. Proposals for farm shops as part of a farm diversification scheme must identify the products produced on site or locally and demonstrate that the location of farm-based retailing is necessary to assure farm income where their needs cannot be met within nearby Town or District Centres.**

**Proposals for farm diversification schemes will be supported if they are considered to form part of an otherwise acceptable comprehensive scheme and:**

- (i) Existing buildings are re-used wherever possible. Schemes involving the re-use of historic farm buildings shall maintain and enhance the historic environment; including the character of the built heritage;**
- (ii) The development is well-related to existing buildings if no suitable buildings are available for re-use;**
- (iii) The development is secondary to the main agricultural use of the farm; and**
- (iv) The proposal will not be likely to require new dwellings within the rural area to support the enterprise either at the time of first submission or at any future date.**

### **Explanation**

4.17 PPS7 (Sustainable Development in Rural Areas) provides guidance on the ways of supporting the changing nature of agriculture, in order to make it more competitive, sustainable and environmentally friendly. This may well involve adaptation to new markets and ways of operation, and diversification of activities.

4.18 The agricultural economy in the Borough is changing, as increasingly farmers are seeking to diversify in order to remain in farming. Accordingly the Council is seeking to encourage farm diversification schemes that are planned on a comprehensive basis to retain a viable

agricultural unit by seeking additional incomes from other sources which still relate to the countryside. Whilst the Council will support appropriate farm diversification schemes, the Council will resist proposals that would harm the rural area or segregate the existing agricultural use or farm holding. A farm shop selling products produced on the farm unit itself and which does not require a new building is unlikely to require planning permission.

- 4.19 In order to protect the quality and distinctiveness of the local landscape, the Council wishes to prevent uncoordinated development in rural areas and gradual stripping of assets from farms without regard for the viability of the holding. Applicants must also have regard to the policies regarding conversion and replacement of rural buildings. Appropriate sustainable business proposals could include tourism, conversion of buildings for employment and other uses related to an activity that would normally be found in rural areas. However, schemes that include or could lead to future pressure for new residential dwellings will not be permitted unless there are exceptional circumstances in line with national policy.
- 4.20 Proposals for farm diversification should also take account of other relevant policy criteria, in particular but not exclusively: DP5 in relation to re-use of existing buildings and appropriate employment uses; DP14 in relation to the re-use of historic farm buildings; and DP17 in relation to access considerations.

## **Policy DP9: Employment Uses in the Countryside**

**Employment development proposals within the countryside, outside of designated local employment zones, must contribute to the local rural economy and help sustain rural communities. The proposed use should be of a small scale that does not harm the rural character of the area either by the nature and level of activity (including the amount of additional traffic generation on rural roads) or, any other detrimental effects such as noise and pollution.**

**The following additional considerations shall also be taken into account where relevant:**

### **(A) Conversion and re-use of existing rural buildings:**

**Proposals will only be supported where the building is structurally sound and capable of re-use without fundamental rebuilding, and the buildings are deemed to be desirable for retention. In the case of former agricultural or forestry buildings of recent construction (less than 10 years), it will also need to be demonstrated that the original need for the building was genuine and that it is no longer required for agricultural or forestry purposes.**

### **(B) Extension of existing rural employment buildings:**

**Proposals will only be supported where these are limited to expansion plans which are essential to the operation of the established business. All extensions shall be accommodated satisfactorily in terms of design, scale and appearance within the existing employment site boundary.**

### **(C) Replacement rural employment buildings:**

**Replacement buildings will only be supported where the existing development is visually intrusive or otherwise inappropriate in its context and a substantial improvement in the landscape and surroundings will be secured through replacement. Replacement buildings should not significantly increase the scale, height and built-form of the original building.**

### **(D) New rural employment buildings:**

**Proposals will only be supported in exceptional cases where there are no appropriate existing buildings and the need has been adequately demonstrated.**

### **(E) Expansion of an existing business:**

**Proposals to expand an existing employment use into the countryside will only be supported in exceptional cases where there is no space for the required use on the existing site, the need has been adequately demonstrated, and the proposals are essential to the operation of an**



**established business on the site. Consideration must be given to the relocation of the business to available land within strategic or local employment zones.**

### **Explanation**

- 4.21 Policies ENV1 and ENV2 in the Core Strategy support rural communities and set out a flexible approach that maintains a balance between environmental considerations and appropriate business growth. The countryside is viewed as a good location for some businesses, partly due to the pleasant environment and the availability of relatively cheaper premises in comparison with built-up areas. The Borough is also coming under particular pressure for employment based development in the countryside as a consequence of containing a significant number of large agricultural buildings and other rural buildings that are potentially suitable for conversion to employment use, coupled with the high rental values to be found within the built up area. This demand needs to be considered in the context of environmental impacts, accessibility and relation to local economic needs. The diversity of pressures for employment based development in the countryside requires further detailed policy guidance.
- 4.22 The Local Planning Authority is more likely to be supportive of the re-use and conversion of rural buildings that are adjacent to or closely related to country towns and villages. Conversely, the change of use of isolated buildings is unlikely to be acceptable unless they would ensure the retention and preservation of a heritage building and the use does not result in a significant level of activity and traffic generation. Elsewhere, each proposal would be considered on its merits in line with the policy. Schemes involving the re-use of historic rural buildings should also comply with the provisions of DP14. Proposals that are small-scale in nature are more likely to be supported, whereas those leading to a significant increase in road traffic will not normally be supported.
- 4.23 Preference will always be towards re-use and conversion of existing buildings where this is possible rather than the construction of new buildings. Consequently, where a building is to be replaced applicants will need to demonstrate to the satisfaction of the Local Planning Authority that any available buildings are not capable of renovation and may be requested to submit a structural survey. Where suitable developments can be identified, support may be given to the provision of workspace or incubator units.
- 4.24 There are a number of well-established employment sites in the rural parts of the Borough, where some important local companies are located. Companies are often seeking to expand their operations within the site and this can be more appropriate than the company seeking alternative premises outside of the Borough, in order to retain the economic and social benefits which can arise from companies located in rural areas. It will be beneficial for applications to expand existing

operations to be supported by a business plan, depending on the scale of the development proposed.

4.25 In some cases for the purposes of business or employment use replacement buildings can be more appropriate than the continued use of existing buildings. There are a number of sites in the rural areas of the Borough which are visually intrusive and where redevelopment could significantly enhance the local environment. Landscaping and planting should be used to aid in the reduction of impact on the countryside of development. Proposals for new isolated buildings in the countryside will not normally be permitted in accordance with national policies.

## **Policy DP10: Tourism, Leisure and Culture**

**Development for new and extended visitor attractions, leisure and cultural facilities, along with visitor accommodation (including hotels, bed & breakfast accommodation, self-catering accommodation, holiday lodges, static and touring caravans and tenting fields) will be supported in suitable locations. Proposals for tourism, leisure and culture development should promote accessibility by a choice of means of transport and must not cause significant harm to the amenity of people living and working nearby.**

**In rural areas, locations suitable for tourism, leisure and culture development should help to support existing local community services and facilities. The proposals must be compatible with the rural character of the surrounding area and avoid causing undue harm to the open nature of the countryside or designated sites. It is recognised that not all rural locations are readily accessible by public transport. Where accessibility is poor, proposals should be small scale and/or comprise the conversion of suitable existing rural buildings or limited extension to existing visitor accommodation. In locations where residential uses would be inappropriate, developments of visitor accommodation will be limited to holiday use only and/or certain periods of the year in order to prevent permanent or long-term occupation.**

**Urban areas of Colchester will be the focus for larger scale tourist, leisure and culture facilities and accommodation in line with the need to concentrate development at the most sustainable and accessible locations. The Council will also support proposals for a youth hostel, the preferred location being within Colchester Town Centre in line with the sequential approach, although proposals elsewhere will also be supported where appropriate.**

### **Explanation**

4.26 The future development of tourism and related leisure and cultural facilities is a key issue for the Local Authority. In both urban and rural areas, tourism provides jobs, brings in visitors to the area and provides facilities, attractions and environments that enhance the quality of life for local residents. The Borough's historic Town Centre provides a focal point for visitor attractions, leisure and cultural facilities, and accommodation development, with smaller scale developments appropriate for less accessible rural areas.

4.27 Policy CE2 in the Core Strategy recognises a need for additional hotel bedrooms, which would be suitable for urban areas following the sequential approach to sustainable development. A 2007 study on hotel demand and potential locations for new hotels in Colchester was updated and included in the LDF evidence base in the summer of 2009 in response to several proposals for new hotels.

- 4.28 The issues facing tourism in rural areas are different to those in urban areas, due to the relative remoteness and to the need to avoid undue harm to the open nature of the countryside. The Council recognise that existing visitor accommodation sites in rural areas may be an acceptable location for further small-scale development even though they may not be readily accessible by public transport. In order to maximise the benefits of tourism to rural economies it is important to locate new tourism development in locations where visitors to such attractions and accommodation can help to support local shops, pubs and other rural services. Some leisure and cultural facilities including sports facilities such as golf courses, sports pitches and water-based attractions require significant amounts of open space and accordingly can be appropriate for suitable countryside locations. Given that they also entail environmental and visual impacts from built structures, increased traffic and landscape and habitat changes, it is important to ensure new facilities are evaluated carefully in light of considerations of amenity, environmental and landscape impact and accessibility. Proposals for new or extended tourism facilities will be assessed against their ability to help deliver Core Strategy policies SD1, SD3, UR1, ENV1 and ENV2. Applications will also be assessed in terms of their impact on traffic generation levels, general amenity, local character, flood risk and impact on important nature conservation or historic assets.
- 4.29 There are a number of static and touring caravan parks in the Borough which make a valuable contribution to the supply of holiday accommodation used by visitors. The Council recognise that these sites are an important element of the local tourism industry and their retention and improvement are generally supported. However, caravan parks can be located in environmentally sensitive countryside and coastal areas and because of their location can be vulnerable to flooding. Rural tourism development must be sensitive to and integrate well with its countryside landscape surroundings.
- 4.30 Extensions to existing holiday parks in the Borough, particularly those located at sensitive coastal locations will only be appropriate if a sympathetic development approach is followed and mitigation measures provided to manage climate change and environmental impacts on neighbouring Natura 2000 sites.
- 4.31 Extensions to two existing caravan sites on Mersea Island, at Coopers Beach Holiday Resort and Waldegraves Holiday Park have come forward as a result of public consultation which are considered to accord specifically with the Environment and Rural Communities policies within the Core Strategy and Development Policies DP21 (Nature Conservation) and DP23 (Coastal Areas). The proposed extended sites are shown on the Proposals Map. Sites allocated on the Proposals Map for Holiday Parks will be safeguarded for this use against other less appropriate types of development.

4.32 It will also be important to avoid adverse impacts on local areas by minimising potential noise disturbance and additional traffic through sensitive design, positioning and layout and through developments that are in scale with their surroundings or existing development.

## 5. Housing Policies

### Relevant National Policy

Planning Policy Statement 1: Sustainable Development (February 2005)  
Planning Policy Statement 3: Housing (June 2010)

### Core Strategy Policy

H1: Housing Delivery  
H2: Housing Density  
H3: Housing Diversity  
H4: Affordable Housing  
H5: Gypsy and Travellers

### Development Policies

DP11: Flat Conversions  
DP12: Dwelling Standards  
DP13: Dwelling Alterations, Extensions and Replacement Dwellings

## **Policy DP11: Flat Conversions**

**Proposals for the conversion and sub-division of existing premises into flats and other self-contained residential units will be considered having regard to the intensity of the use proposed and the accessibility of the location to shops and other services. Within the defined settlement boundaries, proposals will be supported provided that:**

- (i) the proposal is not for the conversion of an existing property with a gross floor area of less than 110 square metres;**
- (ii) the conversion will not be detrimental to the appearance of the building by reason of unsympathetic additions or alterations;**
- (iii) appropriate provision is made for parking, private amenity space and refuse storage facilities, in a visually acceptable manner;**
- (iv) the proposal will not either in isolation or because of the cumulative impact be detrimental to the character or amenity of the street frontage;**
- (v) the internal layout minimises possible noise disturbance and/or overlooking to the immediate neighbours; and**
- (vi) the proposal will not result in an unsatisfactory living environment for prospective occupiers.**

### **Explanation**

5.1 The increase in the number of small households and rising house prices has increased the demand for small low-cost dwellings, particularly from single people and young couples on modest incomes. Apart from new build, one way of providing this type of accommodation is through the sub-division of existing family sized dwellings.

