



Colchester Borough Council

Local Plan Adopted 2004

PLEASE NOTE:

Local Plan Policies Superseded by the Colchester Local Development Framework Core Strategy (adopted December 2008), Site Allocations (adopted October 2010) and the Development Policies (adopted October 2010) documents.

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GLOSSARY

AFFORDABLE HOUSING

Affordable housing is housing of an adequate standard, which is cheaper than that which is generally available in the local housing market. It is subsidised housing that is made available for people in housing need who cannot afford either to rent at market rents or to buy on the open market.

ALLOCATION

Designation of land in the Plan for a particular use such as housing.

ANCIENT WOODLAND

Woods which have had a continuous history of tree cover since at least 1600 to the present and which now bear stands of native trees which were not obviously planted.

AREA OF SPECIAL ADVERTISEMENT CONTROL

For the purposes of advertisement control the Local Planning Authority may designate an Area of Special Control where it is considered that the ordinary powers for controlling the display of advertisements are inadequate.

ARTICLE 4 DIRECTION

Article 4 Directions are made by local authorities to bring within planning control work which would otherwise qualify as permitted development.

BACKLAND DEVELOPMENT

Land located behind a street frontage which is not directly visible from the street and is surrounded by other development. Includes rear gardens and private yards etc as well as larger undeveloped sites.

‘BEST VALUE’

The Government’s proposal to place duty on local government to deliver economy, efficiency, effectiveness and service quality without an excess of laws, regulations and guidance.

BIOMASS

Agricultural and forestry wastes that can be used to provide energy.

BRIDLEWAYS

Use is permitted for walkers, horse-riders (including led horses), cyclists pushing or riding pedal cycles and invalid carriages. Apart from the latter, no powered vehicles are permitted.

BROWNFIELD SITES

Sites that have been, or currently are, subject to some form of built development (eg former hospital),

BUILDING PRESERVATION NOTICE

The Local Planning Authority has powers to serve Building Preservation Notices under Section 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It has the effect of giving temporary listing to a building, for a period of six months, until such a time as the Secretary of State decides whether or not to include it in the statutory list under Section 1 of the Act.

BUILDING REGULATIONS PART M

Standards which relate to disabled access in new or extended buildings.

CAR-FREE RESIDENTIAL DEVELOPMENTS

The layout design of this type of housing area would not incorporate car parking provision at individual homes, but allow for full access by emergency services and other essential vehicles throughout the estate. It is likely that prospective residents would be expected to sign some form of legal agreement, tied to their house purchase or rental, whereby they would agree to forego use of a privately owned car, and agree to participate in a communal car pool arrangement.

CATCHMENT AREA

The area surrounding a shopping centre from which it draws its customers. This area is also known as the hinterland.

CHANGE OF USE

The use of a building or other land for a different purpose. In considering a change

of use it is normally necessary to establish whether the change is “material” and whether by virtue of the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) development requiring planning permission is involved.

CIRCULAR 1/97

Contains government advice on the validity and materiality of ‘planning obligations’.

COASTAL PROTECTION BELT

An area defined within the Essex & Southend-on-Sea Replacement Structure Plan (April 2001). The Coastal Protection Belt comprises the rural undeveloped coastline of Essex, within this area development proposals will be resisted. The Boundary of the Belt is shown on the proposals map.

CO₂ EMISSIONS

Reference to the emissions of Carbon Dioxide arising from the use of fossil fuels.

CODE SYSTEM OPERATORS

The Telecommunications Act (1984) gives some operators special rights and obligations (set out in Schedule 2 of the Act – the ‘telecommunications code’). These operators are therefore known as code system operators.

COMMERCIAL USES

Refers to the range of retail, industrial, warehousing and office uses found in mixed use areas, but also including leisure and community uses.

COMMONS

Those registered under the Commons Registration Act 1965.

COMMUTED PAYMENT

Sum payable for the provision of for example parking, public open space or other community facilities and/or the maintenance there of.

COMPARISON GOODS (OR DURABLE GOODS)

Household items which are generally larger and more expensive than convenience goods; includes furniture, electrical appliances, DIY goods, etc. So called because

shoppers may visit a number of shops to make comparisons of price and quality.

CONDITIONS

Clauses attached to a planning permission considered necessary, relevant, enforceable, precise and reasonable to enable a development or proceed where it might otherwise be necessary to refuse permission.

CONSERVATION AREA

An area designated under Section 69 of the Town and Country Planning Act 1990 as an area where it is desirable to preserve or enhance the character of its special architectural or historic interest.

CONSERVATION AREA CONSENT

Formal consent for the demolition of certain buildings within a Conservation Area (Sections 74 and 75 of the Planning (Listed Building and Conservation Areas) Act 1990).

CONVENIENCE GOODS

Goods which are bought relatively frequently, even daily, comprising such items as foodstuffs and newspapers.

COUNTRYSIDE CONSERVATION AREA

An area given special protection from any development likely to harm its scenic, ecological or historic importance.

COUNTY MATTER

A planning application which falls to be determined by the County Council and not the Borough Council.

CRITICAL ENVIRONMENTAL CAPITAL

These are the key environmental, historic, cultural, social and economic features of the Borough which the Council wishes to safeguard and promote.

DEDHAM RECREATION CAPACITY STUDY

A series of questionnaires involving residents, traders, visitors and local interest groups and a number of car park studies to assess the number of visitors who

came to Dedham and what problems this causes.

DEDHAM VALE AREA OF OUTSTANDING NATURAL BEAUTY (AONB)

Environmentally sensitive land designated under the National Parks and Access to the Countryside Act 1949 for its special landscape value.

DEFRA

Department of the Environment, Food and Rural Affairs (Central Government).

DENSITY

Used as a means of expressing the intensity of a development against a stated measure. Normally applied in quantifying residential development in terms of the number of dwellings per hectare.

DESIGN BRIEF

A statement prepared by the Local Planning Authority indicating the preferred way in which the Authority envisages the development of a particular site. The Design Brief will specify such details (for example the height of buildings, colour and type of materials, preferred landscaping, car parking requirements, etc) that the Local Planning Authority consider appropriate for the development of that site.

DEVELOPMENT

The carrying out of building, engineering, mining or other operations in, on, and over or under land or the making of a material change in the use of any buildings or other land.

DTI

Department of Trade and Industry (Central Government).

DWELLINGHOUSE

A building used as a dwelling by an individual, by people living together as a family or by not more than six residents living together as a single household. This can include individuals living together in the community notwithstanding that an element of care is provided eg persons who have formerly been in an institution of some kind.

EAST COLCHESTER INITIATIVE

This is a long term initiative which includes a single regeneration budget bid (SRB) to promote regeneration of East Colchester and the Hythe area.

ENERGY CROPS

Short rotational coppicing of willow/poplar trees, straw burning etc.

ENGLISH HERITAGE

(The Historic Buildings and Ancient Monuments Commission). A body established by the Government to advise the Secretary of State for the Environment, Food and Rural Affairs (DEFRA) on the preservation of ancient monuments and historic buildings, the preservation and enhancement of Conservation Areas and to promote their public enjoyment.

ENGLISH NATURE

The statutory body which looks to achieve, enable and promote nature conservation in England.

ENVIRONMENT AGENCY

A Government created body with wide ranging responsibilities for managing water resources, including pollution control and flood defence.

ENVIRONMENTAL ASSESSMENT

A written evaluation of the effect on the environment of a proposed development (also known as an Environmental Impact Statement).

ESSEX DESIGN GUIDE

Prepared by the Essex County Council, the 1997 Design Guide for residential and mixed use areas forms the basis for the design of new development in the Borough.

ESSEX SHORELINE MANAGEMENT PLAN

Part of the Shoreline Management Plan for the East Coast, the Essex Shoreline Management Plan aims to provide the basis for sustainable coastal defence policy and set objectives for the future management of the Shoreline. This project involves the participation of the coastal local authorities of Essex and the

Environment Agency (Anglian Region).

ESSEX STRUCTURE PLAN

The Essex and Southend-on-Sea Replacement Structure Plan was adopted in April 2001. It sets out the overall development strategy for Essex and Southend-on-Sea and the strategic policies over the longer term, looking some 10-15 years ahead. The Essex and Southend-on-Sea Replacement Structure plan covers the period up to 2011.

ESSEX WILDLIFE TRUST

An organisation that works both in its own right, and in conjunction with local authorities and other bodies, to protect the wildlife heritage of Essex.

EXCEPTIONS HOUSING

Housing permitted outside, but abutting, existing village envelopes that properly qualifies as 'affordable housing'.

FORMAL LEISURE AND RECREATION USES

Formal leisure uses are recreational activities generally carried out in a more organised fashion, often within the context of club membership and/or using purpose-built private or publicly owned facilities, and including golf, swimming and motor cycle scrambling.

GENERAL DEVELOPMENT ORDER

The Town and Country Planning (General Permitted Development) Order 1995 (as amended) sets out those categories of development which may be carried out without the need to apply for planning permission (called "permitted development").

