



## Colchester Borough Council Local Plan Focused Review

### Post-Hearings Modifications Consultation Centres and Employment Policies Tracked Changes Document – February 2014

This document has been prepared to illustrate the changes to Colchester Local Plan Centres and Employment policies which would result from the Post-Hearing Modifications Consultation Part 2 Options. Those Centres and Employment policies not subject to post-hearing modifications are not included within this Tracked Changes document.

The text shown in black is the original text as seen in the Local Plan Focused Review Submission Document (CD1). The original deletions to the wording contained in the Focused Review document are retained in strikethrough text and original additions are shown underlined. The changes proposed as modifications are shown in bold red text. New deletions are in bold red italic strikethrough text.

#### Policy – CE1 Centres and Employment Classification and Hierarchy

The Borough Council will encourage economic development and will plan for the delivery of at least 14,200 jobs in Colchester between 2001 and 2021. The Council will promote employment generating developments through the regeneration and intensification of previously developed land, and through the allocation of land necessary to support employment growth at sustainable locations.

The Council will promote and maintain a Centres and Employment Classification and Hierarchy (Tables CE1a & CE1b) to coordinate the use and scale of developments with the accessibility and role of the various mixed use Centres and Employment Zones in Colchester. Mixed-use centres will support a wide range of compatible uses, whilst Employment Zones will accommodate other business developments as identified in Table CE1b. Development scales will need to be consistent with the Hierarchy and larger scale development should be focused on the Town Centre, Urban Gateways and Strategic Employment Sites, whereas smaller schemes may be appropriate in residential and countryside locations where it would provide people with good access to their needs.

~~Employment developments that conflict with the Centres and Employment Classification and Hierarchy will not normally be supported. Small scale developments may be acceptable in residential or countryside locations if they have low travel needs and low impacts, such as~~

- ~~• Small shops and facilities providing for the daily needs of a local residential catchment;~~
- ~~• Rural businesses, recreation and tourist developments to meet local needs and support rural economies.~~

The Council will **seek to protect and enhance support** employment throughout the Borough and will take a flexible approach to proposals contributing to economic

growth and job creation. Development that will increase employment capacity in accessible locations will be encouraged. whilst ~~Proposals for development that will result in a loss of employment capacity will not normally be supported. need to be supported by evidence that there is no reasonable prospect of a site being used for the allocated employment use.~~

The Council will also encourage economic diversity and business development to facilitate small and medium enterprises. A mix of business types and premises will be sought in employment developments to provide opportunities for all businesses and create diverse and successful economic environments.

p.39 in original Core Strategy

**Table CE1a – Centres and Employment Classification and Hierarchy**

	Centre Type		Indicative Location*
	Hierarchy	Classification	
<b>Mixed Use Centres (Policy CE2)</b>	Town Centre	Town Centre core	Colchester's historic Town Centre
	Edge of Centre and other Accessible Locations	Urban Gateways	North Station Colchester Town Station Hythe Station <del>Northern Gateway (Park and Ride)</del>
		Town Centre fringe	Land surrounding the Town Centre core.
	District Centres	Rural District Centres	Tiptree West Mersea Wivenhoe
		Urban District Centres	Tollgate Turner Rise Peartree Road Greenstead Road Highwoods
	Local Centres	Neighbourhood Centres and Local Shops	Specific sites to be identified in Adopted Proposal Maps (Site Allocations DPD) or through master planning within identified growth areas

**Comment [sp1]:** This deletion was subject to consultation in November 2013 – modification ref. Maj 7.

\* Boundaries to be defined in Adopted Proposal Maps (Site Allocations DPD)

**The Examination of the Focused Review (November 2013-April 2014) did not consider the consistency with national policy or local justification for the hierarchy and classification of centres set out in Table CE1a and referred to elsewhere in other text in this review.**

## Employment Classification

Employment Zone Type	Indicative Location*
Employment Zones (Policy CE3)	Strategic Employment Zones North Colchester Stanway University Research Park
	Local Employment Zones Specific sites to be identified in Adopted Proposal Maps (Site Allocations DPD)