5.2 However, the need to secure an appropriate balance in housing mix includes ensuring that sufficient suitable accommodation is available for young families and others requiring a modest home with a garden. Smaller family homes are in high demand because they represent a more affordable option for first time buyers and young families with children. Accordingly the Council is concerned not to reduce the stock of smaller houses, which are an important source of existing accommodation for first-time buyers and small households, a segment of the housing market expected to increase in size. The Council will therefore resist proposed conversions of dwellings with an existing gross floor area of less than 110 square metres.

5.3 The proposed intensification in the use of a property may raise issues of sustainability according to the accessibility of its location. The residential conversion of upper floors over shops and offices within the town centre can increase the stock of small dwellings within a highly sustainable location, and may be supported even where the Council's standard parking and amenity space requirements are not met. However, the conversion of existing dwellings outside defined settlement boundaries is not sustainable and will be resisted. Elsewhere regard will be had to the

intensity of the use proposed and proximity of the proposal to services such as shops, community facilities, places of employment, etc and/or to the adequacy of public transport links to these facilities.

- 5.4 Conversions of single dwellings to flats can also give rise to an increased requirement for off-street parking, as well as provision of adequate amenity space, which is both private and useable, and provision of refuse storage facilities for future occupants. These facilities should be provided in accordance with the standards set out in the relevant policies elsewhere in this DPD and other policy documents, and should be provided in a visually acceptable manner. The effect of a number of changes from single dwellings to multiple units in a street can progressively change its character and appearance for the worse. This is particularly the case for terraced dwellings. Other problems that can arise include noise and overlooking impact on neighbouring households resulting from increased use of upstairs rooms as main living rooms.
- 5.5 Whilst it is accepted that one bed-sitting rooms within a property may sometimes make the best use of available space, the Council will generally encourage the provision of self-contained flats comprising a separate lounge, kitchen, bedroom and bathroom facilities. The conversion of premises into one or more flats will require financial contributions or planning obligations to be made in accordance with the Council's adopted policies and SPD.



## **Policy DP12: Dwelling Standards**

**Residential development will be guided by high standards for design, construction and layout. In considering proposals for new residential development, the Council will have regard to the following:**

- (i) The avoidance of adverse overshadowing between buildings or over neighbouring land uses, and of other adverse microclimatic effects resulting from medium and high rise buildings at a high density;**
- (ii) Acceptable levels of daylight to all habitable rooms and no single aspect north-facing homes;**
- (iii) Acceptable levels of privacy for rear-facing habitable rooms and sitting-out areas;**
- (iv) A management and maintenance plan to be prepared for multi-occupancy buildings and implemented via planning conditions to ensure the future maintenance of the building and external spaces;**
- (v) Flexibility in the internal layout of dwellings to allow adaptability to different lifestyles;**
- (vi) Vehicle parking (including secure cycle and motorcycle parking) to an appropriate standard, as set by Essex County Council and policy DP19, and provided in a visually acceptable manner. In the case of flats, secure cycle storage should be incorporated into flat blocks and readily located at the building entrances, and;**
- (vii) An accessible bin and recycling storage area, and external drying areas.**

### **Explanation**

5.6 It is important to strike an appropriate balance between providing freedom and flexibility for the housing market to operate and ensuring that a range of sites are available for different areas of the housing market. However, the different types of dwelling should be suitably designed to consider the potential needs of their perspective occupiers and the Design and Access statements submitted with planning permissions should cover this point. It is expected that new residential development will address the requirements of Lifetime Homes standards, which incorporate 16 design features providing a flexible blueprint for accessible and adaptable housing to meet the needs of people at all stages of life. All public sector funded housing in England will be built to the Lifetime Homes standard from 2011 (it is a requirement now in Wales and Northern Ireland), with a target of 2013 for all private sector dwellings.

5.7 While Lifetime Homes can be converted to full wheelchair accessibility, there is a particular need for housing that is wheelchair accessible from the outset. Given the varying specific needs and locational preferences of wheelchair users, the Council has adopted a flexible approach in seeking wheelchair housing units in new residential schemes, as noted

in the Supplementary Planning Document on Affordable Housing. The Council's Housing Assessment & Options Team evaluates the suitability of residential schemes for wheelchair housing and the Council will seek provision of wheelchair units of an agreed design standard on appropriate sites where a need has been identified. These will then be secured through Section 106 agreements.

- 5.8 Whilst making the most efficient use of land is a core objective of the planning system, this should not forsake all other considerations. Often density pressures lead to poor design, but good design principles and standards can make the difference between a high quality and successful development and a mediocre or unsuccessful development that provides less quality of life for future residents and which declines with more speed than high quality buildings to the detriment of the surrounding built environment. Thus, development at any scale and location should make a positive contribution to making places better for people. This should include adequate internal space. Recent research sponsored by CABI (Commission for Architecture and the Built Environment) supports the case for more space and minimum standards in homes, since many residents in new private homes were not considered to have sufficient space for basic daily activities and needs. (*Space in New Homes: What Residents Think*, CABI, 2009)
- 5.9 High quality sustainable development also includes adequate arrangements for servicing and refuse vehicles, storage, and parking for cars and cycles. Policies encouraging shifts to more sustainable behaviour require practical support. To support more sustainable travel patterns, for example, the Essex County Council Parking Standards set out minimum cycle parking standards, and the Council will seek to ensure that this parking is provided in convenient and secure locations. Accessible, well-designed and easy to use waste and recycling facilities will be needed in new developments to help the Council meet its recycling targets. Guidance on appropriate bin and recycling provision can be found in the Sustainable Construction SPD and the Urban Place Supplement published by Essex County Council.
- 5.10 The Council does not wish to stifle innovative design especially in areas where the existing design quality is poor and vernacular design cues are weak or absent. However, innovative design will still be required to follow good design principles and achieve satisfactory standards as set out within the policy. Further detailed guidance is set out in the Essex Design Guide, and the Council's adopted SPD on Sustainable Construction and the External Materials Guide for New Development. Further guidance relating to backland development and infilling is also set out in an adopted SPD.

## **Policy DP13: Dwelling Alterations, Extensions and Replacement Dwellings**

Within the Borough's settlement boundaries, residential alterations, extensions and replacement buildings will be supported where they meet other policy requirements, including the adopted SPD 'Extending Your House?'

Outside of the settlement boundaries, development will be supported only where all the following relevant criteria can be met:

- (A) For alterations and extensions, including ancillary outbuildings and garden extensions, where the development:**
  - (i) Respects and enhances the character of the original dwelling and does not significantly alter its size;**
  - (ii) Respects and enhances the landscape character and setting of the site and the wider rural area; and**
  - (iii) Avoids a cramped form of development and retains an appropriate level of private amenity space for the occupants of the dwelling.**
  
- (B) For replacement dwellings, when development:**
  - (i) Is on a one-for-one basis and the property to be demolished is of permanent construction, recently occupied, and is not derelict or abandoned;**
  - (ii) Is of a satisfactory design that is appropriate to the rural area and does not significantly increase the scale, height and form, of the original dwelling;**
  - (iii) Provides satisfactory landscape value to integrate the new dwelling into the wider rural context with no greater adverse impacts than the existing dwelling; and**
  - (iv) Represents the optimum solution to either preserving or enhancing access, siting and dwelling orientation.**
  
- (C) For annexes, when the need for additional space cannot be met within an existing dwelling or buildings suitable for conversion on the site in the first instance, if the development:**
  - (i) Is physically attached or closely related to the main dwelling so that it cannot be subdivided from the main dwelling;**
  - (ii) Retains some form of demonstrable dependence on the main dwelling, such as shared access (including both vehicular access and doorways) and communal amenity spaces;**
  - (iii) Does not incorporate facilities that make the annexe capable of use as a separate dwelling**
  - (iv) Respects and enhances both the character of the original dwelling and the context of the surrounding rural area through regard to site characteristics, design, scale, height, form,**

**massing, materials and layout within the wider landscape setting.**

- (v) The use of ancillary accommodation as a separate dwelling will not be permitted and the desire for annexe occupants to remain independent from existing residents will not be considered as adequate justification to allow isolated annexes.**

## **Explanation**

- 5.11 Not all extensions and alterations require planning permission. Further guidance on the forms of development that do not require planning permission can be obtained from the Government's planning portal: [www.planningportal.gov.uk](http://www.planningportal.gov.uk).
- 5.12 This policy together with Policy DP1 sets out appropriate criteria for assessing planning applications for development, including alterations and extensions to residential dwellings, when planning permission is required. 'Extending Your House?' the Council's adopted SPD gives more detailed guidance for householder development proposals.
- 5.13 Whilst development in the countryside is not encouraged the Council accepts that development relating to existing dwellings may be acceptable. Development must protect and reflect the rural qualities and landscape character of the area. This policy therefore sets out additional criteria that the Council will apply for extensions and other alterations to dwellings in the countryside (i.e. outside the settlement boundaries) where planning permission is required.
- 5.14 The Council wishes to retain a balanced mix of dwelling sizes and, in particular, to avoid the loss of smaller, more affordable units. Extensions to existing dwellings and replacement dwellings should not significantly alter the size of the original dwelling. The Council is also keen to ensure that dwellings do not grow by a succession of small extensions, which cumulatively can significantly alter the character of the original building. For the purpose of this policy, the "original" dwelling is defined as the building as existed on 4<sup>th</sup> November 1993 or as built if later.
- 5.15 Proposals for extension of a domestic garden into open countryside will not be permitted if they have a material adverse impact on the surrounding countryside, or result in the loss of good quality agricultural land, or would set a precedent for unacceptable extensions to gardens at one or more neighbouring properties. Where planning permission is granted, applicants will be expected to relinquish their permitted development rights over the new area of garden.

## 6. Urban Renaissance Policies

### Relevant National Policy

Planning Policy Statement 1: Sustainable Development (February 2005)  
Planning Policy Statement 5: Planning for the Historic Environment (March 2010)

### Core Strategy Policy

UR1: Regeneration Areas  
UR2: Built Design and Character

### Development Policies

DP14: Historic Environment Assets

## **Policy DP14: Historic Environment Assets**

**Development will not be permitted that will adversely affect a listed building, a conservation area, historic park or garden or important archaeological remains. Development affecting the historic environment should seek to preserve or enhance the heritage asset and any features of specific historic, archaeological, architectural or artistic interest. In all cases there will be an expectation that any new development will enhance the historic environment in the first instance, unless there are no identifiable opportunities available. In instances where existing features have a negative impact on the historic environment, as identified through character appraisals, the Local Planning Authority will request the removal of the features that undermine the historic environment as part of any proposed development. Support will be given to the provision of creative and accessible interpretations of heritage assets.**

**Conservation of the historic environment will also be ensured by:**

- (i) Identifying, characterising, protecting and enhancing Conservation Areas;**
- (ii) Protection and enhancement of existing buildings and built areas which do not have Listed Building or Conservation Area status but have a particular local importance or character which it is desirable to keep. Such buildings or groups of buildings will be identified through a Local List which will be adopted by the Council;**
- (iii) Preserving or enhancing Listed Buildings, Scheduled Monuments, Historic Parks and Gardens, including their respective settings, and other features which contribute to the heritage of the Borough; and**
- (iv) Known sites of archaeological importance will be clearly identified and protected, and sites that become known, whether through formal evaluation as part of a Planning Application or otherwise, will similarly be protected according to their importance.**

**Heritage Statements and/or Archaeological Evaluations will be required for proposals related to or impacting on the setting of heritage assets and/or known or possible archaeological sites, so that sufficient information is provided to assess the impacts of development on historic environment assets together with any proposed mitigation measures.**

### **Explanation**

6.1 The need for locally specific policies and variations in guidance is very limited, given the wealth of national guidance contained within PPS5 (Planning for the Historic Environment) or the legislation surrounding the particular designation. Colchester's importance as a historic town, however, warrants a policy detailing and reinforcing the need to protect and enhance the historic environment. The policy is also applicable to

Historic Environment Assets in rural areas of the Borough and will help protect and enhance important assets in these areas. In the local area there are a number of buildings which detract from the appearance of historic assets and the opportunities for redevelopment should be encouraged.