'GRAMPIAN' CONDITION

A condition attached to a planning permission, which states that, until a certain action is taken or obligation fulfilled, development, or a certain phase of development, cannot go ahead (eg off-site improvements to the local road network should be completed, financed by the developer, before the second phase of a major housing development scheme can be occupied).

TRAVEL PLANS

Businesses and other organisations arrangements for their employees travel both

to work and during their work.

GREENFIELD SITES

Sites that are not, and have never been, subject to any kind of built development (eg are currently in agricultural use).

GREEN LINKS

A continuous chain of open spaces and the links between them.

GYPSIES

Persons of nomadic habit of life, whatever their race or origin, but does not include members of an organised group of travelling showpeople, or of persons engaged in travelling circuses, travelling together as such, or 'new age travellers'.

HAZARDOUS SUBSTANCES

Substances which are or can be corrosive, poisonous, inflammable or harmful if not treated correctly.

HEALTH AND SAFETY EXECUTIVE

A body that provides advice and guidance on the nature and severity of risks presented by identified hazardous sites, installations etc. They are also responsible for notifying local authorities of relevant "consultation zones" around such sites and installations.

HOME ZONES

One or more residential streets in a housing area where the road layouts and alignments have been altered to encourage reduced driving speed by motorised traffic to the benefit of vulnerable users of the highway, including cyclists, pedestrians and children at play. A more restrictive speed limit (20 mph or less) would be in force. In actual effect, priority is given to non-motorised street users, and cars travel at little more than walking pace.

HOUSING ASSOCIATIONS

Independent non-profit making organisations for managing, building and improving housing. Funded by the Government through the Housing Corporation or by private borrowing.

HOUSING DENSITY

Number of houses per acre/hectare.

HOUSING STOCK

Total residential accommodation in the Borough comprising all housing types and tenure.

HOUSING TENURE

Dwellings in either owner-occupation, that are rented or a mixture of the two (ie shared ownership).

INFILL DEVELOPMENT

The development of a small gap in an otherwise continuous frontage of built development.

INFORMAL LEISURE AND RECREATION USES

Informal leisure uses are recreational activities normally undertaken on a casual, unorganised and/or spontaneous basis by individuals or small groups of people, and including walking, jogging and fishing.

INFRASTRUCTURE

A detailed network of services to which most buildings/people are connected.

LANDSCAPING

The treatment of land for the purposes of enhancing and protecting amenities, and including fencing, walls or other means of enclosure, the planting of trees, hedges, shrubs or grass, and the formation of gardens and courtyards.

LEAP'S

Local Environment Agency Plans are being developed on a river catchment basis throughout England and Wales. They seek to maximise the benefits of integrated river basin management.

LIGHT SPILLAGE

Excessive or poorly controlled lighting discharges.

LISTED BUILDING

Building included and described in the statutory List of Buildings of Special Architectural and Historic Interest published by the Department of Culture, Media and Sport. Listed Buildings are considered worthy of special protection because of their architecture, history or other notable features. Listed Building Consent must be obtained from the Council before they can be altered, demolished or extended.

LOCAL AGENDA 21

LA21 is a locally defined version of the agreement drawn up at the 1992 Rio "Earth" Summit. It is an action plan that emphasises the role of local communities and local authorities in shaping and delivering sustainable development.

LOCAL NATURE RESERVES (LNR'S)

Sites of special natural interest which are designated under the National Parks and Access to the Countryside Act 1949.

LOCAL PLAN

The main purposes are:

- To develop the policies and general proposals of the Structure Plan and to relate them to precise areas of land
- To provide a detailed basis for development control
- To provide a detailed basis for co-ordinating the development and other use of land
- To bring local and detailed planning issues before the public.

A Local Plan consists of a Proposals Map and a Written Statement.

LOCAL TRANSPORT PLAN (LTP)

The Local Transport Plan (LTP) is prepared by local authorities and is used to bid for funding from Central Government for new and improved transport infrastructure.

MANAGED RETREAT/SETBACK

Involving the modifying or removal of the original sea wall to create a new intertidal area between this and a new line of defence further back. The creation of saltings acts as a sea defence in itself, absorbing wave energy and creating a nature

conservation resource.

MATERIAL PLANNING CONSIDERATION

A factor to be taken into account when making a planning decision.

MONITORING

The process of collecting and checking information about what actually happens once a Plan or policy is implemented, to see whether changes need to be made to the Plan in response to changing circumstances.

MULTIPLEX CINEMA

Multi-screen cinema complex.

NATIONAL NATURE RESERVE

Sections 16 to 29 of the National Parks and Access to the Countryside Act 1949 in England enabled the Nature Conservancy Council for England (NCCE), now English Nature, to establish nature reserves. These provisions were reinforced by the Wildlife Countryside Act 1981. Nature reserve sites are areas of national and sometimes international significance for nature conservation which are owned or leased by English Nature or an approved body with nature reserve agreements with landowners and occupiers.

NATURA 2000

Special Areas of Conservation and Special Protection Areas together form a network of protected sites across the EU called 'Natura2000'.

OBJECTIVES

Long term initiatives which act as performance indicators for the Plan's policies and proposals.

ODPM

Office of the Deputy Prime Minister (Central Government) who publish national advice on planning matters

PARK AND RIDE

Parking at the edge of a town and continuing the journey to the centre by

connecting bus or rail service.

PARKING STANDARDS

The Council's requirements for both car and cycle parking provision ancillary to development.

PERMITTED DEVELOPMENT (RIGHTS)

The Town and Country Planning (General Permitted Development) Order 1995 (as amended) identifies the extent of development that can take place without the necessity of applying for planning permission. Development that does not require planning permission is known as permitted development.

PERSONAL PERMISSION

A planning permission to be exercised only by the applicant and not to run with the land or premises.

PHOTOVOLTAICS

Solar modules work on the principle of the photovoltaic effect. This is the conversion of light into electricity that occurs when a PV cell is struck by photons of light.

PLANNING AND COMPENSATION ACT 1991

The Act made the preparation of a district wide local plan mandatory.

PLANNING OBLIGATION

Legal agreement made between a developer and the local authority under Section 106 of the Town and Country Planning Act 1990 or a unilateral undertaking by the developer alone, by which the developer undertakes to carry out works, make payments, or agree to certain conditions covering matters which are outside the scope of a planning permission and which may include off-site works.

PLANNING PERMISSION

Approval required for the development of land from the local planning authority.

PLANNING POLICY GUIDANCE NOTES (PPG'S)

A series of advice notes issued by the Government relating to policy and practice

to be taken into account by local planning authorities in dealing with planning issues. There are being replaced with Planning Policy Statements (PPS) from Central Government.

PPG1 - General Policy and Principles

PPG2 - Green Belts

PPG3 - Housing

PPG4 - Industrial and Commercial Development and Small Firms

PPG5 - Simplified Planning Zones

PPG6 - Town Centres and Retail Developments

PPG7 - The Countryside

PPG8 - Telecommunications

PPG9 - Nature Conservation

PPG12 - Development Plans

PPG13 - Transport

PPG14 - Development on Unstable Land

PPG15 - Planning and the Historic Environment

PPG16 - Archaeology and Planning

PPG17 - Planning for Open Space, Sport and Recreation

PPG18 - Enforcing Planning Control

PPG19 - Outdoor Advertisement Control

PPG20 - Coastal Planning

PPG21 - Tourism

PPG22 - Renewal Energy

PPG23 - Planning and Pollution Control

PPG24 - Planning and Noise

RPG9 - Regional Planning Guidance for the South East

PLAY AREA

Piece of land reserved and laid out for children's play, either forming part of a larger open space (eg a park) or in a residential area. Usually provided with purpose-designed play equipment.

PRIMARY ROAD NETWORK

Motorways, trunk roads, 'A' roads and other primary routes not included in these first three categories.

PRIVATE OPEN SPACE

Privately owned land, generally used for recreation or leisure activities (including active or passive uses), but restricted by owner to certain groups (eg private sports grounds, school playing fields and grounds of large institutions).

PROPOSALS MAP

Statutory part of Local Plan showing, in map form, where policies of Plan apply.

PROTECTED LANES

Lanes designated by the County Council as either making a significant contribution to the character of the countryside or having a particular historic value.

PUBLIC OPEN SPACE

Outdoor area used for recreation, which is open freely to the public and is owned by a local authority.

QUALITY BUS PARTNERSHIPS

Whereby local bus operators provide a better quality service level or standard of vehicle (eg higher frequency service or low level bus entry platforms to suit disabled people or parents with buggies) in return for the Local Authority improving conditions along bus routes for the operators (eg 'bus-only' lanes).

RAMSAR SITE

A Ramsar Site is a wetland of international importance. The Ramsar convention was signed in the city of Ramsar, Iran in 1971. Many countries are Contracting Parties, including Great Britain. Signatories are committed to the designation of wetlands of international importance, as defined by internationally agreed criteria. There are 73 Ramsar sites designated or proposed in the UK. A Ramsar designation requires the local planning authority to ensure adequate provision of the habitat for the important wildfowl and plants.