\* Boundaries to be defined in Adopted Proposal Maps (Site Allocations DPD)

In accordance with ~~PPS6~~ the National Planning Policy Framework, ~~the historic town centre core centres~~ will be the **primary preferred** location for retail, office, leisure and entertainment uses. The sequential approach will be applied. ~~and retail uses proposal for main town centre uses should be located in the town centre. If suitable sites are not available such uses will then be directed to sites in the town centre fringe (within 300 metres of the town centre core) and then to Urban Gateways and Urban District Centres. Sites within 500 metres or those well connected with good pedestrian access to the Urban Gateways and Urban District Centres will also be considered suitable for office and mixed use development.~~ Only if suitable sites are not available should **edge of centre and then out of centre sites** be considered. *(NB this paragraph was the subject of modifications consultation in November 2013, listed as MAJ14)*

### Table CE1b – Appropriate Land Uses

	Mixed Use Centres (Policy CE2)	Employment Zones (Policy CE3)
Primary Land Uses	A1 – Shops A2 – Financial and Professional Services A3 – Restaurants and Cafes A4 – Drinking Establishments A5 – Hot Food Take-Away B1a – Offices B1b – Research and Development, Studios, Laboratories, Hi-tech C1 – Hotels D1 – Non-residential Institutions D2 – Assembly and Leisure	B1b – Research and Development, Studios, Laboratories, Hi-tech B1c – Light Industry B2 – General Industry B8 – Storage and Distribution
Secondary Land Uses	C2 – Residential Institutions C3 – Dwelling House B1c – Light Industry Sui Generis	B1a – Offices C1 – Hotels D2 – Assembly and Leisure Sui Generis

**Table CE1c – Indicative Employment Delivery 2006 to 2021**

		Retail (2006-2021)	Hotels (2006-2015)	B1: Offices etc (2004-2021)	Industry & Warehousing (2004-2021)
Town Centre, Urban Gateways and Town Centre Fringe		67,000sqm (net)		40,000sqm (gross)	
Strategic Employment Zones	University of Essex		270-390 rooms (2006-2015)	36,000sqm (gross)	
	North Colchester			38,000sqm (gross)	
	Stanway			36,500sqm (gross)	45,000sqm (gross)

### Explanation

Providing jobs for Colchester’s growing community is a central objective of the Core Strategy and reflects the supporting evidence behind the target in the former The East of England Plan set a target, of approximately 14,200 jobs. ~~although~~ Many of these jobs have already been created since 2001. The Council cannot deliver the additional employment directly, but it can protect existing employment, stimulate new employment developments, and accommodate new developments at the most suitable locations.

The Council commissioned studies of projected growth in retail, business and employment, and used this evidence to plan and facilitate future economic development and employment delivery in Colchester. During the 2006 to 2021 period, Colchester will need to accommodate the following development:

- 67,000sqm (net) of retail floorspace, predominantly in the Town Centre (Retail Study 2007)
- 106,000sqm (gross) of office floorspace (Use Class B1), predominantly in the Town Centre and the Strategic Employment Zones. (Employment Land Study 2007)
- 45,000sqm (gross) of business floorspace (excluding B1), predominantly in the Strategic Employment Zones (Employment Land Study 2007)

Development of Colchester as a regional centre includes the enhancement of its visitor facilities, which also serve as a source of local employment. A study of hotel provision in Colchester found demand for 270-390 hotel bed rooms between 2006 and 2015 to serve the leisure and business travel market in Colchester.

Promoting regeneration, higher densities and mixed use developments in existing Centres will build additional capacity to accommodate employment and economic growth at sustainable locations. Strategic Employment Zones will also be enhanced to improve access to strategic roads, capacity for new development and the quality of the built environment.

The Hierarchy for mixed use Centres and Employment Zones complements the

Settlement Hierarchy to help guide both housing and employment development. The Centres and Employment Hierarchy directs employment development towards the most sustainable location within the Borough and within Colchester Town.