- 6.2 There will be a presumption in favour of the physical preservation in situ of nationally important archaeological remains (whether scheduled or not). In accordance with national legislation, preservation of remains may require either the refusal of development that could be detrimental, the preservation of the remains in situ, or the recording of the remains prior to removal.
- 6.3 Where appropriate, provision should be made for interpretation and access in situ, and for realising tourism and cultural benefits where public access is possible without detriment to the site.
- 6.4 There are a number of existing buildings and built environments within the Borough, which do not have a statutory basis for protection, but which nevertheless retain a distinctive historical or architectural character that it is considered desirable to keep. The Council, working with local experts, will prepare a Local List of buildings and groups of buildings, which are considered to be of particular historic or architectural merit; this will be used to ensure that when assessing applications for planning permission their particular character is considered. Conditions will be applied to allow for the inspection and recording of buildings on the Local List.
- 6.5 There are also a number of neighbourhoods within the Borough that are characterised by spacious properties built at low density within a well-treed setting, or else that retain a particular “period” character. Context appraisals will be required for all development and where a proposal is within a neighbourhood with a distinctive character which it is desirable to keep, the proposal will need to demonstrate that it protects and enhances the special qualities of the area.

## 7. Public Realm Policies

### Relevant National Policy

Planning Policy Statement 1: Sustainable Development (February 2005)  
Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation (July 2002)

### Core Strategy Policy

PR1: Open Space  
PR2: People-friendly Streets

### Development Policies

DP15: Retention of Open Space and Indoor Sports Facilities  
DP16: Private Amenity Space and Open Space Provision for New Residential Development



## **Policy DP15: Retention of Open Space and Indoor Sports Facilities (Revised July 2014)**

**Development, including change of use, of any existing or proposed public or private open space, outdoor sports ground, school playing field forming part of an educational establishment and allotments (as identified on the Proposals Map) will not be supported unless it can be demonstrated that:**

- (i) Alternative and improved provision will be created in a location well related to the functional requirements of the relocated use and its existing and future users;**
- (ii) The proposal would not result in the loss of an area important for its amenity or contribution to the green infrastructure network or to the character of the area in general; and**
- (iii) It achieves the aims of the Colchester Parks and Green Spaces Strategy.**

**Development proposals resulting in a loss of indoor recreation or sporting facilities must additionally demonstrate that:**

- (iv) There is an identified excess provision within the catchment of the facility and no likely shortfall is expected within the plan period; or**
- (v) Alternative and improved recreational provision will be supplied in a location well-related to the functional requirements of the relocated use and its existing and future users.**

**In all cases, development will not be permitted that would result in any deficiencies in public open space requirements or increase existing deficiencies in the area either at the time of the proposal or be likely to result in a shortfall within the plan period. Additionally, development that would result in the loss of any small incidental areas of open space, not specifically identified on the Proposals Map but which contribute to the character of existing residential neighbourhoods, and any registered common, heathland or village green or which contribute to green infrastructure will not be permitted.**

### **Explanation**

7.1 The existing sport, leisure, public and private open spaces including allotments within the Borough, represent important assets serving the communities in which they are located (or in some instances wider areas). This importance can relate not only to their function, but also to the amenity value and contribution to the character of an area in general in providing 'green lung', opportunities for a well-designed and inclusive public realm, and visual breaks in the built environment. If such provisions are lost to other uses it can be extremely difficult to find alternative locations particularly as open land is scarce and, therefore, at a premium.

7.2 Against this background, it is intended to secure the retention of existing facilities unless a case can be made that alternative provision will be provided in a wholly acceptable manner. Alternative provision could comprise existing provision in the locality of the type of open space as defined by the National Planning Policy Framework, providing there is not a deficiency in that type of open space in the locality. A number of documents including the PPG17 Audit and Assessment of the Borough's public open space and sports and recreational facilities (2007); Colchester Parks and Green Spaces Strategy (2008); Colchester Green Infrastructure Strategy (2011); and Playing Pitch Strategy (2008) will be used by the Council when assessing planning applications relating to proposed development of open space and sports facilities. Sport England should be consulted on any application that is likely to prejudice the use of or lead to the loss of use of land used as a playing field (whether presently used, or used within the last 5 years, or allocated for such use).

## **Policy DP16: Private Amenity Space and Open Space Provision for New Residential Development (Revised July 2014)**

### **Private Amenity**

All new residential development shall provide private amenity space to a high standard, where the siting, orientation, size and layout make for a secure and usable space, which has an inviting appearance for residents and is appropriate to the surrounding context. All private amenity spaces shall be designed so as to avoid significant overlooking.

For the most accessible developments where, in accordance with Policy H2 in the Core Strategy, a density of over 75 dwellings per hectare may be appropriate, a minimum of 25m<sup>2</sup> of useable private amenity space shall be provided for each home (either as gardens, balconies or roof gardens/terraces). Elsewhere, the following standards shall apply:

#### **For houses:**

- One or two bedroom houses – a minimum of 50m<sup>2</sup>
- 3 bedroom houses – a minimum of 60m<sup>2</sup>
- 4 bedroom houses – a minimum of 100m<sup>2</sup>

#### **For flats:**

- a minimum of 25m<sup>2</sup> per flat provided communally (where balconies are provided the space provided may be taken off the communal requirement)

A higher standard of private amenity space may be required for small infill (including backland) schemes, to reflect the character of the surrounding area, in accordance with the adopted 'Backland and Infill Development' SPD. Development will not be permitted if it unacceptably reduces the level of existing private amenity space provision for existing buildings, particularly dwellings.

### **Open Space**

In addition to private amenity space, all new residential development will be expected to provide new public areas of accessible strategic or local open space. Precise levels of provision will depend on the location of the proposal and the nature of open space needs in the area but as a guideline, at least 10% of the gross site area should be provided as useable open space. Where the Council accepts commuted sums in lieu of open space, the commuted sums will be used to provide additional open space or to improve existing open space in the locality of the development. Contributions may be pooled to provide larger areas of strategic open space where a need has been identified.

A commuted sum is only likely to be acceptable in the following circumstances:

- (i) smaller developments of less than 0.5 ha, or where for some other reason strategic open space requirements cannot be met within the site;

- (ii) **developments of dwellings for the elderly (where some compensating increase in private amenity space may be required);**
- (iii) **in a town centre location or where it is justified by an outstanding urban design approach based on site constraints and opportunities.**

## **Explanation**

- 7.3 Well designed open spaces can deliver multiple functions. As well as their value for wildlife, quality of life, health and recreation, they also provide opportunities for Sustainable Drainage Systems (SuDs) for surface water runoff management.
- 7.4 The Essex Design Guide sets standards for amenity space provision for new residential developments. The Urban Place Supplement recognised these standards were not always helpful for producing good quality development in compact urban developments and this evaluation has informed the requirement of this policy that generally seeks the provision of 25m<sup>2</sup> of high quality, private amenity space for each dwelling. It is important that new developments avoid the piecemeal provision of small areas of open space and instead provide sufficiently large areas of open space to serve as accessible and attractive zones for residents' leisure activity and recreation. Green links alongside existing hedgerows and tree lines can also have high amenity value.
- 7.5 New development can place increasing pressure on existing open spaces. Developments therefore will be expected to deliver areas of either local or strategic open space to meet the varying needs of residents for recreation and leisure and also deliver attractive high quality neighbourhoods for people to live in. At least 10% of the total gross site area should be provided as local open space as an integral part of new development proposals. Where this is not possible, particularly where a development site is small, the site developer will be expected to provide a commuted sum towards the provision of open space off site. As a guideline, local open space comprises accessible parcels of land 2.0 ha and under, while strategic open space comprises larger parcels of over 2.0 ha and tend to serve a wider catchment area.
- 7.6 Developments should help contribute to the accessibility, quantity and quality standards set out in Appendices N, P and Q in the Borough Council's PPG17 Open Space, Sport and Recreation study. All open space shall be provided in a timely manner (so as to enable reasonable and appropriate access by new residents to this facility); should be fully equipped in a satisfactory manner as agreed by the Local Planning Authority; and, laid out at the expense of the developer and where appropriate, dedicated to the Council with suitable provision for ongoing maintenance.
- 7.7 Further guidance on the level of contributions for commuted sums and the methodology for their calculation is set out in the Supplementary

Planning Document on Provision of Open Space, Sports and Recreation Facilities.

## 8. Transport and Accessibility Policies

### Relevant National Policy

Planning Policy Statement 1: Sustainable Development (February 2005)  
Planning Policy Statement 3: Housing (June 2010)  
Planning Policy Statement 4: Planning for Sustainable Economic Growth (December 2009)  
Planning Policy Statement 7: Sustainable Development in Rural Areas (August 2004)  
Planning Policy Guidance 13: Transport (March 2001)

### Core Strategy Policy

TA1: Accessibility and Changing Travel Behaviour  
TA2: Walking and Cycling  
TA3: Public Transport  
TA4: Roads and Traffic  
TA5: Parking

### Development Policies

DP17: Accessibility and Access  
DP18: Transport Infrastructure Proposals  
DP19: Parking Standards

## **Policy DP17: Accessibility and Access**

**All developments should seek to enhance accessibility for sustainable modes of transport, by giving priority to pedestrian, cycling and public transport access to ensure they are safe, convenient and attractive, and linked to existing networks. Proposals for development shall incorporate satisfactory and appropriate provision for:**

- (i) Pedestrians, including disabled persons and those with impaired mobility;**
- (ii) Cyclists, including routes, secure cycle parking and changing facilities where appropriate;**
- (iii) Public transport and measures that reduce dependency on private vehicles;**
- (iv) Linkages to networks as appropriate including the development of new pedestrian and cycle paths and the development of transit corridors in north and east Colchester;**
- (v) Servicing and emergency vehicles.**

**Access to all development should be created in a manner which maintains the right and safe passage of all highway users. Development will only be allowed where there is physical and environmental capacity to accommodate the type and amount of traffic generated in a safe manner. The access and any traffic generated shall not unreasonably harm the surroundings, including the amenity of neighbouring properties and/or the public rights of way network.**

**Proposals will need to be accompanied by a Transport Assessment or Statement as well as a Travel Plan or Residential Travel Pack as considered appropriate by the local planning authority. The Essex County Council Transportation Development Management Policies Guidance Note provides further detail on requirements relating to accessibility and access including Transport Assessment and Statement thresholds for each land use category.**

### **Explanation**

8.1 Previous consultations identified the need for a specific policy to ensure developments have good public transport, pedestrian and cycle links. However, there were mixed views on car parking issues. There are parts of the Borough where traffic congestion is a problem. Development provides opportunities to make significant improvements to the road network as well as providing suitable alternatives to car based travel. Whilst the Council accept that developments may not be able to overcome existing deficiencies in the transport infrastructure, it needs to ensure that problems are not exacerbated and that improvements are made where possible.

8.2 PPG13 (Transport) sets out the Government's approach, which encourages accessibility of development by sustainable transport

options. A number of the Development Policies in this DPD have access and accessibility implications which require specific criteria against which proposals can be considered. DP17 therefore sets out access and accessibility issues which are relevant for all development proposals.