RATRUNS

‘ Short cuts’ using local roads to avoid traffic congestion on the main roads.

‘REAL TIME’ INFORMATION SYSTEMS

These provide bus or train passengers with up-to-the-minute information concerning the probably arrival time of the next bus or train at their stop or terminal. A long established example of this is found on the London Underground network.

REGENERATION

Renewal, rehabilitation of former derelict or under used sites.

REGIONAL PLANNING GUIDANCE (RPG)

Policy advice issued by the Office of the Deputy Prime Minister (ODPM) for specific regions, these set out broad strategic policies and strategic targets for county structure plans. Current regional guidance covering the Borough is found in RPG9.

RENEWABLE ENERGY

The term used to describe those energy flows that occur naturally and repeatedly in the environment from the sun, wind and oceans, plants and the fall of water. It also refers to the energy available in wastes and from the earth itself.

RETAIL USE

Any form of retailing which is included in Class A1 of the Town and Country Planning (Use Classes) Order 1987. Does not cover shops for the sale of prepared food and drink.

RETAIL WAREHOUSE

Large usually single storey warehouse for the display and sale of comparison goods to the public. Usually free-standing with large surface car park for customers

and usually located in purpose-built retail parks.

SCHEDULED ANCIENT MONUMENT

Ancient structures which are preserved by order of the Secretary of State for Culture, Media and Sport. It is an offence to carry out any works to an Ancient Monument without consent of the Secretary of State.

SCHEME OF MITIGATION/MITIGATION SCHEME

An identified list of measures that will be implemented in order to abate potentially harmful environmental impacts arising from new development.

SECTION 39 AGREEMENT

Section 39 of the Wildlife and Countryside Act 1981 allows the local authority and a landowner to enter into a voluntary agreement on how land should be managed for the benefit of wildlife and people.

SECTION 106 AGREEMENT

Section 106 of the Town and Country Planning Act 1990 allows the local authority to enter into legally enforceable agreements with “any person interested in land in their area for the purpose of restricting or regulating the development or use of land...”

‘SEQUENTIAL TEST’

Mechanism for choosing the most appropriate location for particular types of development as set out in various Planning Policy Guidance notes.

SHELTERED HOUSING

Purpose built housing for the provision of specialist residential accommodation for vulnerable groups in the community, such as the mentally ill, disabled people, the elderly and young, single and homeless people.

SHOPMOBILITY SCHEME

Electric and hand powered wheelchairs which can be borrowed by disabled people in the Town Centre to improve their access to pedestrianised streets.

SITE OF SPECIAL SCIENTIFIC INTEREST (S.S.S.I.)

An area designated as such by English Nature in view of its particular national value and interest as a site for nature conservation and wildlife habitat.

SITE OF IMPORTANCE FOR NATURE CONSERVATION (S.I.N.C.)

An area identified as an important habitat at County level by the Essex Wildlife Trust.

SOLAR POWER

Energy generated by utilising the power of the sun.

SPECIAL AREA OF CONSERVATION (SAC)

A site of international importance designated under the EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (the Habitats Directive).

SPECIAL LANDSCAPE AREAS (SLA)

These are areas where conservation or restoration of existing landscape character should be given high priority. Special Landscape Areas boundaries reflect the Borough's Countryside Conservation Areas boundaries, which are shown on the Proposals Map. These designations will be reviewed once the Borough has carried out a Landscape Character Assessment.

SPECIAL PROTECTION AREA (SPA)

Identified as an important habitat for rare and vulnerable birds under the European Commission directive on the Conservation of Wild Birds (Directive 79/409/EEC)

SUPPLEMENTARY PLANNING GUIDANCE (SPG)

Supplementary material such as design guides and planning briefs which set out planning requirements or advice at a greater level of detail than appropriate for inclusion in the Local Plan.

SUSTAINABLE DEVELOPMENT

Defined in Planning Policy Guidance Note 1 as meeting the needs of the present generation without compromising the ability of future generations to meet their own needs.

SUSTRANS

Sustainable Transport. A Charity involved in establishing a national cycle network.

TOWN AND COUNTRY PLANNING ACT 1990

Combines with the Planning and Compensation Act 1991 this Act forms the legal basis of the current planning system.

TOWN CRAMMING

The general trend to intensify development within towns and villages resulting from building on open spaces or redeveloping sites at much higher density.

TOWNSCAPE

Those elements, including buildings and groups of buildings, trees, views, street furniture and shop fronts, which make up the appearance and contribute to the character of the town.

TRAFFIC CALMING

A range of measures taken on the street to slow the average speed of motorised traffic for the benefit of other more vulnerable road users, including cyclists, pedestrians and disabled people. Typical traffic-calming measures will include lower speed limits, anti-speed barriers across the street (eg 'sleeping policemen') and road narrowings to form 'pinch points' in the highway network. Such measures will also be aimed at improvement of the street environment.

TRAFFIC MANAGEMENT SCHEME

A scheme to promote more efficient traffic movement in a given area, and/or improve the area's environment, by rearranging traffic flows, controlling intersections and regulating times and places for parking.

TREE PRESERVATION ORDER (TPO)

Special protection given to an individual or a group of trees for which consent is required from the local authority to top, lop or fell.

UNSTABLE LAND

Land that is unstable due to underground cavities, unstable slopes or compression

of ground.

URBAN FRINGE

Area immediately outside the built up area of town lying between the suburbs and the open countryside. Generally under most pressure for new development.

USE CLASSES ORDER

The Town and Country Planning (Use Classes) Order 1987 (as amended), which groups land uses into categories (called “use classes”). Changes of use between the classes requires planning permission, with certain exceptions defined by the General Permitted Development Order. (see above)

VILLAGE ENVELOPE

A line drawn round a village on an Ordnance Survey base map to show an outer limit for new housing, employment and retail development.

‘WINDFALL’ SITES

Sites suitable for housing which come forward during the period of the Plan but which have not been individually identified during its preparation.

1. INTRODUCTION

1.1 This is the Adopted Review Colchester Borough Local Plan 2004. It completely replaces the Adopted Review Colchester Borough Local Plan of January 1995 and the Adopted Central Area Local Plan of 1984. It therefore provides comprehensive and up-to-date planning policy coverage for the Borough until 2011.

1.2 The Plan is a statutory district-wide Local Plan prepared as required by the 1991 Planning and Compensation Act and in accordance with the Town and Country Planning (Development Plan) (England) Regulations 1999.

1.3 The Council sets out in the Plan how it wants to see the Borough develop over the next decade. To do this, the Plan provides for the wide range of new development required by allocating sites, whilst ensuring that this development preserves and does not undermine the high-quality rural, coastal and built environments which are its heritage. It reinforces this by setting out a range of detailed policies, aimed at securing the highest environmental standards for all new development.

1.4 The Plan has been prepared in the context of, and is in general conformity with, the 2001 Regional Planning Guidance for the South-East (RPG9) and the April 2001 Adopted Essex and Southend-on-Sea Replacement Structure Plan.

1.5 Colchester is, however, now located within the East of England Region for planning purposes and a new Regional Spatial Strategy (RSS 14) is currently in preparation. This will be published for consultation later this year, and will impact significantly on future reviews of this plan, to be commenced in 2004 under the new national Development Plan system.

1.6 The Plan also takes account of the relevant national Planning Policy Guidance Notes (PPGs) and other legislation, which has come into force since the adoption of the previous Plan in 1995.

1.7 In preparing the Plan, a number of studies were undertaken to inform and advise on particular policy areas. The most important of these were the Urban Capacity Study, which underpins the Housing Strategy, and the Shopping Study, which performs the same function for Chapter 15 of the Plan, "Town Centre and Shopping".

1.8 An Environmental Appraisal was carried out for all policies/proposals at both First and Second Deposit Draft stages.

Consultation

1.9 The Council consulted widely at the First and Second Deposit Draft stages of the Plan's preparation, and those objections not resolved or withdrawn were subject to a Public Local Inquiry running from April 2001 to February 2002. The Inspector reported to the Council in January 2003.

1.10 As a result of considering the Inspector's report, the Council made a number of modifications to the Plan. After further public consultation in September/October 2003, all of these modifications have been incorporated in the Adopted Plan.

The Plan's Structure

1.11 Chapters 2 and 3 of the Plan deal respectively with its broad strategy and an overall Development Control Policy. These are both referred to briefly below (paragraphs 1.14- 1.17 and 1.18-1.21).

1.12 The remainder of the Plan (Chapters 4-21) is divided into five sections, each containing a number of chapters, as follows:

(a) **Resources** – Coast and Estuaries, Countryside, Urban Environment and Archaeology, Pollution and Land Resources;

(b) **Infrastructure** – Community Facilities and Infrastructure Provision, University of Essex and Colchester Institute, Leisure, Recreation and Tourism, Transport, Utilities;

(c) **Development** – Housing, Employment, Town Centre and Shopping;

(d) **Area** – East Colchester and the Hythe, Colchester Garrison, Mile End, Stanway, Tiptree;

(e) **Implementation and Monitoring.**

Each policy chapter consists of a series of objectives for the themes covered, followed by the policies and their reasoned justifications. The final chapter sets out how the main proposals of the Plan will be implemented and monitored.