Centres provide highly accessible locations that can support a wide mix of land uses. The Town Centre and Urban Gateways are well connected by public transport to the rest of the Borough and the Region. Neighbourhood Centres and Local Shops are easily accessible within local neighbourhoods. Land uses that are suited to accessible and mixed use locations, such as shops, services and offices, should be located within Centres.

Employment Zones are located at the fringe of urban areas and are supported by strategic road infrastructure. Employment Zones will accommodate a range of business developments, including developments that are less compatible with mixed use areas, such as warehousing and industry.

Table CE1b outlines the land uses that are suited to Centres and Employment Zones. Primary land uses are generally encouraged, whilst secondary land uses may be supported depending on the circumstances. Development Policy DP5 provides greater detail on appropriate uses for Employment Zones. Commercial uses not specified in either Table CE1b or Policy DP5 will be considered on their merits.

## **Policy CE2b – District Centres and Policy CE2c – Local Centres**

### **CE2b – District Centres**

Rural District Centres will be protected and enhanced to provide shops, services, community facilities and employment to meet the needs of local communities. Additional retail development will be supported in Rural District Centres to provide for the needs of the local catchment. ~~Proposals over 500 sqm should be supported by evidence that they meet identified local needs and do not compete with the Town Centre. (NB This amendment was the subject of modifications consultation in November 2013, listed as MAJ 15)~~ The Council seeks to deliver improved retail provision in the Rural District Centre between 2006 and 2021, as follows:

- Tiptree – 245sqm (net)
- West Mersea – 173sqm (net)
- Wivenhoe – 126sqm (net)

Urban District Centres should provide an improved public realm, urban character and a more diverse mix of uses. ~~New retail proposals (including change of use to retail) over 2500 sqm in Urban District Centres should be supported by evidence that they meet identified local needs and do not compete with the Town Centre. (NB This amendment was the subject of consultation in November 2013, listed as MAJ 16)~~ Expansion of the Urban District Centres will not be supported, but intensification within the Centre will be supported where the quality of the public realm and the built character is improved. Development within the Centres should deliver a diverse range of uses, including community facilities, services, offices and housing. Development should be oriented towards pedestrians and present active frontages.

to the street. Development will be encouraged to make more efficient use of land including alternatives to surface car parking.

p. 43 in original Core Strategy

### **CE2c – Local Centres**

Neighbourhood Centres will be protected and enhanced to provide small scale shops, services and community facilities for local residents. New housing developments should provide for the enhancement of existing Centres or create new Neighbourhood Centres where appropriate to provide for the needs of existing and new communities. New developments within Neighbourhood Centres should be designed to meet the needs of the local catchment and encourage sustainable travel behaviour.

The provision of local shops and services throughout the Borough will be safeguarded to provide for the needs of local residents.

p. 44 in original Core Strategy

### **Explanation**

Colchester's Town Centre incorporates the Town Centre core within the historic wall, as well as surrounding fringe areas and the key rail station gateways. These areas can be accessed from the Borough and the Region by a range of transport modes and can support a wide range of uses. Other Centres, such as Tiptree Town Centre and Highwoods, are moderately accessible and serve a district catchment. Smaller centres provide predominantly for the local community.

Centres provide the surrounding community with shops, community facilities, employment, recreation and urban living opportunities. Mixed use development in Centres can increase the capacity for housing in accessible locations, which can also improve the viability of delivering new employment floor space. It is important to manage the right mix of uses over time to maintain a vibrant and successful Centre.

The Council will need to promote and facilitate new retailing and office development in the Town Centre to provide for the economic growth of Colchester at the most sustainable and accessible location. The regeneration of key locations, such as St Botolphs and North Station, will help deliver new retail and employment floorspace and reduce the pressure for out-of-centre development at less sustainable locations. The Retail Study carried out for north-east Essex identifies the important role Colchester plays as a Sub-regional retail centre whose catchment area includes adjacent districts. Further retail expansion will be required in the Town Centre for it to maintain its competitiveness.