- 8.3 Developers will be required to provide Residential Travel Packs when a development consists of 10 dwellings or more, and Travel Plans will be required where the Council considers the development capable of providing for 50 employees or more. A Travel Plan and arrangements for its monitoring will be required for any proposal where the Council and Highway Authorities considers it necessary, based on the potential individual or cumulative impact of the proposal in the area. The Local Transport Plan (LTP) and the Core Strategy both seek to change travel behaviour through “smarter choices” travel plans, amongst other measures. The Residential Travel Packs shall contain information regarding travel and transport between the site and key attractors e.g. the town centre, local centres, railway stations, as well as but not limited to walking and cycling routes, car sharing, community transport, taxis and school transport, and current timetables. The Packs may also include vouchers for 12 months free travel on public transport.
- 8.4 Transport Assessments or Transport Statements will be required for all development likely to cause significant traffic generation to assess the potential impact upon transport systems. For major developments that generate 30 or more Passenger Car Units during the peak hour, this will take the form of a comprehensive Transport Assessment. The Essex County Council Transportation Development Management Policies Guidance Note provides further detail on thresholds for Transport Assessments and Statements for each land use category. Where significant impacts are identified, development will not be permitted unless satisfactory measures to reduce these impacts to acceptable levels are provided. Transport Assessments or Transport Statements must be in accordance with the requirements of Government good practice advice and criteria prepared by Essex County Council and the Highways Agency for their respective areas of responsibility.
- 8.5 The Colchester Cycle Town Delivery Strategy (October 2008) sets out the Borough’s aim for cycling. It is expected that the impetus achieved be maintained beyond the life of the initial funding period so that cycling activity reaches a critical mass necessary to make cycling an important contributor to the future of the borough. Development must support the initiative, through the provision of quality infrastructure, funding the promotion and training of cycling to increase levels of cycling and create more sustainable and healthy travel patterns. The cycling town partnership is currently developing a Proposals Map setting out the future network of routes.



## **Policy DP18: Transport Infrastructure Proposals**

**Developments that provide transport infrastructure, such as Park and Ride, freight servicing, new highway network improvements and new public transport facilities will be expected to:**

- (i) be sited in sustainable locations;**
- (ii) minimise impact on the environment;**
- (iii) enhance connectivity and provide for intermodal transfers; and,**
- (iv) provide a full business case justification, including demand/need and economic sustainability.**

**The Borough with its partners will continue to progress Park and Ride and will be seeking further sites to complement the northern site identified in the Core Strategy. As well as the criteria listed above, the following will additionally be considered:**

- (v) access to the strategic road network;**
- (vi) distance from a strategic junction and from the town centre;**
- (vii) potential user markets and routes,**
- (viii) impact on existing public transport services,**
- (ix) change in car mileage.**

**Feasibility work into the east transit corridor is currently being undertaken and routes will be identified either on or off the existing highway. Any land identified that is not on the public highway will be safeguarded for delivery.**

### **Explanation**

8.6 Policies TA1 to TA4 in the Core Strategy set out a number of key sustainable transport projects for the Borough. The Borough Council in conjunction with the County Council continues to develop a Park and Ride strategy for the town, with the northern site likely to be delivered in the next few years. This strategy may include other possible Park and Ride schemes, one of which may serve East Colchester and Tendring. Policy direction is needed to ensure that the most sustainable and deliverable allocations are made to support the Council's priorities for growth and regeneration in East Colchester. Policy DP18 sets out the appropriate criteria against which Park and Ride and other major transport infrastructure proposals can be assessed.

## **Policy DP19: Parking Standards**

**The Council will refer developers to the Essex Planning Officers Association (EPOA) Vehicle Parking Standards which was adopted by Colchester Borough Council as a Supplementary Planning Document (SPD) in November 2009. The SPD sets design standards and provision levels for a comprehensive range of uses and transport modes. The level of parking provision required will depend on the location, type and intensity of use. For residential uses, specifically, a minimum of 1 car parking space should be provided for each 1-bedroom dwelling or 2 car parking spaces for each dwelling of 2 or more bedrooms, in addition to 0.25 spaces per dwelling for visitors. A lower standard may be acceptable or required where it can be clearly demonstrated that there is a high level of access to services, such as a town centre location. Cycle parking will be required for all developments. Provision must also be made for disabled and motorcycle parking.**

### **Explanation**

8.7 The EPOA Parking Standards set out a mix of standards for all development. Experience has shown that although maximum parking standards in residential areas has restricted the amount of parking available, the ownership of cars has not accordingly been reduced. The design, appearance and the servicing of many recently completed residential areas has been compromised by lack of off street parking. Highly accessible town centre locations, however, are considered to be examples of appropriate candidates where car free and low car developments could succeed given the ready access to alternatives transport methods to private vehicles. The parking standards will be supported by the requirement for developments to introduce travel plans and residential travel packs encouraging and promoting the use of alternatives to the private car.

## 9. Environment and Rural Communities Policies

### Relevant National Policy

Planning Policy Statement 1: Sustainable Development (February 2005)  
Planning Policy Statement 7: Sustainable Development in Rural Areas (August 2004)  
Planning Policy Statement 9: Biodiversity & Geological Conservation (August 2005)  
Planning Policy Statement 5: Planning for the Historic Environment (March 2010)  
Planning Policy Guidance 20: Coastal Planning (September 1992)  
Planning Policy Statement 25: Development and Flood Risk (March 2010)

### Core Strategy Policy

ENV1: Environment  
ENV2: Rural Communities

### Development Policies

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

## **Policy DP20: Flood Risk and Management of Surface Water Drainage**

**Development will only be supported where it can be demonstrated that the proposal meets requirements in PPS25 (Development and Flood Risk), recommendations in Colchester's Strategic Flood Risk Assessment, and includes satisfactory flood defence measures or flood mitigation measures such as Sustainable Drainage Systems (SuDS) to minimise the risk of increased flooding both within the development boundary and off site in Flood Zones 2 and 3. Proposals that include measures to enhance the flood resilience of new or renovated buildings will be encouraged.**

**All development proposals shall incorporate measures for the conservation and sustainable use of water. These measures shall include appropriate SuDS for managing surface water runoff within the overall design and layout of the site and measures to conserve water within individual building designs. The use of SuDS will be particularly important as part of green field developments to manage surface water run-off rates, and in areas close to underground aquifers and landfill sites to reduce the risk of pollution.**

### **Explanation**

- 9.1 National policy, PPS25 categorises zones of flood risk as Zone 1 (low probability), Zone 2 (medium probability), Zone 3a (high probability) and Zone 3b (functional floodplain). These flood zones are defined in Table D.1 of PPS25 and are illustrated by the flood maps produced by the Environment Agency (EA) and available from their website.
- 9.2 PPS25 states that the overall aim should be to steer new development to Flood Zone 1 (low risk), however it does set out a flood risk vulnerability classification for different land uses and provides a 'compatibility' table for allowing particular land uses in the different flood zones (including 3a and 3b in certain circumstances).
- 9.3 PPS25 identifies the importance of assessing flood risk early in the planning process. It requires the production of Strategic Flood Risk Assessments to assess flood risk at a strategic level and individual Flood Risk Assessments in certain circumstances to assess flood risk at the site specific level. Accordingly Colchester Borough Council commissioned a Strategic Flood Risk Assessment to support the development of the Core Strategy.
- 9.4 PPS25 stipulates that site specific Flood Risk Assessments should be submitted with planning applications for development proposals on sites of 1ha or more in Flood Zone 1 or for all development proposals in Flood Zone 2 or 3. It also sets out the requirements for the use for Sustainable Drainage Systems (SuDS) to minimise the risk of flooding from new development.

- 9.5 The Strategic Flood Risk Assessment (SFRA) for Colchester has demonstrated that certain areas within the Borough are at risk of coastal, river and potentially surface water flooding. It is likely that climate change and rising sea levels will increase this risk. In response, the Council feels that it is important to take a precautionary approach to new development with regards to flood risk.
- 9.6 The SFRA defines zones 2, 3a and 3b in parts of Colchester. This information was used to inform the application of the sequential test during the preparation of the Core Strategy and Site Allocations Development Plan Documents. Where this information is not available for future development proposals particularly for sites that have not been included in the Borough level sequential test, EA Flood Risk Zones and a site specific Flood Risk Assessment will be used to apply the sequential test.
- 9.7 The SFRA for Colchester has demonstrated that there is a substantial amount of land available in Flood Zone 1 and development should generally be steered to these locations
- 9.8 The Environment Agency has agreed that for proposals in Regeneration Areas the Sequential Test will only be applied within each Regeneration Area boundary as defined on the Proposals Map. For sites outside the Regeneration Areas, the Sequential Test will be applied Borough wide.
- 9.9 Development in higher risk flood zones will be restricted to certain categories where an identified need for that type of development in that location exists. The Exception Test allows for development in high risk areas but is only to be applied where there is no other option i.e. where there are large areas of land in Flood Zones 2 and 3 and the Sequential Test cannot deliver acceptable alternative sites, but where some continuing development is necessary.
- 9.10 Small sites (less than 1ha) in Flood Zone 1 that are surrounded by Flood Zone 2 or 3 land, i.e. dry islands, are likely to be treated in the same way as the surrounding land. Each area will have its unique characteristics and a site specific Flood Risk Assessment may be required even for those sites less than 1ha to ensure that safe access / egress exists for the development and that the land will be sustainable for the duration of the flood period. This could be a number of days in some locations and will depend on the facilities available in that area. Each site will be different and advice should be sought from the Environment Agency.
- 9.11 The use of SuDS to manage water flow can be an important tool in minimising flood risk by increasing permeable surfaces in an area by allowing water to seep gradually into the ground rather than running directly into the drainage network, thereby reducing the risk of overloading the drainage network. SuDS can also help reduce the impact of diffuse pollution from run-off and flooding. The effective use of permeable surfaces, soakaways and water storage areas or SuDS

should be incorporated in all new development where technically possible. Early consideration should be given to the potential to use SuDS to identify when/where the use of such technologies is feasible and to also identify which type of SuDS is most appropriate to local site conditions. Developers will be encouraged to enter into early discussions with the Council and as part of discussions, long term adoption and maintenance responsibilities should be explored and agreed where possible, prior to the start of development.

- 9.12 Ensuring a continual supply of water in the Borough is likely to become increasingly important in light of climate change. It will be important that water resources continue to be protected for present and future generations. They should be used efficiently to make the maximum use of the resource and to reduce the need for major new water storage facilities and related infrastructure.
- 9.13 Development should be in locations where adequate water resources already exist, or where the provision of new water resources can be made without adversely affecting the environment, and where it coincides with the timing of the development. Every opportunity should be taken to build water efficiency measures into new developments, and innovative approaches should be encouraged. This can range from low flow taps and water butts to advance rainwater harvesting for larger developments and the Council will support developments incorporating the use of such features.
- 9.14 Minor developments such as driveways and the paving of front gardens can also contribute towards sustainable drainage by providing permeable surfaces. Further guidance on permeable surfacing of front gardens can be found on the Communities and Local Government website [www.communities.gov.uk](http://www.communities.gov.uk).