1.13 The Proposals Map contains a number of insets for the Town Centre, East Colchester and the Hythe, Tiptree and West Mersea, as well as for individual villages and Rural Business Sites. The maps show where specific new development is intended to take place and, in general terms, where policies are to

be applied.

The Plan's Strategy

1.14 The Plan is based on the principle of sustainable development as defined by the 1987 World Commission on Environment and Development (the Brundtland Commission):

“Development that meets the needs of the present without compromising the ability of future generations to meet their own needs”.

1.15 The Plan therefore sets out a framework to create a more sustainable future for the Borough. It is environmentally led whilst recognising the importance of meeting the needs of the local economy and supporting local communities. Important resources are to be safeguarded.

1.16 To achieve these broad aims, 11 strategic objectives are set out in Chapter 2. More specific objectives are set out in each successive chapter, and these are then translated into policies.

1.17 In keeping with the principles of sustainable development, the bulk of new development is located within the main urban area of Colchester and Stanway. This means that homes are closer to jobs and other facilities, public transport is easier to provide and the shorter distances involved should encourage less reliance on the private car.

Overall Development Control Policy

1.18 The Council's previous Local Plans contained a number of policies which were “criteria- based” – that is, they say that development will or will not be permitted subject to satisfying certain criteria. These criteria are often repeated for different types of use.

1.19 The Adopted Plan has been shortened and simplified by removing reference to these criteria in a large number of specific policies, and instead setting out all the more general criteria in one “Overall Development Control Policy”. This has allowed the removal of some policies and the simplification of others.

1.20 It is important to remember that, in considering any development, the relevant parts of the overall policy must be met, as well as more specific policies on, for example, the protection of Conservation Areas. Chapter 3, “Overall Development Control Policy”, explains how the policy is to be applied and how it relates to other policies in the Plan in more detail.

1.21 In assessing any proposal, all relevant policies in the Plan will be considered together.

Relationship to Other Council Initiatives

1.22 Finally, it should be noted that the Local Plan is only one means the Council will use to improve the quality of life in the Borough. It is pursuing a number of other initiatives, many in partnership with others, which will also contribute towards creating a sustainable future, including:

- (a) The Community Strategy (adopted by the Council as a partner in The Local Strategic Partnership);
- (b) Haven Gateway Partnership (with neighbouring Local Authorities, businesses and other related organisations);
- (c) The Council's own internal initiatives, including the Strategic Plan, Housing Strategy and Transportation Strategy.

1.23 The Community Strategy supports the main elements of the Adopted Plan and will also be crucial in implementing the major regeneration initiatives in North Colchester, the St Botolph's Quarter, East Colchester and the Garrison.

The Haven Gateway Partnership supports the Plan's economic policies and will become increasingly important in securing economic prosperity.

The Council's Strategic Plan, Housing Strategy and Transportation Strategy all support the Local Plan in their respective areas.

The Local Plan will therefore play a central role in realising all these initiatives.

2. LOCAL PLAN STRATEGY

Growth and the Environment

2.1 Colchester and its surrounding countryside have absorbed high levels of development over the last 30 years or so. What was once a relatively moderate-sized market town surrounded by a number of small villages, has become a town of 100,000 population. Most of the Borough's other settlements have also grown markedly so that the Borough's total population is now some 150,000. The area's economy has been radically restructured during this process.

2.2 Development and conservation are not alternative options for the Council. Nor is a certain level of development necessarily incompatible with the conservation and enhancement of the environment. It is necessary to provide for new housing in order to meet internally generated needs to make land available for jobs, both for those unemployed and those entering the labour market for the first time, and to provide services to meet the area's needs. All this obviously requires land, and what was once open and undeveloped becomes bricks and mortar.

2.3 But the Council must balance these needs – and other pressures for development – against conserving its environment and history. This is especially so because some of its most important environmental and cultural features are irreplaceable and of national or international importance.

2.4 This new Plan continues to give great weight to the environment and the area's heritage. In addition, through its corporate plan, the Council aim to pursue a number of initiatives seeking to benefit the area's environment and to conserve its heritage and cultural identity.

Sustainability

2.5 Sustainability is very much the bedrock of current Government policy guidance. Development Plans and Regional Planning Guidance (PPG 12) make this clear. Paragraph 4.1 refers to development plans making a major contribution to achieving the four broad objectives set out in "A better quality of life, a strategy for sustainable development in the UK" (1999).

2.6 What does "sustainability" mean? The usually accepted definition is that put forward by the World Commission on Environment and Development (the Brundtland Commission).

"Development that meets the needs of the present without compromising the ability

of future generations to meet their own needs”.

Or, perhaps more simply, “living within our environmental means”.

2.7 However, sustainability covers economic and social aspects as well as environmental ones.

2.8 Traditionally, Local Plans have sought to balance “development” and the “environment”. At the end of the day, the Council will have to do this balancing. For example, we cannot deliberately plan for insufficient dwellings to meet likely needs (although there can be legitimate argument about the forecasts themselves, of course).

2.9 However, the greater weight on sustainability leads to different emphases from those traditionally used in Local Plans; for example, the need to conserve the local landscape still remains. However, wider issues such as reducing CO2 emissions and promoting biodiversity also need to be built into the plan.

Plan Strategy

2.10 The Council sees this plan as being an important opportunity on the way to creating a more sustainable pattern of development.

2.11 The new Plan is therefore environmentally led. This does not mean that the Council are seeking to resist all development, particularly as the Borough’s exceptional environment attracts new investment and therefore jobs. It does mean, however, that it wishes to propose levels of development that safeguard and enhance the area’s environment and will seek to resist those development pressures that could destroy valued local features. It will be seeking to make the optimum use of existing developed areas, so as to safeguard the open countryside, but without destroying the character of those developed areas and losing valuable urban open spaces. It will also be seeking to provide for local housing and employment needs.

2.12 The Plan is based on 11 strategic objectives which cover both the urban and rural areas, as follows:

- To protect and enhance important natural resources;
- To protect and enhance important cultural and historic resources;
- To protect the character, environment and setting of Colchester Town Centre Conservation Area and the town generally;

- To protect and enhance important greenlinks within the town and green wedges between settlements;
- To provide for a level of new development compatible with safeguarding the area's key environmental and historical features;
- To protect and promote the vitality and viability of Colchester Town Centre;
- To protect and promote the viability of rural and urban communities;
- To phase the provision of new development, particularly having regard to the availability of services;
- To protect existing important services and facilities and encourage the provision of new services in locations close to people's homes and/or accessible by non-car modes of travel;
- To promote further employment opportunities in locations convenient to people's homes and accessible by non-car modes of travel;
- To promote a balanced approach to transport infrastructure, but always giving priority to pedestrians, cycling and public transport where appropriate in environmental and road-safety terms.

2.13 These objectives were drawn up following an audit of the key environmental, historic, cultural, social and economic features of the Borough, which the Council wished to safeguard and promote. These key features are listed on pages 8-11 of the October 1996 Consultation Draft. The features ranged from resources of international importance to sites of local significance. They can be considered the Borough's "critical capital" in terms of sustainability.

2.14 The objectives were subject to an environmental appraisal as part of the preparation of the Consultation Draft. They scored generally positively and were not subject to adverse comment when the Consultation Draft was published. They have therefore been retained as providing the underlying vision of the Plan with the addition of one relating to rural communities.

2.15 Subsequent chapters of the Plan deal with specific proposals and policies. What follows summarises the key features and shows how they relate together:

- (i) The Plan provides for further housing and employment development. In producing the Local Plan, the Council must broadly

comply with the county-wide Essex and Southend-on-Sea Structure Plan, which itself is prepared within the context of Regional Planning Guidance for the South-East. The Structure Plan provides for 11,000 dwellings for Colchester between 1996 and 2011. It also provides for 103 hectares (ha) of employment land in the same period

However, the Council accept that there is a need for some further development – to meet locally generated housing needs, to provide for the expansion of existing firms and attract new employment, and to provide a new home for Colchester United Football Club as part of a wider sports and leisure facility. Land for 11,000 dwellings between 1996 and 2011 is proposed. However, this includes existing commitments, brownfield study sites and small windfall sites, which amount to just over 8,000 homes, leaving 2,550 new sites to be found. The majority of these have been found through the redevelopment of institutional sites within Colchester. Existing employment allocations are largely rolled forward. (See Chapters 10, 13 and 14 – “Leisure, Recreation and Tourism”, “Housing” and “Employment” respectively – for further details).