Increasing the mix of compatible uses in Colchester's historic core will also provide a more robust economic environment and will stimulate a greater diversity of evening activities. The Town Centre core will therefore attract people of various ages and interests at different times of the day and night, and when combined with effective Town Centre management policies, will improve safety and inclusiveness.

There are a number of large format retail centres around the Town Centre and Colchester Town, including Tollgate and Turner Rise. These centres comprise large supermarkets, bulky goods retail, and large surface parking areas that could provide space for intensification. Expanding the retail components significantly could undermine the viability of the Town Centre, however it is important to increase the mix of uses and improve the public realm in these centres. These Urban District Centres need to improve provision of community facilities, office floorspace, or housing as well as enhancing the quality of the public realm and the townscape.

Rural District Centres provide a mix of uses to serve the local residents and the surrounding countryside. The Council is seeking to enhance this important role to protect local businesses and provide services to the community.

Local Centres also play an important role in meeting the needs of local residents in a sustainable way. Accordingly the Council will seek to enhance the viability of Local Centres and protect them from inappropriate development.

### **Policy CE3 – Employment Zones**

Employment Zones will promote economic growth and job creation, with a focus on accommodate business developments that are not suited to Mixed Use Centres, including business, industry and warehousing (see Table CE1b).

Strategic Employment Zones (SEZ) are identified at North Colchester, Stanway and the University of Essex, which provide ample capacity to accommodate projected business growth during the plan period. The Borough Council will seek to focus business development at these Strategic Employment Zones, and will improve the supporting transport infrastructure.

The Council will seek to deliver approximately 45,100sqm (gross) of industry and warehousing floor space, primarily within the North Colchester and Stanway Strategic Employment Zones. The Council will also support the delivery of existing office commitments in all the Strategic Employment Zones, however further office development will be directed towards the Town Centre in accordance with the sequential approach set out in policy CE2a.

The Council will encourage the provision of incubator units and grow-on space to support the development of small and medium enterprises. Local Employment Zones will be defined in the Site Allocations DPD based on existing and proposed concentrations of rural and local employment in order to support and promote rural enterprise and local employment.

~~Retail developments will not normally be supported in Employment Zones, except for small scale developments that provide for the needs of the local workforce or are ancillary to an industrial use.~~

**Pending the review of employment allocations in the forthcoming review of the Local Plan required by In accordance with the National Planning Policy Framework, where there is no reasonable prospect of a site being used for an allocated employment use, applications for appropriate \*alternative commercial\* uses in Employment Zones will be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.**

*\*(changes subject to previous consultation as MAJ8 in CD23)*

p.45 in original Core Strategy

## **Explanation**

The Employment Zones provide good locations for industry, warehousing and businesses because they are well located in relation to transport infrastructure and minimise impacts on other land uses. Colchester Borough has sufficient employment land to accommodate future business growth, including over 35ha of land available in the Strategic Employment Zones at North Colchester and Stanway.

Employment studies have identified a need to improve the quality of available premises and land in Colchester to meet the needs of modern businesses. The Council is therefore seeking to upgrade the quality of the Strategic Employment Zones by improving the transport infrastructure and services as follows:

- The North Colchester SEZ ~~will be~~ has been enhanced by the new A12 junction and North Transit Corridor.
- The Stanway SEZ will be improved through the delivery of the Western Bypass.
- The University Research Park will be supported through the East Transit Corridor and improvements to Hythe Station.

New industry, warehousing and businesses will therefore be encouraged to locate at the Strategic Employment Zones, which offer the best road infrastructure and capacity for development. Local Employment Zones will also be maintained to support small to medium scale enterprises, rural businesses and local employment delivery.

Offices and retail developments are less suited to Employment Zones and should be directed towards Mixed Use Centres that provide employees and customers with sustainable transport links and easy access to a range of services. The Borough Council has already supported outline proposals for over 110,000sqm of B1 floor space within the Strategic Employment Zones. The realisation of these existing commitments is supported; however future office development proposals should be directed towards the Town Centre and Urban Gateways in accordance with the sequential approach (see Policy CE2 and the NPPF and PPS6).