## **Policy DP21: Nature Conservation and Protected Lanes**

**Development proposals where the principal objective is to conserve or enhance biodiversity and geodiversity interests will be supported in principle. For all proposals, development will only be supported where it:**

- (i) Is supported with acceptable ecological surveys where appropriate. Where there is reason to suspect the presence of protected species, applications should be accompanied by a survey assessing their presence and, if present, the proposal must be sensitive to, and make provision for, their needs;**
- (ii) Will conserve or enhance the biodiversity value of greenfield and brownfield sites and minimise fragmentation of habitats;**
- (iii) Maximises opportunities for the restoration, enhancement and connection of natural habitats in accordance with the Essex Biodiversity Action Plan; and**
- (iv) Incorporates beneficial biodiversity conservation features and habitat creation where appropriate.**

**Additionally, proposals for development that would cause direct or indirect adverse harm to nationally designated sites or other designated areas or protected species will not be permitted unless:**

- (a) They cannot be located on alternative sites that would cause less harm;**
- (b) The benefits of the development clearly outweigh the impacts on the features of the site and the wider network of natural habitats; and**
- (c) Satisfactory prevention, mitigation and compensation measures are provided.**

**Protected Lanes of historic and/or landscape value shown on the Proposals Map will be protected from development that would adversely affect their physical appearance or would give rise to a material increase in the amount of traffic using them.**

**The significance of other historic landscape features should be considered and, where appropriate, assimilated in new development.**

### **Explanation**

9.15 Colchester contains a wealth of biodiversity and natural environmental assets and the protection and enhancement of designated areas such as SSSIs and Ramsar Sites is paramount. Such sites are identified on the Proposals Map. Sites identified through international conventions and European Directives are shown, however since these sites have statutory protection they do not require LDF policy protection. Other sites of local importance are shown in the Local Wildlife Survey, compiled by the Essex Wildlife Trust.

- 9.16 Additionally, non designated sites can be rich in biodiversity. Brownfield sites in particular often support rare assemblages of species and can provide important havens for biodiversity. Brownfield land (Open Mosaic Habitats on Previously Developed Land) has recently been added as a priority habitat to the UK Biodiversity Action list. Development proposals should include an assessment of the biodiversity interest of brownfield sites and identify opportunities for habitat retention or creation as part of the redevelopment of such sites.
- 9.17 The Core Strategy was subject to an Appropriate Assessment (AA) to assess the potential effects of proposed Strategic Policies in the Core Strategy on European Sites both within and adjacent to Colchester. The AA found that the policies would have no adverse affect but did recommend a number of avoidance measures needed to ensure no adverse affect in the future.
- 9.18 The Natural Environment and Rural Communities Act 2006 imposed a legal duty on local authorities to protect and enhance biodiversity. The policy seeks to assist this obligation. All proposals should consider protection and enhancement of biodiversity from the outset and seek to protect features such as trees, hedgerows, ponds, and woodland. Building design should include roosting or nesting spots and include landscaping within sites and along boundaries to provide feeding and nesting opportunities as well as acting as habitat corridors aiding the passage of wildlife between sites.
- 9.19 Proposals should particularly seek to contribute towards the objectives for priority habitats and species identified in the Essex Biodiversity Action Plan (BAP). Many BAP habitats in Colchester such as heathland, which used to be widespread, are now fragmented and isolated. This has significant consequences for the long term protection and ability of wildlife and habitats to adapt to climate change. There is a need to expand and re-connect the existing areas and restore habitats where they have been damaged or fragmented.
- 9.20 Development proposals should be accompanied by sufficient information to assess the effects of development on designated sites, protected species, biodiversity or geology, together with any proposed prevention, mitigation or compensation measures.
- 9.21 The County Council has identified certain lanes that have historic, landscape and biodiversity value which need to be retained and enhanced through appropriate and sensitive management measures. Protected Lanes will be reviewed on a regular basis to ensure their designation remains appropriate and to identify any other lanes which may benefit from additional protection.



## **Policy DP22: Dedham Vale Area of Outstanding Natural Beauty**

**Development will only be supported in or near to the Dedham Vale Area of Outstanding Natural Beauty (AONB) that:**

- (i) Makes a positive contribution to the special landscape character and qualities of the AONB;**
- (ii) Does not adversely affect the character, quality views and distinctiveness of the AONB or threaten public enjoyment of these areas, including by increased vehicle movement; and,**
- (iii) Supports the wider environmental, social and economic objectives as set out in the Dedham Vale AONB & Stour Valley Management Plan.**

**Where exceptionally development is essential, landscape enhancements, mitigation or compensation measures must be provided to the Local Planning Authority's satisfaction. Any existing development that adversely affects the landscape qualities of the AONB will be expected to satisfactorily mitigate this impact as part of any new development proposals.**

### **Explanation**

9.22 The Dedham Vale AONB has been designated for its national importance in terms of landscape quality, and is further enhanced through its close association with the works of artist John Constable. The quality of the landscape is defined by its natural beauty and the integration of the man-made elements within it, and the primary aim of the designation is to conserve and enhance this character.

9.23 It is essential that AONBs are conserved and enhanced. However it is acknowledged that the Dedham Vale is a 'living' landscape which needs to be able to adapt, change and respond positively to changing social, economic and environmental issues (climate change, declining agricultural sector, recreational pressures) to meet the needs of the local community and visitors to the area. In exceptional cases development proposals that help maintain the economic and social wellbeing of the AONB will be supported where these do not detract from the special character/quality of the AONB. Minor house extensions may have little opportunity to enhance the landscape qualities of the AONB and accordingly will not be exclusively rejected on this basis where otherwise acceptable. Proposals outside of the AONB will not be supported where, in the opinion of the Local Planning Authority, they will have an impact on the public enjoyment of the AONB.

## **Policy DP23: Coastal Areas**

**Within the Coastal Protection Belt and along the undeveloped coast an integrated approach to coastal management will be promoted and, development will only be supported where it can be demonstrated that it:**

- (i) Requires a coastal location and is located within the developed area of the coast;**
- (ii) Will not be significantly detrimental to conserving important nature conservation, historic environment assets, maritime uses and the landscape character of the coast;**
- (iii) Will deliver or sustain social and economic benefits considered important to the well being of the coastal communities; and**
- (iv) Provides opportunities and scope for adaptation to climate change.**

**In exceptional circumstances, development may be permitted where it is proven that the proposal provides an over-whelming public or community benefit that outweighs all other material considerations. In such instances applications must demonstrate that the site is the only available option and be acceptable in terms of its other planning merits.**

**Proposals for all development and change of use on both the landward and seaward sides of Coast Road, West Mersea, will be expected to enhance the existing traditional maritime character of the West Mersea Waterside Area of Special Character, and its role as a major yachting, fishing and boating centre. Proposals which result in the development of existing undeveloped areas of foreshore will be refused.**

**New moorings for permanent residential houseboats will not be permitted in coastal areas because of their landscape and environmental impact. Applications for infrastructure to support existing houseboats including jetties, sheds, platforms and fences and for those replacement houseboats or houseboat alterations considered to result in material alterations will be considered on the basis of their scale and impact on surrounding amenity, environment and landscape.**

### **Explanation**

9.24 The coastal area of Colchester Borough is an extremely rich, diverse and irreplaceable natural asset in terms of its natural and cultural features. It includes substantial parts of the Colne and Blackwater Estuaries. The ecological importance of the Colne and Blackwater Estuaries is reflected by the variety of international and European designations covering them i.e. Ramsar sites, Special Protection Areas (Birds Directive), and the Essex Estuaries Special Area of Conservation (SAC) designated under the Habitats Directive. There are also a number of Sites of Special Scientific Interest and Local Wildlife Sites designated around the estuaries.

- 9.25 The Borough's coastline is also home to a number of sizeable communities around Mersea Island, Rowhedge, and Wivenhoe. As a consequence there are a number of diverse and competing interests which all need to be managed in an integrated way within the Borough's coastal belt. These include internationally important habitats, land and water-based recreation, fishing, archaeological and historic environment assets. Obligations to protect the important natural and cultural assets have to be balanced against the wider socio-economic needs of the Borough's coastal communities. Climate change including sea level rise is likely to present increasing pressure on the management of coastal habitats and coastal communities along Colchester's coastal fringe. Emerging national policy of development at the coast has highlighted the need to identify 'Coastal Change Management Areas'. The second draft Essex Shoreline Management Plan has shown that the West Mersea coastal frontage is highly vulnerable to the effects of climate change and coastal processes. It will be important that future land uses and developments along this frontage can demonstrate the ability to adopt a roll back approach in response to changing local climatic conditions.
- 9.26 In 1984, Essex County Council produced the Essex Coast Protection Subject Plan. This defined the Coastal Protection Belt. The Coastal Protection Belt aims to protect the rural and undeveloped coastline from inappropriate development that would adversely affect its open character and irreplaceable assets, landward and marine sites of nature conservation importance, and buildings and areas of special architectural, historic or archaeological importance. The Belt's rural and undeveloped coastline is of international, national and regional significance for its open and rural landscape character, historic environment assets, and nature conservation interest. These multiple assets are strongly focussed and interrelated within the defined area, including between the coastline and adjoining inland areas. The Belt has a unique and irreplaceable character which should be strongly protected and enhanced.
- 9.27 National planning policy is relevant including that set out within PPS7, PPS9, PPS25, PPG20 and the supplement to PPS25 (Development and Coastal Change). These contain policy applicable to rural undeveloped areas. However, because the Coastal Protection Belt has a unique and irreplaceable character, there is a local need for greater priority to be given to the restraint of potentially damaging development, than is normally possible under national planning policies. The Coastal Protection Belt adopts the precautionary principle and seeks to restrict development to within the built up areas of the coast. Some developments however require a coastal location and cannot be located elsewhere or are needed to help sustain the socio-economic base of a coastal area or serve the needs of the local coastal community. This may include sustainable tourism or leisure related developments, where they meet the requirements of Policy DP10 in this DPD.

- 9.28 The majority of the estuarine frontage of West Mersea comprises the West Mersea Conservation Area and is shown on the Proposals Map. The western end of Coast Road was designated as the West Mersea Waterside Area of Special Character in the Local Plan due to the unique character of this part of Mersea which has been strongly influenced by maritime, fishing and boating uses. This is carried forward in the Site Allocations DPD.
- 9.29 The Council is keen to conserve and improve the character of West Mersea Waterside. Proposals for the expansion, development, redevelopment of, or change of use of existing premises/sites used for boating/marine related uses will only be permitted where they remain compatible with the special traditional maritime character of the area, and there is a related need for the use to be located within the West Mersea Waterside Area of Special Character.
- 9.30 The Borough contains areas of houseboat development at West Mersea and East Colchester. These small scale developments are accepted as part of the character of these areas, but any further extension of houseboat development would be considered to have an unacceptable impact on these sensitive coastal/estuarine areas. Appropriately scaled and located development essential to the maintenance and sustainability of existing houseboats will be supported to the extent it addresses impact and design criteria as contained in national guidance (PPS1 and PPS9) and local guidance (Core Strategy policies SD1, UR1, ENV1 and Development Policy DP1).

#### **Policy DP24: Equestrian Activities**

Policy DP24 was deleted following the Focused Review in July 2014.

## 10. Energy, Resources, Waste, Water and Recycling

### Relevant National Policy

Planning Policy Statement 1: Sustainable Development (February 2005)  
Planning Policy Statement: Planning and Climate Change – Supplement to  
Planning Policy Statement 1 (December 2007)  
Planning Policy Statement 22: Renewable Energy (August 2004)

### Core Strategy Policy

ER1: Energy, Resources, Waste, Water and Recycling

### Development Policies

DP25: Renewable Energy

## **DP25: Renewable Energy**

**The local planning authority will support proposals for renewable energy schemes including community level renewable projects, offshore wind farm proposals along with their ancillary land based infrastructure and micro-generation schemes. Applicants will be encouraged to incorporate renewable energy technologies into all development where viable.**

**Within internationally and nationally designated areas renewable energy schemes will be supported in exceptional circumstances where it can be demonstrated that the designation objectives for the area will not be compromised and any adverse impacts are clearly outweighed by the social and economic benefits provided by the energy proposal.**

**Schemes should be located and designed in such a way to minimise increases in ambient noise levels and visual impacts should be mitigated through siting, design, layout and landscaping measures.**

**Transport Assessments covering the construction, operation and decommissioning of any wind farm proposals will be required and should preferably be produced at the pre-application stage so acceptability can be determined and mitigation measures identified. A condition will be attached to planning consents for wind turbines to ensure that the site is restored when the turbines are taken out of service.**

### **Explanation**

10.1 Climate change is an important issue, which underpins the Local Development Framework. The Council made a formal commitment to tackling the causes and effects of climate change in February 2007 by signing the Nottingham Declaration. The Council has now adopted a strategy to mitigate climate change, through its own CO<sub>2</sub> emissions and across the Borough, and also to adapt to the impacts of climate change.