(ii) In selecting the location for new housing development, the Council has followed a broadly sequential approach and given priority to sites that have been previously used (“brownfield” sites). Major new housing allocations are at Colchester Garrison, Turner Village and Severalls Hospital (see Chapter 13, “Housing”). The existing employment allocations at Cuckoo Farm (south of the A12) and Tollgate are rolled forward; no new allocations are proposed (see Chapter 14, “Employment”). These sites are seen as being the most sustainable in terms of access to jobs and other services. They will encourage trips by public transport, cycling and walking, as opposed to using the private car. The Council will rely on a “plan, monitor and manage” approach to ensure that uncertainties inherent in housing and employment markets are managed and Structure Plan figures achieved.

(iii) The plan protects those natural resources of international and national importance - in particular the Colne and Blackwater Estuaries, Abberton Reservoir, and the Dedham Vale Area of Outstanding Natural Beauty. It also protects sites of local importance, though recognising that they cannot be given the same level of protection as those of international and national importance (see Chapters 4 and 5, “Coast and Estuaries” and “Countryside”,

respectively).

(iv) Colchester Town Centre is of great historic and archaeological importance. It is also a sub-regional shopping centre, an important employment and leisure centre, contains valuable cultural assets, and is home to many people. The Plan seeks to promote the Town Centre as a place for commercial activity and for new dwellings as well as safeguarding and enhancing its environment and character and promoting environmentally friendly access. It also seeks to discourage development elsewhere in the district, which would adversely affect the Town Centre's important role (see Chapter 15, "Town Centre and Shopping").

(v) The Plan also recognises that the setting and character of the rest of Colchester and Stanway is important. The Plan's policies for this area, in which two-thirds of the Borough's inhabitants live, must complement those for the Town Centre in terms of access to jobs and services; safeguarding and enhancing the environment, including open land on the edge of the town; and encouraging the greater use of public transport, cycling and walking for journeys. (See Chapters 6, 8, 10 11, 14 and 15, "Urban Environment and Archaeology", "Community Facilities and Infrastructure Provision", "Leisure, Recreation and Tourism", "Transport", "Employment", and "Town Centre and Shopping" respectively).

(vi) For the rural area, the Plan aims to safeguard and enhance important resources. It also seeks to promote sustainable villages by permitting housing for local needs as well as seeking to retain existing services and jobs. There is modest scope for expansion of jobs in villages, and some villages have limited new allocations for housing. (See Chapters 4, 5, 6, 8, 10, 13, 14, "Coast and Estuaries", "Countryside", "Urban Environment and Archaeology", "Community Facilities and Infrastructure Provision", "Leisure, Recreation and Tourism", "Housing" and "Employment" respectively).

(vii) Tiptree, West Mersea and Wivenhoe do not have the range of services of Colchester and Stanway, but they do provide a number of facilities for their inhabitants as well as for some surrounding villages. The Plan proposes limited housing expansion in all three settlements based on existing commitments, in the cases of Tiptree and Wivenhoe, and seeks to protect important resources and services. Additional employment land is allocated in Tiptree (see Chapters 4 and 20 "Coast and Estuaries", and "Tiptree").

(viii) In the Plan period, major areas of change in Colchester and Stanway will be at Mile End, Stanway, the Hythe and Colchester Garrison. For Mile End and Stanway, the Plan largely rolls forward the previous Adopted Borough Plan's proposals. The major changes in respect of Mile End, however, are a reallocation of Severalls Hospital to include a significant residential element, the residential development of Turner Village, and the allocation of a community stadium as a new home for Colchester United Football Club. The Hythe and the Eastern Approaches to the town are recognised as an area requiring major regeneration, and the Plan provides a framework to carry out a comprehensive regeneration package. The Garrison is to undergo major redevelopment, which will lead to the release of significant amounts of land for development. These are allocated in the Plan predominantly for residential purposes with supporting services. As part of this redevelopment, the Plan protects greenlinks right through the Garrison from the open countryside in the south to Abbey Fields and St John's Green (see Chapters 16-19).

(ix) The Plan acknowledges the importance of Essex University and Colchester Institute and makes provision for appropriate expansion (see Chapter 9, "University of Essex and Colchester Institute").

(x) In proposing this level of development, the Council wish to ensure that adequate services are provided, including provision for transport. It is intended that new development will fund the provision of all additional services to which it gives rise (see Chapters 8, 11, 13 and 14 "Community Facilities and Infrastructure Provision", "Transport", "Housing", and "Employment").

(xi) The Council's overall approach to transport is to encourage greater reliance on walking, cycling and public transport and less use of the private car. It recognises that the balance of provision will have to vary across the Borough to reflect the greater availability of public transport and the easier access to jobs and services in some parts than others. The proposed pattern of development reinforces this approach by concentrating new development where there is less need to use the private car. (See Chapter 11, "Transport").

3. OVERALL DEVELOPMENT CONTROL

POLICY DC1

Introduction

3.1 In providing a comprehensive framework for controlling development, Local Plans often repeat standard planning criteria. This can lead to unwieldy policies and an unnecessarily long document. In order to provide a document, which is more concise and user-friendly, the following policy sets out the standard planning criteria that are generally applicable to development. It is important to note that this policy must be read alongside detailed policy guidance in subsequent chapters. Decisions will be made taking into account all relevant policies and objectives in the Plan.

Policy Background

3.2 The Policy sets out the criteria against which proposals will be judged. The criteria will be applied as appropriate, as clearly not all will apply in every case. For instance, a change of use from a house to an office may not have design implications, and a commercial development will not require open space provision. It is important to emphasise that there is no priority between these criteria, and it is not a question of trading off by satisfying one criterion and not meeting another.

Pollution

3.3 The objectives of the Plan in terms of the control of pollution are set out in Chapter 7, “Pollution and Land Resources”, and can be summarised as:

- (a) the control of development that may lead to significant harm to public safety and/or natural resources through pollution;
- (b) the separation of sensitive and potentially polluting uses;
- (c) the efficient and safe use of derelict and contaminated sites

(See policies P1-4.)

Design

3.4 In assessing any development proposal, the Borough Council will have to consider the quality of its design and its impact on the local environment and character. The objectives and detailed policies relating to the design of development are found in Chapter 6, “Urban Environment and Archaeology”. The chapter emphasises the importance of the:

- (a) historic form and character of the settlements within the Borough;
- (b) visual appearance and treatment of the external environment of all types of development;
- (c) presence of natural features and open space within the built environment;
- (d) need to improve poor environments

(See Policies UEA1-UEA3 for Conservation Areas and UEA11 for the detailed design policy.)

This general policy emphasises the requirement for high design standards across the whole spectrum of development, together with the need to justify the design approach for all significant schemes.

Transport

3.5 Chapter 11, “Transport”, establishes the Plan’s transportation strategy and describes how it links in with initiatives and strategies implemented by other agencies, such as Essex County Council.

3.6 The Plan’s primary objective in terms of transportation is to reduce significantly the number and length of trips that are made by the private car. To achieve this it is essential that individuals are provided with the widest possible choice of transportation modes and that services are located within close proximity to residential areas. In larger developments it is therefore desirable to incorporate a wider range of non-residential uses, both in terms of facilities for residents (eg shops, schools and community facilities) and also employment uses (eg offices and compatible light industry). These requirements are set out in Table 3, “New Housing Sites”, as appropriate.

3.7 A definition of proximity is provided by the “Essex Design Guide”, that preferably no part of a residential area should be farther than:

- (a) 400m from a regular bus route;
- (b) 600m from a primary school;
- (c) 1,500m from a secondary school

In addition “Sustainable Settlements – A Guide for Planners, Designers and Developers” (Local Government Management Board, 1995) suggests that the definition should include the following criteria:

- (d) 800m from local shops;
- (e) 800m from a railway station;
- (f) 1,000m from playing fields and open spaces forming part of greenlinks;
- (g) 1,000m from a health centre.

Proposed new housing sites have been chosen with these criteria in mind.

Development Affecting the Road Network

3.8 Roads are classified by the County Council into a hierarchy, which is aimed at providing various standards of highway to serve present and likely future needs. A major consequence of most types of land use and other development is traffic generation; their impact on the road network must be within the standards set by the hierarchy if they are to be acceptable. Therefore, if criteria (c) and (d) of the policy are not met satisfactorily, these alone will be a sufficient reason for refusing planning permission for the proposed development.

3.9 However, it may be feasible to secure by legal agreement suitable remedial measures, including public transport support, that would enable the proposal to meet the criteria. These would need to be provided by the developer at no cost to the public purse. In the countryside it will often not be desirable or feasible to implement significant amendments to the highway network. In such cases it will be necessary for proposals to be judged against the detailed policy considerations within Chapter 5, "Countryside" (see Policies CO7 [Protected Lanes], CO10 [Agricultural Diversification] and CO12 [Stables]).