## **Alternative Option/s**

4.6 Retention of the policies as written would not address the objective of the NPPF to provide greater flexibility for a wide range of employment-generating development and to ensure that the planning system does everything it can to support sustainable economic growth. Current policies require revision to align with

the NPPF definition of centres.

4.7 The suggested revisions are considered to provide an appropriate balance between promotion of economic activity and securing the most sustainable options for new development. Planning policies need to provide direction on appropriate uses in order to support the pre-eminent position of the Town Centre in the spatial hierarchy and to secure a long-term supply of accessible employment land. The Sustainability Appraisal recommends that this more flexible approach proposed is the preferred option in terms of sustainability in relation to policies CE1, CE2b and CE3. For policy CE2, the SA recommends that retention of the existing policy is the more sustainable option, but goes on to state that the chosen plan option provides greater economic sustainability benefits. For CE2c the SA makes no recommendation. On this basis, the plan option to provide more flexibility is considered to be the most sustainable option, and is the option that achieves compliance with the NPPF.

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

### **Reasons for Proposed Changes**

4.8 Policy DP5 (Appropriate Employment Uses and Protection of Employment Land and Existing Businesses) provides useful locally specific guidance on appropriate uses, but requires modification to avoid duplication with other policies, including the NPPF, DP9 (Employment Uses in the Countryside) and the Local Employment Zones Table 3.14 in the Site Allocations document. In particular, the policy on contributions for loss of employment land and/or training schemes requires modification to ensure compliance with the NPPF and to provide adequate consideration of viability issues.

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) 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 leisure, recreation and tourism, which meet local needs and/or promote rural enterprise.

**Following changes to this policy in the Focused Review (2014), the above list applies to all employment zones and supersedes the more restrictive list of uses suitable for employment zones in the tables following paragraphs 3.13 and 3.14 of the Site Allocations DPD; Site Allocations policies SA NGA3 and SA STA3; and Core Strategy Table CE1b.**

~~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 **unless there is no reasonable prospect of a site being used for that purpose**. Any use that may have an adverse effect on employment generation will only **Alternative uses will be permitted unless where** the Local Planning Authority is satisfied, **as appropriate**, that:

i) The supply, availability and variety of alternative employment land is sufficient to meet Borough and local needs;

or

(ii) **There is no reasonable prospect of the site being used for employment purposes 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;**

or

(iii) **There are substantial benefits (e.g. environmental or economic) which outweigh the loss of employment or employment potential from the site.**

~~**(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 could will be sought where sites are redeveloped for nonemployment uses and alternative employment land is not provided. Additionally, new employment generating schemes will be encouraged to provide training schemes for local employees.~~

p. 18-19 in original Development Policies

## Explanation

~~Table CE1b and 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 the NPPF supports an expanded list is required to provide clarity on the associated and ancillary to increase flexibility for a wider range of 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.~~

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).

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. The NPPF, however, has introduced a provision that planning policies should avoid the long term protection of sites allocated for employment use if the sites are not being so used. 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. **Alternatively, ~~where~~** 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).

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.~~

~~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.~~

~~Change of use of small scale rural commercial schemes to other uses has been given more flexibility under the provisions of Government permitted development regulations. (Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013. The consideration of larger schemes will be governed by other relevant policies including H4, ENV2, DP1, and DP9. 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).~~

## **Alternative Option/s**

4.9 One alternative option was deletion of the policy in its entirety, based on guidance now being provided by the NPPF. However, the Sustainability Appraisal shows this to be a less sustainable option and, also, the policy is considered to retain sufficient local distinctiveness to support its retention, as modified. For these reasons deletion of the policy is not the chosen option.

4.10 A further option would be retention of the policy as written, but this would not address the objective of the NPPF to provide greater flexibility for a wide range of employment-generating development and to ensure that development viability is not threatened by policy and obligation requirements. The Sustainability Appraisal also shows this to be a less sustainable option. For these reasons, this is not the chosen Plan option.