10.2 Policy ER1 of the Core Strategy promotes energy efficiency and supports the implementation of the code for sustainable homes through Building Regulations. To tackle climate change it is important for the Council to promote both energy efficiency and renewable energy.

10.3 Nationally 15% of energy is required to come from renewable energy sources by 2020. Whilst this is a national target the Council must contribute to meet and exceed it. Regard must be had to any future national targets.

10.4 The biggest potential for renewable energy in the UK is from wind energy. The Committee on Climate Change released a report in 2008 stating that wind technology could deliver 30% of the UK's electricity by 2020. Wind turbines are large structures which potentially can have a

visual impact. However a visual impact does not mean that it will have an adverse landscape impact and it is widely acknowledged that unless tackled effectively climate change is likely to have a severe and widespread impact on the landscape. Where an Environmental Statement forms part of the application this will provide an objective base from which to identify effects and their magnitude, permanence, and likelihood.

10.5 At present, offshore wind farms do not count towards the renewable energy target. However, the Council will support any offshore wind farms and look favourably on proposals for associated onshore infrastructure, such as sub-stations.

## 11. Monitoring

- 11.1 Continual review of the development plan is a fundamental element of the LDF system. It is necessary for the Council to develop targets and indicators to ensure that plans are delivering the objectives outlined within the Core Strategy and other policy documents such as the Council's Strategic Plan and the Sustainable Community Strategy.
- 11.2 The Council has separated out specific elements of the LDF into individual documents such as this Development Policies document in order to ensure that parts can be reviewed and amended individually to deliver a more rapid and responsive system of forward planning.
- 11.3 The Development Policies document provides more detailed policy guidance on the Core Strategy objectives and policies. The impact of the policies will be monitored through the most relevant Core Strategy indicator targets set out within Appendix C of the Core Strategy and using the Annual Monitoring Report and other monitoring tools such as the Town Centre Land Use Database. Additional targets and indicators may be required to ensure adequate coverage of the impact of Development Policies and a table of appropriate monitoring targets and key indicators is provided within Appendix 4 of this document.
- 11.4 The Annual Monitoring Report (AMR) is the principal document in the monitoring framework that the Council has introduced to accompany the Colchester LDF. The AMR was first published in 2005 and has been continually published each December in line with regulations.
- 11.5 Each AMR looks back over the previous year and assesses how the adopted documents have performed in relation to the aims and objectives set out. Typically the monitoring assessment includes:
- How the policies, targets or milestones are being met through the implementation of the plan, or where they are not being met reasons as to why.
  - The impact the policies are having with regards to national and local policy targets and other elements of the LDF.
  - Whether any of the policies within the LDF need adjusting because they are not performing as envisaged.
  - Whether policies need to be changed to accurately reflect the latest national or regional policy guidance.
  - Whether elements of the LDF need to be reviewed and changed and how this can be done.
- 11.6 The Development Policies document will be regularly reviewed to ensure its policies continue to contribute to the delivery of LDF objectives. The Proposals Map which is associated with the Development Policies document will also be updated as necessary when a new DPD is adopted.



## **Appendix 1 – Glossary (Updated July 2014)**

**Affordable Housing (or sub-market housing)** - This breaks down into 2 subcategories: social housing where rent levels are set in line with the Governments rent influencing regime. And intermediate housing: a mix of low cost home ownership products (e.g. shared ownership) and other reduced cost rental products primarily in the form of key worker housing.

**Annual Monitoring Report (AMR)** – The Annual Monitoring Report sets out how well the Council is performing in delivering the objectives of its Local Development Framework.

**Area Action Plan (AAP)** - These are Development Plan Documents that will be used to provide the planning framework for areas where significant change or conservation is needed. They can be used in many ways to help deliver planned growth areas, stimulate regeneration, protect areas that are sensitive to change, resolve conflicting objectives in areas subject to development pressures and/or focus the delivery of area based regeneration initiative. They will also focus on the implementation of policies and proposals and will provide an important way of ensuring development of an appropriate scale, mix and quality for key areas of opportunity, change and conservation in the Borough. Colchester intends to produce an Area Action Plan for the Town Centre.

**Brownfield Site (also known as Previously Developed Land)** - 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** - Are 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 (eg pubs and village shops).

**Core Strategy** - The Core Strategy, adopted in December 2008, 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.

**Development Plan Document (DPD)** - Development Plan Documents that the council are required to prepare include the core strategy, site specific allocations of land and area action plans. There will also be a proposals map, which will illustrate the spatial extent of policies that must be prepared and maintained to accompany all development plan documents. All Development Plan Documents must be subject to rigorous procedures of community involvement, consultation and independent examination, and adopted after receipt of the inspector's binding report.

**Development Policies** – The Development Policies document forms part on the Local Development Framework. It provides further details to assist the delivery of the strategic objectives and policies found in the Core Strategy. The Development Policies will affect allocations and designations set by the Site Allocations document and shown on the Proposals Map. The Policies contained within this Development Plan Document, along with other relevant national and Core Strategy policies, will replace the Local Plan Policies and be used to determine planning applications.

**Employment Zone** – Employment Zones are designated on the Proposals Map accommodate business developments including industry and warehousing within the B use class which are not suited to town centre Mixed Use Centres. Employment Zones include both Strategic Employment Zones at North Colchester Stanway and the University of Essex, as well as smaller Local Employment Zones which include existing and proposed concentrations of employment for rural enterprises and local employment.

**Evidence Base** – The Evidence Base for Colchester's Local Development Framework 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 LDF website page.

**Flood resistance categories -**

**Flood resilient (wet-proof)**- constructing a building in such a way that although floodwater may enter, its impact is reduced; and  
**Flood repairable** - constructing a building in such a way that, although floodwater enters, elements that are damaged by flood water can be easily repaired or replaced. This is also a form of flood resilience. ,eg. frame construction with modular panels to allow replacement if required. Ground floor can be an active flood storage area

**Flood resistant (dry-proof)** - constructing a building in such a way to prevent floodwater entering it and damaging its fabric, eg. waterproofed masonry at ground floor

**Green Links** – Areas of land which are a vital part of the public realm. Green links provide attractive, safe and accessible spaces which contribute to

positive social, economic and environmental benefits, improving public health, well-being and quality of life. Green links also provide the opportunity for sustainable travel between areas and are also rich in biodiversity. Strategic green links provide a buffer between urban areas and ensure these areas do not become one. Strategic green links are shown on the Core Strategy Key Diagrams.

**Greenfield Site** - Land which has never been built on before or where the remains of any structure or activity have blended into the landscape over time.

**Growth Area** – An area broadly identified for future housing and employment growth. A growth area may include both regeneration areas with potential for brownfield land redevelopment or the use of greenfield sites as indicated on the key diagram (KD2 Colchester Town).

**Lifetime Homes** - Lifetime Homes refers to homes designed in line with national guidelines for houses that are designed to suit all stages of life and degrees of mobility. See ([www.lifetimehomes.org.uk](http://www.lifetimehomes.org.uk)).

**Local Development Framework (LDF)** - This is the term given to the portfolio of documents which will provide the framework for delivering the spatial planning strategy for the area.

**Local Development Scheme (LDS)** - This is the project plan for a three year period for the production of all documents that will comprise the Local Development Framework. It identifies each Local Development Document stating which are to be Development Plan Documents (see above) and which are to be Supplementary Planning Documents, and establishes a timetable for preparing each.

**Mixed Use Development** - A well integrated mix of land uses (retail, employment, leisure and other service uses) with decent homes of different types and tenures to support a range of household sizes, ages and incomes.

**Natura 2000 network** - The European network of protected sites established under the Birds Directive and Habitats Directive (includes SPA, SAC, Ramsar).

**National Planning Policy Framework (NPPF)** - Government planning policy which replaces a large number of Planning Policy Guidance notes and Planning Policy Statements with one single document. It sets out new planning requirements and objectives in relation to issues such as housing, employment, transport and the historic and natural environment amongst others.

**Neighbourhood Centre** - A Neighbourhood Centre is a collection of local shops, services and community facilities at the centre of both villages and urban neighbourhoods. Neighbourhood Centres could range from a small parade of shops through to larger commercial areas providing a variety of services and facilities.

**Neighbourhood Plan** - A plan prepared by a Parish Council, Neighbourhood Forum, or other locally constituted community group, for a particular neighbourhood.

**Planning Gain** – the principle of a developer agreeing to provide additional benefits or safeguards usually in the form of related development supplied at the developer's expense.

**Previously Developed Land (PDL) (also known as brownfield land)** - 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.

**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 Proposals Map included in the 2004 Adopted Local Plan will be superseded upon adoption of the Site Allocations and Development Policies DPDs.

**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 international agreement on endangered habitats.

**Regeneration Areas** – An area in the Borough identified on the basis of potential for brownfield land redevelopment, economic and social need and proximity to the Town Centre. The Regeneration Areas are key element in the aim of Colchester becoming a prestigious regional centre. Five Regeneration Areas have been identified across the Borough – St Botolphs, North Station, East Colchester, North Colchester and Garrison.

**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. These regulations cover the various stages in preparing and consulting on Local Development Framework documents.

**Retail Frontages** – A term given to areas within the Town Centre where shopping is the primary function. The front of the shopping facing the street is used to calculate the percentage guidelines set for primary and secondary

frontages in the Development Policies DPD. Boundaries for the primary and secondary retail frontages are shown on the Proposals Map.

**Settlement** - A settlement is a general term used in planning for a permanent or temporary community in which people live which avoids being specific as to size, population or importance. A settlement can therefore range in size from a small number of dwellings grouped together to the largest of cities with surrounding urbanized areas. The term may include hamlets, villages, towns and cities.

**Settlement Hierarchy** – A Settlement Hierarchy provides a ranked series of communities. In Colchester, the focus of development is on the Regional Centre, which includes Colchester Town and Stanway. Tiptree, West Mersea and Wivenhoe are included within the next layer of District Settlements and other villages in the Borough fall within the Rural Communities category which is to receive very limited development.

**Site Allocations Development Plan Document (DPD)**– The Site Allocations document sets out the criteria for the boundaries shown on the Proposals Map and provides area and use specific allocations.

**Spatial Planning** – “Spatial planning goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with other policies and programmes which influence the nature of places and how they function. This will include policies which can impact on land use, for example, by influencing the demands on or needs for development, but which are not capable of being delivered solely or mainly through the granting of planning permission and may be delivered through other means.” (PPS 1 ODPM, 2004, pp3).

**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 will set out the standards that the council intend to achieve in relation to involving the community and all stakeholders in the preparation, alteration and continuing review of all Local Development Plan Documents and in significant planning applications, and also how the local planning authority intends to achieve those standards. The Statement of Community Involvement will not be a Development Plan Document (see above) but will be subject to independent examination. A consultation statement showing how the council has complied with its Statement of Community Involvement should accompany all Local Development Documents.

**Strategic Housing Land Availability Assessment (SHLAA)** – The SHLAA is a document required by Government to identify capacity to deliver new housing within a local authority area. Colchester completed a SHLAA in November 2007 to inform its evidence base, and housing delivery figures have been regularly updated since then to ensure estimates of capacity remain valid.

**Supplementary Planning Document (SPD)** – A document produced by the Council to add further detailed guidance and information on a particular subject such as Sustainable Construction or Open Space, Sport and Recreational Facilities. An SPD is subject to a formal consultation period and then is used as a material consideration when determining planning applications.