Parking, Access and Services

3.10 In ensuring safe access to sites, the Council will be guided by the advice in PPG13 and standards adopted by the Highway Authority. Reference to the Borough Council's strategy for car parking can be found in Chapter 11, "Transport", and Chapter 14, "Town Centre and Shopping". Standards for car parking for all types of development are contained within "Vehicle Parking Standards", August 2001 which is adopted as Supplementary Planning Guidance (SPG) for the Borough (see paragraphs 11.51-11.52 and 15.83.) Beyond the area defined by the Central Colchester Inset of Colchester, Policy T10 will apply. Within the Central Colchester Inset, Policies TCS16, TCS17 and TCS18 are applicable, (see also paragraphs 15.83-15.89 and 15.94-15.95).

3.11 Standards for cycle parking are also included in the "Vehicle Parking

Standards” (see policy T2 and paragraphs 11.14-11.19).

3.12 In terms of development within the Central Colchester Inset of Colchester, paragraphs 15.90-15.91 and Policy TCS17 address the specific issues of servicing development in this area.

Important Natural and Man-made Resources

3.13 In defining the important resources outlined in criterion (e) , the Plan includes all those elements of the environment afforded protection by international agreements or law, national statute and policy and locally important designations. The protection of these elements forms part of the Plan’s strategic objectives (see paragraph 2.12).

The following lists all these elements with the appropriate policy cross-reference:

Cultural Resources

- (i) Conservation Areas (UEA1-3)
- (ii) Areas of Special Character (UEA21)
- (iii) Design (UEA11)

Historic Resources

- (i) Listed Buildings (UEA4-6)
- (ii) Listed Barns and Other Listed Agricultural Buildings (UEA6)
- (iii) Scheduled Ancient Monuments and Archaeology (UEA7)
- (iv) The Dyke System (UEA8)
- (v) Gosbecks Archaeological Park (UEA9)
- (vi) Parks and Gardens of Historic Interest (UEA10)

Ecological Resources

- (i) Habitats (CO5)
- (ii) Protected Species (CO6)
- (iii) The Open and Undeveloped Coastline (CE1)

- (iv) Greenlinks (UEA14)

Rural Resources

- (i) Countryside (CO1)
- (ii) Countryside Conservation Areas and the Dedham Vale Area of Outstanding Natural Beauty (CO2 and CO3)
- (iii) Landscape Features (CO4)
- (iv) Agriculture (CO8)

Open Space

3.14 Chapter 10, “Leisure, Recreation and Tourism”, provides detailed policy guidance on the provision and protection of open space (see Policies L3-L6).

3.15 The need to safeguard private open space and recreational facilities as valuable additions to the levels of public open-space provision is emphasised by its designation on the Proposals Map (see Policy L2).

3.16 Open space in both a rural and urban setting are of important cultural, historic and environmental value, as well as for recreation (see “Open Land and Natural Features in Existing Residential Neighbourhoods” [UEA15], “Open Space in Villages” [L6], “Commonland, Heathland and Village Greens [L7]” and Allotments [L8]).

Protection of Shopping and Services

3.17 Planning Policy Guidance Note 6, “Town Centre and Retail Developments”, emphasises the need to protect and enhance the vitality and viability of town centres. The diversity of uses, such as leisure and culture, as well as retail, serve to define the character of town centres and assist in fostering a sense of local identity. It is important to note that the guidance offered by PPG6 applies to leisure and recreation proposals and not just to retailing. The Strategy for the Town Centre and objectives reflects this (see paragraphs 15.7-15.12).

3.18 In protecting and managing the retail function of the Town Centre, Policies TCS1-TCS9 are applicable (see paragraphs 15.15-15.57). The chapter stresses the need for retail impact assessments where appropriate (see paragraph 15.16). In terms of retail warehouse development, Policy TCS11 will apply.

3.19 The need to protect the role of local shopping centres in outer Colchester and other urban areas is highlighted in paragraph 15.70 and is the subject of Policy

TCS12. Policy TCS13 provides policy guidance that seeks to minimise the impact of development on services and shops in the countryside.

Infrastructure and Service Provision

3.20 It is a fundamental planning requirement that the infrastructure and services necessary for development to proceed are provided in conjunction with the commencement of the development. As a general principle, planning permission will not be granted for development unless provision for all services and infrastructure which are directly relevant to the proposal is secured. In particular, Policy CF1, “Community Facilities and Infrastructure Provision”, serves as the basis for assessing proposals in this context.

DC1 All proposals for development, including changes of use, will be permitted only if they satisfactorily meet the following criteria where relevant:

- a) The development will not cause unacceptable harm through pollution to land, air and water or to people or natural resources;**
- b) The development will be well designed, having regard to local building traditions, and should be based on a proper assessment of the surrounding built and natural environment. Where necessary, a clear written statement setting out the design principles followed, and showing how local distinctiveness will be promoted and retained, will be required;**
- c) Developments will be located and designed to provide for:**
 - (i) comprehensive and safe facilities for cyclists and pedestrians, linking to existing routes where possible;**
 - (ii) high levels of accessibility by public transport;**
 - (iii) where relevant, servicing, car and cycle**

parking to currently adopted standards.

d) The highway network, either as existing or to be developed within the county road hierarchy, will be able to accommodate safely the extra traffic the proposal will generate;

e) It will not lead to the loss or degradation of important cultural, historic, ecological or rural resources, unless alternative compensatory provision acceptable to the Council will be provided;

f) The Council's open space standards for the development will be met, and the proposal will not entail a loss of open space or other sport and recreational facilities, unless alternative provision acceptable to the Council will be provided;

g) The services and infrastructure required to serve the development will be provided in a timely manner;

h) It will not have an adverse impact on the vitality and/or viability of Colchester Town Centre, rural district centres, local shopping centres and village shops and services.

4. COAST AND ESTUARIES

Introduction

4.1 The Borough's coastal area is a critical and therefore irreplaceable natural asset. It supports a number of diverse and competing interests including internationally important habitats, land and water-based recreation, fishing, archaeological and historic features. It is also home to a number of sizeable communities.

4.2 Colchester's coastline contains many valuable archaeological features; these are subject to the policies contained within Chapter 6, "Urban and Environmental Archaeology". In particular, Policy UEA7 will apply.

4.3 In previous years these interests have been dealt with under the "Urban Environment and Archaeology" or the "Leisure, Recreation and Tourism" chapters of the Local Plan. The need to ensure that development is sustainable and the implications of sea level rise have brought coastal issues to the fore. The importance placed upon coastal management is emphasised by Central Government and County Council policy and reinforced by English Nature and the Environment Agency.

4.4 The communities of West Mersea and Wivenhoe possess a number of industries that provide local employment and define their distinctive characters, most notably the fishing industry, including the shellfisheries. The leisure boating industry also makes a vital contribution to local employment. Despite being located within such an internationally valuable environment, the continued viability of these industries is not innately incompatible with nature conservation objectives of the Plan.

4.5 The designation of the Marine Special Area of Conservation (SAC) and Special Protection Area (SPA) for Birds under the Habitats Regulation (see paragraph 4.12) are based on nature conservation interests. The aim is to ensure that those activities are undertaken in ways that do not threaten the nature conservation interest, and wherever possible, support and safeguard local marine industries and conserve the natural environment. However, the Directive supports the principles of sustainable development and there is no intention to exclude human activities from SACs.

4.6 Planning Policy Guidance Note (PPG) 20, "Coastal Planning", states that the coastal zone will be defined by local circumstances. The extent of the coastal area for the purposes of the Local Plan is illustrated on the Proposals Map. This area has been defined by a number of factors: the presence of the Coastal Protection Belt (Policy CC1 in Essex and Southend-on-Sea Replacement Structure Plan [Adopted April 2001]), the tidal limit of the Colne Estuary, the mean low water mark on the seaward facing coastline, and the enclosed nature of the majority of the Borough's

coastline.

4.7 In addition to planning policies dedicated to the coast, the Borough is also involved in the preparation and implementation of Estuary Management Plans. The Blackwater Management Plan was published in 1996 and the Colne Estuary Strategy in 1999. The purpose of these plans is to complement the statutory Local Plan by dealing with matters beyond planning control and to develop joint objectives with other authorities; this underlines the Borough's commitment to the sustainable use of the coastal area.

4.8 Pressures created by both land and water-based recreation along the Borough's coastline can usually be reconciled with its conservation objectives. Most of the coast is within the European and International designated sites shown on the Proposals Map, and is therefore subject to a consent process for plans and projects which, under the Habitats Regulations 1994, includes a formal procedure embodying the precautionary principle. The remaining parts of the coast include other areas sensitive for their nature conservation value and defined by national or local designations. Here, application of the precautionary principle, while not mandatory, is a useful guide to inform decision-making so as to secure sustainable development. The aim of the policies in the plan should be to balance and reconcile interests and to contain adverse impacts of development through appropriate management measures. Where such policies provide scope for additional facilities for recreational use of coastal areas, it will be necessary to assess the impact of a proposal on the local environment, cumulatively with other developments and existing facilities. Doing so is part of the wider process of assessing the capacity of the local environment to accommodate further recreation.