**Sustainable Community Strategy** - All local planning authorities have a duty to prepare community strategies under the Local Government Act 2000 in conjunction with other public, private and community sector organisations. Community Strategies should promote the economic, social and environmental well being of their areas and contribute to the achievement of sustainable development. Local Development Frameworks provide the spatial expression to those elements of the Community Strategy that relate to the use and development of land. Copies of the Colchester Sustainable Community Strategy can be viewed at [www.colchester2020.com](http://www.colchester2020.com)

**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 Communities** are places where people want to live and work, now and in the future. They meet the diverse needs of existing and future residents, are sensitive to their environment, and contribute to a high quality of life. They are safe and inclusive, well planned, built and run, and offer equality of opportunity and good services for all.

**Sustainable Construction** – is the name given to building in an energy efficient way. The incorporation of many new technologies and energy saving techniques into a building can dramatically reduce the CO2 emissions and carbon foot print of a building. Initiatives include grey water recycling systems, solar panels, home recycling, wind turbines and ground water heating systems. Full details can be found in the Council's Sustainable Construction SPD.

**Sustainable Development** - Development which meets the needs of the present without compromising the ability of future generations to meet their own needs.

**Town Centre** - The Town Centre is cultural and commercial heart of the Borough. Colchester's Town Centre includes the historic core of Colchester, as well as the surrounding fringe areas that are characterised by a mix of

retail, residential, office, community facilities and other uses often found in other Centres. North Station and Hythe Station will be major gateways to Colchester and are therefore considered to be another important element of the Town Centre.

**Transit Corridor** - Colchester's rapid transport corridors will enable buses and coaches to bypass traffic congestion and link key facilities, centres, transport nodes and neighbourhoods. The East Transit Corridor will be informed by the East Colchester Rapid Transport Corridor Study. These corridors may also provide quality walking and cycling paths.

## **Appendix 2 – References**

### **National Planning Guidance**

Planning Policy Guidance and Statements:

- 1 – *Sustainable Development* (February 2005)
- 3 – *Housing* (June 2010)
- 4 - Planning for Sustainable Economic Growth (December 2009)
- 5 - Planning for the Historic Environment (March 2010)
- 7 – *Sustainable development in rural areas* (August 2004)
- 9 – *Biodiversity* (August 2005)
- 12 – *Local Spatial Planning* (June 2008)
- 13 – *Transport* (March 2001)
- 17 – *Planning for open space, sport and recreation* (July 2002)
- 20 – *Coastal planning* (September 1992)
- 23 – *Planning and pollution control* (November 2004)
- 24 – *Planning and noise* (September 1994)
- 25 – *Development and flood risk* (March 2010)
- 25 Supplement – *Development and Coastal Change* (March 2010)

### **Regional Policy and Studies**

Government Office for the East of England, *East of England Plan*, May 2008 (Revoked by the Secretary of State for Communities and Local Government on 6 July 2010)

Government Office for the East of England, *Accommodation for Gypsies and Travellers and Travelling Showpeople in the East of England, A Revision to the Regional Spatial Strategy for the East of England*, July 2009 (Revoked by the Secretary of State for Communities and Local Government on 6 July 2010)

### **Haven Gateway Studies**

DTZ Pidea Consulting, *Haven Gateway Employment Land Study*, December 2005

The Landscape Partnership, *Haven Gateway Green Infrastructure Study*, April 2008

Roger Tym and Partners, *Strategic Residential and Infrastructure Study*, November 2005

Royal Haskoning and GHK, *Haven Gateway Regeneration Study*, November 2005

Royal Haskoning, *Haven Gateway Water Cycle Study*, 2008

Haven Gateway Partnership, *Haven Gateway Integrated Development Programme – A Framework for Growth*, December 2008

### **Essex Level Documents**

Essex County Council and Southend-on-Sea Borough Council, *Essex & Southend-on-Sea Replacement Structure Plan*, 2001



Essex County Council and Southend-on-Sea Borough Council, *Essex & Southend Waste Local Plan*, 2001  
Essex County Council, *Minerals Local Plan*, 1996  
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### **Appendix 3 - Mitigation for loss of employment land or employment premises**

Providing jobs for Colchester's growing community is a central objective of the Core Strategy. The Core Strategy sets a "floor target" of approximately 14,200 net additional employee jobs to be created over the period 2001-2021. The Council cannot deliver this additional employment directly but it can protect existing employment, stimulate new employment developments and accommodate new developments at the most suitable locations.

Policy DP4 provides:

*'In exceptional circumstances that result in the loss of employment land or employment premises, the Council will require suitable employment land to be provided and/or a contribution towards the Council's business incubation/grow-on space needs, employment, training or other regeneration programmes and initiatives in mitigation'.*

*(Further detail on this approach will be contained within an emerging SPD: Retention of Employment Land and Provision of Employment Space).*

The formulae to be applied will be:

Where employment land is lost in a Strategic Employment Zone (as defined in Core Strategy Policy CE3) the Council will assess the value of the land lost based on the Valuation Office's most recent published value for the type of land per hectare in the Borough. The Council will require the developer/applicant to provide mitigation in one of the following ways:

- a) An equivalent value as a commuted sum which the Council will use within five years to purchase replacement employment land
- b) A similar quantum of land (in lieu of a commuted sum) in another suitable location deemed acceptable by the Council
- c) A contribution towards employment, training and regeneration programmes to the same total overall value. The proportion of such a contribution directed to employment and training will be based on:
  - The Council's assessment of the overall need to reduce unemployment and worklessness in the Borough
  - The number of jobs lost from former employment density on any premises demolished or changed to a non-employment use. The proportion directed to regeneration programmes will be based on verifiable costing of need.
- d) A mix of a), b) or c).

Where employment land or buildings are lost in any location outside of a Strategic Employment Zone mitigation will be required as set out above but based on *50% of the equivalent land value*. This recognises that the land occupies an important but lower priority in the hierarchy of employment areas within the Borough.

***All such payments or transfers to be utilised by the Council as soon as practicable and certainly within five years of the planning gain negotiation having been concluded.***

Notes:

- (i) The costs for employment and training initiatives will be based upon objective, benchmarked costs of moving an unemployed person into training and/or employment (using Audit Commission, Jobcentre Plus, Learning and Skills Council and ESF programme standard costs).
- (ii) The costs of regeneration programmes or initiatives will be based on verifiable costing of need.

## Appendix 4 - Development Policies Monitoring Targets and Indicators

Targets	Key Indicators
<b>Sustainable Development Policies</b>	
100% of relevant proposals address the health implications of development	New - % of relevant applications complying with policy
Funding for necessary local and sub-regional infrastructure secured through a Community Infrastructure Levy (CIL)	New - Development and approval of a charging schedule Amount of CIL raised
0% of applications to result in the overall loss of community facilities	Existing - CS indicator on loss of community facilities
<b>Centres and Employment Policies</b>	
Contribute to Core Strategy target of 14,200 jobs to 2021	Existing – CS indicators on floorspace New – employment floorspace in rural areas
85% A1 Retail street frontage in the Inner Core	New - Use Town Centre Land Use Database
50% A1 Retail street frontage in the Outer Core	
<b>Housing Policies</b>	
100% of flat conversions to comply with the criteria of Policy DP11	New – Number of flat conversions permitted as departures from Policy DP11
All residential development to have a high standard of design, construction and layout.	Satisfaction with residential development will be monitored through LDF consultations
<b>Urban Renaissance Policies</b>	
0% of new developments to result in loss of Grade I and II* and scheduled monuments at risk. Year on year reduction in number of buildings on Buildings at Risk register.	Existing CS indicator on buildings at risk
<b>Public Realm Policies</b>	
Increase in provision of open space and sports facilities	Existing CS indicator on increase in areas of public open space
100% of all new permitted developments to deliver adequate areas of private/communal space in accordance with the standards set out in the Essex Design Guide and Urban Place Supplement. New development to contribute to open space	Existing CS indicator on homes with open space
<b>Transport and Accessibility Policies</b>	
Cycling – increase by 75% in urban area by 2010/11	
Increase use of public transport on selected routes in Colchester	Existing CS transport indicators
To obtain an agreed travel plan for all major commercial/community developments	
Percentage of completed non-residential development complying with parking standards	Existing CS indicator on compliance with parking standards

## Environment and Rural Communities Policies

0 applications to be approved contrary to EA advice  
All developments to incorporate water management schemes including Sustainable Urban Drainage (SUDs)

95% of nationally designated SSSIs are to be in favourable condition, 0% loss of Local Sites

Existing CS indicator – number of planning applications approved contrary to EA advice

Existing CS indicators – condition of designated sites, change in priority habitats and species

## Energy, Resources, Waste, Water and Recycling Policies

Contribute to national targets to increase energy production from renewable sources

Existing CS Indicator – renewable energy capacity installed by type

## Appendix 5 – Saved Local Plan policies superseded by the Development Policies DPD

Local Plan Policy		Development Policy
DC1	Overall Development Control Policy	Superseded by Development Policies 1 (Design and Amenity), DP15 (Retention of Open Space and Indoor Sports Facilities), DP17 (Accessibility and Access), and DP19 (Parking Standards)
CE2	Risk of Flooding	Superseded by DP20 (Flood Risk and Management of Surface Water Drainage)
CE4	Residential Holiday Sites	Superseded by Policies DP10 (Tourism, Leisure and Culture) and DP23 (Coastal Areas)
CE5	Occupancy Restrictions for Caravans	Superseded by Policies DP10 (Tourism, Leisure and Culture) and DP23 (Coastal Areas)
CE8	Rowhedge Port Regeneration Area	Superseded by DP1 (Design and Amenity), DP17 (Accessibility and Access), and DP23 (Coastal Areas)
CE9	Rowhedge High Street and Wivenhoe Quay	Superseded by DP4 (Community Facilities), DP5 (Appropriate Employment Uses and Protection of Employment Land and Existing Businesses), and DP7 (Local Centres and Individual Shops)
CE10	West Mersea Waterside Area of Special Character	Superseded by DP1 (Design and Amenity), DP5 (Appropriate Employment Uses and Protection of Employment Land and Existing Businesses), DP14 (Historic Environment Assets) and DP23 (Coastal Areas)
CO2	Dedham Vale Area of Outstanding Natural Beauty	Superseded by DP22 (Dedham Vale Area of Outstanding Natural Beauty)
CO3	Countryside Conservation Areas	The evidence base has been updated by a Landscape Character Assessment which is referred to in Core Strategy Policy ENV1. Policy CO3 is superseded by this updated evidence base, DP21 (Nature Conservation and Protected Lanes) and DP14 (Historic Environment Assets).
CO4	Landscape Features	Superseded by DP1 (Design and Amenity)
CO5	Nature Conservation	Superseded by DP21 (Nature Conservation and Protected Lanes)
CO7	Protected Lanes	Superseded by DP21 (Nature Conservation and Protected Lanes)
CO8	Agriculture – Land	Superseded by DP8 (Agricultural Development and Diversification)
CO9	Agriculture – Animals	Superseded by DP8 (Agricultural Development and Diversification) and DP1 (Design and Amenity)
CO10	Agricultural Diversification	Superseded by DP8 (Agricultural Development and Diversification)
CO12	New Stables or Extensions to Existing Stables	Superseded by DP24 (Equestrian Activities)
CO13	Residential	Superseded by DP24 (Equestrian Activities)

	Accommodation for Existing Stables	
UEA1	Conservation Areas	Superseded by DP14 (Historic Environment Assets)
UEA2	Conservation Areas – New building, alteration or extension	Superseded by DP14 (Historic Environment Assets)
UEA3	Demolition	Superseded by DP14 (Historic Environment Assets)
UEA4	Demolition – Listed Buildings	Superseded by DP14 (Historic Environment Assets)
UEA5	Listed Buildings	Superseded by DP14 (Historic Environment Assets)
UEA6	Listed Barns or Other Listed Agricultural Buildings	Superseded by DP14 (Historic Environment Assets)
UEA7	Scheduled Ancient Monuments	Superseded by DP14 (Historic Environment Assets)
UEA8	The Dyke System	Superseded by DP14 (Historic Environment Assets)
UEA10	Parks and Gardens of Historic Interest	Superseded by DP14 (Historic Environment Assets)
UEA11	Design	Superseded by DP1 (Design and Amenity) and DP14 (Historic Environment Assets)
UEA12	Design - Character	Superseded by DP1 (Design and Amenity) and DP14 (Historic Environment Assets)
UEA13	Development, including Extensions, adjoining existing or proposed Residential Property	Superseded by DP1 (Design and Amenity), DP12 (Dwelling Standards) and DP13 (Dwelling Alterations, Extensions and Replacement Dwellings)
UEA14	Greenlinks	Superseded by DP1 (Design and Amenity) and DP15 (Retention of Open Space and Indoor Sports Facilities)
UEA15	Greenlinks - Open land	Superseded by DP1 (Design and Amenity) and DP15 (Retention of Open Space and Indoor Sports Facilities)
UEA16	Advertisements within Conservation Areas	Superseded by DP1 (Design and Amenity) and DP14 (Historic Environment Assets)
UEA17	Advertisements outside Conservation Areas	Superseded by DP1 (Design and Amenity) and DP14 (Historic Environment Assets)
UEA19	Advertisements outside Conservation Areas	Superseded by DP1 (Design and Amenity) and DP14 (Historic Environment Assets)
UEA20	Advertisements on Listed Buildings and Scheduled Ancient Monuments	Superseded by DP1 (Design and Amenity) and DP14 (Historic Environment Assets)
UEA21	Areas of Special Character	Superseded by DP1 (Design and Amenity), DP5 (Appropriate Employment Uses and Protection of Employment Land and Existing Businesses),



		DP14 (Historic Environment Assets) and DP23 (Coastal Areas)
P1	Pollution (General)	Superseded by DP1 (Design and Amenity)
P2	Light Pollution	Superseded by DP1 (Design and Amenity)
P3	Development in Floodplains and Washlands	Superseded by DP20 (Flood Risk and Management of Surface Water Drainage)
P4	Contaminated Land	Superseded by DP1 (Design and Amenity)
P5	Unstable Land	Superseded by DP1 (Design and Amenity)
P6	Renewable Energy Sources	Superseded by DP25 (Renewable Energy)
P7	Energy Efficiency	Covered by national guidance and Core Strategy policy ER1. Superseded by DP25 (Renewable Energy)
CF4	Retention of Key Community Facilities	Superseded by DP4 (Community Facilities)
CF5	Education - General	Superseded by DP4 (Community Facilities)
CF6	Nursery and Pre-School Education	Superseded by DP4 (Community Facilities) and DP5 (Appropriate Employment Uses and Protection of Employment Land and Existing Businesses)
UC2	Colchester Institute	Superseded by DP1 (Design and Amenity)
L1	Indoor and Outdoor Leisure and Entertainment Facilities	Superseded by DP10 (Tourism, Leisure and Culture) and DP15 (Retention of Open Space and Indoor Sports Facilities)
L2	Private Open Space	Superseded by DP15 (Retention of Open Space and Indoor Sports Facilities)
L3	Public Open Space	Superseded by DP15 (Retention of Open Space and Indoor Sports Facilities)
L4	Public Open Space	Superseded by DP15 (Retention of Open Space and Indoor Sports Facilities)
L5	Open Space Provision within Developments	Superseded by DP16 (Private Amenity Space and Open Space Provision for New Residential Development)
L7	Commonland, Heathland and Village Greens	Superseded by DP15 (Retention of Open Space and Indoor Sports Facilities)
L8	Allotments	Superseded by DP4 (Community Facilities) and DP15 (Retention of Open Space and Indoor Sports Facilities)
L10	Golf Facilities	Superseded by DP10 (Tourism, Leisure and Culture)
L11	Birch Pit	Superseded by DP10 (Tourism, Leisure and Culture)
L13	Countryside Recreation	Superseded by DP10 (Tourism, Leisure and Culture)
L14	Protecting Public Rights of Way	Superseded by DP17 (Accessibility and Access)
L15	Improvements to Recreational Footpaths, Cycleways and Bridleways	Superseded by DP1 (Design and Amenity), DP17 (Accessibility and Access), and DP21 (Nature Conservation and Protected Lanes)

L16	Sports causing Noise or Disturbance	Superseded by DP1 (Design and Amenity) and DP10 (Tourism, Leisure and Culture)
L18	Arts	Superseded by DP1 (Design and Amenity) and DP4 (Community Facilities)
L19	Tourism and Visitor Facilities	Superseded by DP10 (Tourism, Leisure and Culture)
T3	Travel Plans	Superseded by DP17 (Accessibility and Access). Core Strategy Policies TA1 and TA5 also provide further detail on Travel Plans
T5	Enhancement of Public Transport	Superseded by DP17 (Accessibility and Access) and DP18 (Transport Infrastructure Proposals)
T6	Rail Freight	Superseded by DP18 (Transport Infrastructure Proposals)
T7	Traffic Management	Superseded by DP17 (Accessibility and Access)
T9	Car Parking Provision	Superseded by DP19 (Parking Standards)
UT1	Off-Site Service Infrastructure	Superseded by DP1 (Design and Amenity), DP20 (Flood Risk and Management of Surface Water Drainage) and DP25 (Renewable Energy)
UT3	Power Lines	Superseded by DP1 (Design and Amenity), DP21 (Nature Conservation and Protected Lanes), DP22 (Dedham Vale Area of Outstanding Natural Beauty), DP23 (Coastal Areas), DP25 (Renewable Energy). Core Strategy Policy ENV1 also covers the conservation and enhancement of Colchester's natural and historic environment, countryside and coastline
UT4	Telecommunications	Superseded by DP1 (Design and Amenity) and DP14 (Historic Environment Assets). Core Strategy Policy ENV1 also covers the conservation and enhancement of Colchester's natural and historic environment, countryside and coastline
UT5	Satellite Dishes	Superseded by DP1 (Design and Amenity) and DP14 (Historic Environment Assets)
H3	Conversion to Flats / Bedsitting Rooms	Superseded by DP11 (Flat Conversions)
H5	Affordable Housing – Rural Exceptions	This issue is covered by Core Strategy Policies H4 (Affordable Housing) and ENV2 (Rural Communities). The design elements are superseded by DP1 (Design and Amenity) and DP14 (Historic Environment Assets). More detail will be provided in the Affordable Housing SPD.
H7	Development within Village Envelopes	Superseded by DP1 (Design and Amenity), DP12 (Dwelling Standards), DP13 (Dwelling Alterations, Extensions and Replacement Dwellings), and DP14 (Historic Environment Assets)
H8	Extension to Dwellings in the Countryside	Superseded by DP1 (Design and Amenity) and DP13 (Dwelling Alterations, Extensions and Replacement Dwellings)
H9	Replacement Dwellings in the	Superseded by DP1 (Design and Amenity) and DP13 (Dwelling Alterations, Extensions and

	Countryside	Replacement Dwellings)
H10	Agricultural / Forestry Workers' Dwellings	Superseded by DP1 (Design and Amenity), DP8 (Agricultural Development and Diversification) and DP13 (Dwelling Alterations, Extensions and Replacement Dwellings). The issue is also covered by PPS7 (Sustainable Development in Rural Areas)
H11	Removal of Occupancy Conditions	Superseded by DP1 (Design and Amenity), DP8 (Agricultural Development and Diversification) and DP13 (Dwelling Alterations, Extensions and Replacement Dwellings). The issue is also covered by PPS7 (Sustainable Development in Rural Areas).
H12	Extensions to Gardens in the Countryside	Superseded by DP1 (Design and Amenity) and DP13 (Dwelling Alterations, Extensions and Replacement Dwellings). Core Strategy Policy ENV1 also covers the conservation and enhancement of Colchester's natural and historic environment, countryside and coastline
EMP4	Employment Uses in the Countryside	Superseded by DP9 (Employment Uses in the Countryside)
EMP5	Rural Business Sites	Superseded by DP5 (Appropriate Employment Uses and Protection of Employment Land and Existing Businesses)
EMP6	Boxted Straight Road	Superseded by DP1 (Design and Amenity), DP9 (Employment Uses in the Countryside) and DP14 (Historic Environment Assets)
EMP7	Employment Sites in the Countryside	Superseded by DP5 (Appropriate Employment Uses and Protection of Employment Land and Existing Businesses)
TCS4	Change of Use in Core Streets	Superseded by DP6 (Colchester Town Centre Uses)
TCS5	Mixed Use Areas A	Superseded by DP6 (Colchester Town Centre Uses)
TCS6	Mixed Use Areas B	Superseded by DP6 (Colchester Town Centre Uses)
TCS7	Mixed Use Areas C	Superseded by DP6 (Colchester Town Centre Uses)
TCS8	Mixed Use Areas D	Superseded by DP6 (Colchester Town Centre Uses)
TCS9	Colchester Town Centre – Local Centres	Superseded by DP6 (Colchester Town Centre Uses)
TCS10	Leisure, Entertainment, Food and Drink	Superseded by DP1 (Design and Amenity) and DP6 (Colchester Town Centre Uses)
TCS13	Shopping in Villages and the Countryside	Superseded by DP1 (Design and Amenity), DP4 (Community Facilities), DP7 (Local Centres and Individual Shops), and DP8 (Agricultural Development and Diversification)
TCS15	Visitor Car Parking	Superseded by DP17 (Accessibility and Access) and DP19 (Parking Standards). The issue is also covered by Core Strategy Policies TA1 (Accessibility and Changing Travel Behaviour)

		and TA5 (Parking).
TCS16	Private Non-Residential Parking	Superseded by DP17 (Accessibility and Access) and DP19 (Parking Standards).
TCS17	Servicing	Superseded by DP1 (Design and Amenity), DP17 (Accessibility and Access) and DP19 (Parking Standards).
TCS18	Town Centre Residential Parking	Superseded by DP17 (Accessibility and Access) and DP19 (Parking Standards).
TCS19	Residential Development in the Town Centre	Superseded by DP1 (Design and Amenity) and DP6 (Colchester Town Centre Uses)
TCS21	Community and Leisure Development	Superseded by DP1 (Design and Amenity), DP6 (Colchester Town Centre Uses), DP10 (Tourism, Leisure and Culture) and DP14 (Historic Environment Assets). This issue is also covered by Core Strategy Policy CE2a (Town Centre).
TCS22	Leisure, Culture, and Tourism Development	Superseded by DP1 (Design and Amenity) and DP10 (Tourism, Leisure and Culture)
TCS23	Cinema Development	Superseded by DP1 (Design and Amenity), DP10 (Tourism, Leisure and Culture) and DP17 (Accessibility and Access)
ECH4	Area 3 – Albany Laundry Site and Adjacent Land off Haven Road	Superseded by DP1 (Design and Amenity) and the general housing policies within the Development Policies and Core Strategy documents.
ECH11	Wilson Marriage Centre and Paxman’s Social Club	Superseded by considerations regarding the historic environment and community facilities in Policies DP13 (Historic Environment Assets) and DP3 (Community Facilities).
ME2	High Woods Country Park	Superseded by Policies DP15 (Retention of Open Space and Indoor Sports Facilities)
STA1	South Side of London Road	Superseded by DP1 (Design and Amenity) and the general housing policies within the Development Policies and Core Strategy documents.
STA4	Peartree Road Mixed Use Area	Superseded by DP1 (Design and Amenity). Core Strategy Policies CE1 and CE2 also concern District Centres and Mixed Use Areas.
TIP3	Employment Land	Superseded by DP5 (Appropriate Employment Uses and Protection of Employment Land and Existing Businesses). The Centres and Employment section of the Site Allocations document provides detail on new employment allocations.