4.9 Public access to the coast should be a basic principle unless it can be demonstrated that this is damaging to nature conservation or impractical. Any new development should incorporate public-access opportunities through planning obligations.

Objectives

4.10 The objectives for the coastal area are:

- a) To balance and reconcile interests where possible
- b) To protect the European Sites. A development likely to have a significant effect on a Site can be permitted only if assessment shows that it will not adversely affect the Site's integrity, unless there are no alternatives to the proposal and the development must be carried out for imperative reasons of overriding public interest. In such circumstances, compensatory measures will be required as a condition

of any consent;

c) To protect the other International, National and local sites of nature conservation importance (including Ramsar Sites, Sites of Special Scientific Interest, National and Local Nature Reserves and Sites of Importance for Nature Conservation) from development likely to have a detrimental effect on a site, and to use a precautionary approach when there is doubt about the impact of a proposal;

d) To ensure that new development is not located in areas identified as being at risk from flooding or coastal erosion;

e) To enhance the coastal environment, particularly in relation to nature conservation interests

f) To ensure that only essential development which actually requires a coastal location is carried out on the undeveloped coastline.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

4.11 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal, in addition to the following detailed policy guidance

THE OPEN AND UNDEVELOPED COASTLINE

4.12 The Borough's coastline includes substantial parts of the Colne and Blackwater Estuaries. These estuaries form part of the Greater Thames Estuary, one of the most important wetland habitats in Europe. The Colne and Blackwater Estuaries are themselves of great nature conservation value, being designated as SPAs, as Ramsar sites and as Essex Estuaries Marine SAC. The boundaries of these international designations include those of the SSSI boundaries, as shown on the Proposals Map. There are also sites of national and local importance and the Essex Wildlife Trust have identified Sites of Importance for Nature Conservation (SINCs) following a Borough-wide survey. The Borough also contains the Colne Estuary National Nature Reserve (NNR) and part of the Blackwater Estuary (NNR). These international and national designations are explained in the Glossary.

4.13 The Council will use its planning powers to prevent new development harmful to wildlife habitats wherever it can do so. It will also work with landowners through its

countryside management service to achieve sympathetic management of such habitat areas. These issues are dealt with in greater detail in Chapter 5, “Countryside”, under Policy CO5.

4.14 The Borough Council will also promote measures that resolve conflict between different uses and users, that enhance the appearance of the coast, and that provide for improved public access, where appropriate. And, to this end, they will promote Coastal Management Projects and encourage co-operation between different interests.

4.15 Essex County Council produced the Essex Coast Protection Subject Plan in 1984. This defined the Coastal Protection Belt. As the Subject Plan will be replaced by the Colchester Borough Local Plan, its objectives are incorporated within this and other chapters. The coastal area is defined by the Borough Council’s designation of the Coast and Mersea Island Countryside Conservation Area shown on the Proposals Map. Policy CO3 seeks to protect this and other Countryside Conservation Areas in the Borough.

4.16 Planning guidance (PPG20 on the Coast and PPG9 on Nature Conservation), emphasises the importance of reflecting the objectives of national and international designations. Collectively they advise that the undeveloped coastline, particularly designated areas, be protected and, where possible, enhanced. Any development that is likely to affect the nature conservation value of a designated site should not be permitted. The Government’s advice supports this “precautionary principle” in relation to sensitive areas.

CE1 Development will be resisted on the undeveloped coastline. Development for which a coastal location is considered essential will be restricted to the developed coastline.

RISK OF FLOODING

4.17 The nature of the Borough’s coastal area and the natural processes shaping the landform results in it being at particular risk from flooding and erosion. Planning policy should aim to minimise the risk and avoid putting further development at risk. In 1954 the Waverley Committee, following the floods of 1953, recommended that development below the 5-metre contour should not be permitted. Consequently development along some areas of the Borough coastline will be at risk from tidal flooding. The construction of the Colne Barrier at Wivenhoe has significantly improved the level of tidal flood protection upstream of Wivenhoe.

4.18 Although the barrier affords a level of protection equivalent to a 1-in-1000 year event, this protection is not absolute. The Borough Council will continue to consult the Environment Agency on any development proposals below the 5 metre contour upstream of the Colne Barrier. A total ban on further development in areas of flood risk is impractical, but it is desirable to ensure that residential uses are not intensified or introduced. Therefore any development proposed within the coastal area as defined on the Proposals Map will have to provide information on the height above sea level of the site.

CE2 Proposals that further intensify or introduce residential uses in areas at risk to tidal flooding will be refused. Other forms of development will be permitted only if it can be shown that it is essential for the proposed development to be located within an area at risk from flooding. In addition, any necessary remedial flood defence measures will be implemented without detriment to any other areas.

COASTAL PROTECTION AND FLOOD DEFENCE

4.19 In low-lying undeveloped coastal areas, which include much of the coastal environment in the Borough, it may not be economically justified to maintain the existing coastal defence. Planning policy should take this into account and encourage consideration of alternative soft engineering options such as managed retreat, an issue considered extensively in the Blackwater Estuary Management Plan and the Essex Shoreline Management Plan. It must be stressed that such encouragement will be tempered by the Plan's objectives for the coastal area, the need to strike a balance between economic and environmental priorities and the requirements of the Habitats Regulations. When considering a proposal for managed retreat, the impact on biodiversity and access to the countryside will need to be assessed. The Borough Council will need to consider the views of English Nature, the Essex Wildlife Trust, the Environment Agency and the Colchester Natural History Society on the impact of the proposal on local biodiversity. The proposal will also be assessed in the context of the relevant policies L14 and L15 in Chapter 10, "Leisure, Recreation and Tourism". These relate to the protection and improvement of public rights of way and footpaths.

CE3 Proposals for alternative/soft engineering methods of coastal protection or flood defence will be supported providing such a proposal is not irreconcilable with the need to maintain biodiversity and access to the countryside.

RESIDENTIAL HOLIDAY SITES

4.20 The coastal environment attracts a wide variety of tourist related activities, many of which increase the pressure for development in the area. PPG 21, Tourism, recognises the need to safeguard the important sensitive nature conservation areas, particularly where they are covered by national and international designations. In relation to holiday caravan sites, it supports the need for seasonal occupancy restrictions to protect the local environment, particularly where the site is near a sensitive habitat which requires peace and quiet to allow seasonal breeding or winter feeding to take place. In relation to Mersea Youth Camp, the Council feels that, although it provides visitor accommodation to a wide variety of different groups, in essence this is residential holiday accommodation. It is therefore also subject to the criteria in Policy CE4.

4.21 Whilst the Borough Council is committed to the promotion of tourism and tourist facilities (see Chapter 10, "Leisure, Recreation and Tourism"), as the Local Planning Authority it must have regard to impact on other facilities. In the coastal area, particular attention must be given to environmental factors.

4.22 Existing sites for residential holiday development, including static caravans, chalets and campsites, are all clustered along the coastline of Mersea Island. This kind of development does raise a number of problems, including:

- (a) the provision of services;
- (b) traffic generation;
- (c) pressures on the coastal zone and the open countryside;
- (d) visual amenity, including absorption of the development into the local landscape setting;
- (e) possible harm to important wildlife sites;
- (f) the risk of flooding to property and site access.

4.23 For the above reasons, the Council opposes the development of new sites for this type of use, including static caravan, chalet and camping sites.

4.24 However, the Council recognises the contribution that the existing sites make to the local economy and would not wish to place excessive controls that could lead to their closure. Equally there are benefits from upgrading existing sites facilities in terms of attracting and retaining clients. Such improvements would not necessarily mean an increase in the number of units, but would primarily allow the development of better amenities. However, there may be a small increase in the number of units on a site, which would be dependent upon the individual circumstances of a proposal. In exceptional circumstances there may be potential for considering minor extensions to existing sites. Each of these would need to be considered on its own merits and, in view of the sensitive nature of the coastal area, are unlikely to be anything other than minor in nature. Any limited extension or improvement to a site will be acceptable only if mitigating works that would be of benefit to the environment are carried out. Such work would include the landscaping of the site to minimise its visual impact on the sensitive coastal landscape and the enhancement of the nature conservation value of the local area.

4.25 In judging the merits of environmental benefits arising from any proposal, the Council will balance those benefits against any adverse impacts (including those listed above) of extending the site.

CE4 New residential holiday sites and residential visitor sites within or close to the coastal area will not be permitted. Minor extensions to existing sites and development for the improvement of facilities on existing sites will be permitted only where this would result in a significant benefit to the local environment and/ or to the site itself.

OCCUPANCY RESTRICTIONS FOR CARAVANS

4.26 As leisure time increases, and the standard and design of static caravans advances, there is a trend towards extending the holiday season – once traditionally the summer months – into the winter. As a result, there is increasing pressure to extend the period of occupancy on caravan sites and to increase facilities. Such proposals need to be approached carefully, particularly in view of the environmentally sensitive nature of the locations of the existing sites in the Borough.

4.27 The issue of occupancy becomes most controversial in winter months, when the harm from the disturbance to bird life is greatest. Most of the established caravan sites in the coastal area were granted planning consent with a condition restricting the period of occupancy. The existing sites are close to or abut either the Blackwater Estuary or Colne Estuary SSSI, both internationally designated areas which are

included within the Mid Essex SPA and Ramsar Site, and the Essex Estuaries SAC. In addition, Mersea Flats form the Colne National Nature Reserve. These designations reflect the importance of the area for nature conservation and wildlife. In particular, many nationally important scarce plants and invertebrates are supported, providing extensive feeding areas for a number of species of wildfowl and waders present in internationally important numbers, including Dark-Bellied Brent Geese, Ringed Plovers and Dunlin.

4.28 During the winter period, the estuaries are particularly sensitive to human activities because the waterfowl can be relatively easily disturbed from their feeding and roosting sites by the activities of people. These sites and the birds they support therefore form fragile habitats in winter and need careful protection. Severe winter weather conditions exacerbate problems caused by disturbance because the energy expended by birds becomes critical to their survival. In relation to the use of caravan sites, during the critical winter months the “precautionary principle” will be applied. Due to the likely disturbance to fragile habitats, any extension for use during the winter will create unacceptable harm. An exception would be where a particular site already enjoys more lenient occupancy periods and it can be demonstrated that the interests of wildlife and adjoining occupiers are not adversely affected by these more generous periods of occupation being applied to alterations and extensions to the existing site.

4.29 Caravans are unsuitable for permanent residential use, both in terms of the accommodation and their location. Gradual erosion of occupancy restrictions could lead towards the opportunity for permanent use. This would be unacceptable and place undue demands on the existing infrastructure and community of Mersea Island, as well as being unacceptable in nature conservation terms and probably undermining the local holiday industry. It is therefore considered necessary to ensure that a use intended for holiday purposes is retained as such and for periods during which disturbance is less of a critical issue.

CE5 Proposals to extend the period of occupancy of caravans on sites on Mersea Island will be refused where it is considered likely that these would have a detrimental effect on residential amenity and sensitive habitats, particularly those forming part of or adjoining an SSSI, NNR, Ramsar site, SPA or Special Area of Conservation.

In cases where permission to extend the period of occupancy may be acceptable in principle, planning permission will be granted only

if:

(a) occupancy is restricted to the period from 1 March to 30 November inclusive;

(b) occupancy is restricted to holiday purposes only.

Less restrictive conditions in line with existing occupancy conditions will be imposed on alterations and extensions to existing caravan sites on Mersea Island where it can be shown that those existing conditions have not given rise to conflict with wildlife interests or the amenities of adjoining permanent residents.

Furthermore, agreement will be sought regarding closure of accesses to the estuary during sensitive periods of the year.

DEVELOPMENT PRESSURES IN THE COASTAL AREA

4.30 It has long been an established planning policy in Essex to safeguard the County's undeveloped coastline because of its value as a resource in its own right, because of its attractive landscape character, and because of its importance for nature conservation and for informal recreation. The Plan proposes to continue giving priority to the protection of the coastline, and the development of major water recreation facilities, such as marinas, will be resisted in this zone.

4.31 Similarly, the Plan seeks to minimise the cumulative impact of the piecemeal development of the estuaries by individual or small-scale mooring proposals. As both the Colne and Blackwater Estuaries are designated European sites, the Conservation (Natural Habitats) Regulations 1994 requires an environmental impact assessment as part of any planning proposal in these areas. On an individual basis, these proposals may not present any significant adverse environmental effect. Collectively, however, they may prove to be just as damaging to the coastal environment as large-scale marina/water-recreation developments. In this regard, the same issues apply; the deterioration of water quality, the adverse affect on the hydrodynamics of the local area and an erosion of the open and natural character of the landscape. In addition, piecemeal mooring development can threaten the viability of existing oyster beds. This is due not only to the deterioration of water quality but also to the change of use of dormant oyster beds, resulting in their permanent loss. This is unacceptable as it would prejudice the future viability of local shellfisheries.

4.32 The following policy therefore restricts mooring development to the developed coastline, thus supporting the objectives of Policy CE1, to protect stretches of

undeveloped coastline in the Borough, given their importance in landscape terms, as wildlife habitats and as a finite economic resource. SPG will be prepared to guide leisure boating development in the coastal area in the context of this policy.

CE6 Proposals for permanent mooring development will be refused permission if the proposal is not readily accessible from the established access points in the main coastal settlements of West Mersea, Wivenhoe or Rowhedge and if the capacity of water space is insufficient to accommodate any increased recreational or commercial activity. In addition, the proposal must not:

(a) involve the development of previously undisturbed areas or creeks;

(b) create access problems and onshore development pressures in the countryside;

(c) damage or erode the natural character and the landscape of the coastal area.

Cook's Shipyard and Rowhedge Port Regeneration Areas

4.33 The waterside areas of both Wivenhoe and Rowhedge contain maritime sites that have ceased to operate in their original function. It is necessary to plan and promote possible redevelopment to the benefit of their respective communities. Whilst the two sites have many similarities, they also have unique issues and features which are examined in the following text.

4.34 By directing development to the developed coastline, it is important to ensure that the unique waterfront characteristics of Rowhedge and Wivenhoe are not overwhelmed by major new developments, be they related to water recreation or any other use. A development brief for the Rowhedge Port Regeneration Area provides further detailed guidance.

4.35 Located at the eastern end of Wivenhoe's waterside frontage, the Cook's Shipyard site has remained largely undeveloped since business ceased on the site in 1987. A service road for the Colne Barrier and the Wivenhoe Sailing Club's clubhouse cuts across the site and was constructed as part of the two developments in the early 1990s. Following a boundary change, the whole of the site is now within Colchester's area.

4.36 Located at the south-east of the village, Rowhedge Wharf has until recently been used as a commercial wharf. It is currently being used as a solely land-based transport and distribution centre. The closure of Colchester Harbour makes it important to set out the planning criteria for any future development of this important site.

4.37 A suitable balance and mix of uses should be one of the prime policy objectives for both Cook's Shipyard and Rowhedge Wharf. The mixed use approach embraces the principles of sustainability by locating new build on already developed "brownfield" sites. This approach is crucial in reducing development pressure on "greenfield" sites elsewhere in the Borough and building on the local community.

4.38 Finally it is important to stress that, although the plan seeks to promote redevelopment of these two sites, the sensitive character of the local environment means that not all land is suitable or proposed for built development.

Objectives

- To promote the optimum redevelopment of the regeneration areas;
- To promote the vitality and viability of the respective settlements;
- To promote sustainable forms of development ;
- To implement a mix of uses compatible with the location and character of each settlement;
- To optimise the riverside location of both sites, including securing public access;
- To encourage environmental quality which will enhance the character of each settlement and this part of the Colne and Roman River Valleys;
- To secure a standard of environmental and visual quality, which will enhance the character, and setting of each settlement;
- To protect and enhance the adjacent nature conservation value and landscape quality

WIVENHOE

4.39 A development brief for the site was adopted as SPG for the site in 1990; this was based on the wholly residential allocation in the Adopted Plan. Significant changes in national planning guidance, the introduction of sustainable development principles and the increasing focus placed on coastal issues have since made it necessary to withdraw the SPG and to reconsider the possible types of development for this site.

4.40 The issue of traffic generation is of particular importance to the site, given its narrow and tortuous access roads, which run through high-density residential areas. It is essential, therefore, to minimise the levels of both commercial and private

vehicle movements. The total amount of development and its precise use will largely be determined by the impact of traffic through Wivenhoe. This can be determined only through a traffic impact assessment. Particular emphasis will be placed upon the impact of any proposal to the flow of traffic through Anglesea Road, which is at the present inadequate and will not support any significant increase in traffic without improvement. Any additional traffic should not follow this route. In view of the difficult nature of the access roads for heavy vehicles, agreements will be sought as part of any permission to require construction materials to be brought to the site by alternative routes and/or methods.

4.41 The site's close proximity to the rail network, the Sustrans National Cycleway route (Wivenhoe Cycleway) and frequent bus services provide an ideal opportunity to encourage car-free residential development in line with the principles of Chapter 11, "Transport", and specifically Policy T4 on car-free residential development. This would assist in reducing traffic generation, but some provision will need to be made in order to provide minimal visitor car parking and servicing for the site. The Council is also keen to promote pedestrians and cycling routes into and through the site. All proposals will be required to take account of these objectives.

4.42 The river frontage to the site is a major and important feature, which will provide significant opportunities to maximise the site's maritime links and provide a major public amenity for the village. A requirement of any development proposal for the site will be to secure the retention and beneficial future management of the slipways and jetty, and the guarantee that the quay and wet-dock area will be committed to unrestricted public pedestrian access, including the provision of facilities for, and use by, local fishermen

ROWHEDGE

4.43 The site is accessible by two roads, the High Street and a private haul road. The High Street is at present heavily trafficked and also extensively used for car parking. Any significant increases in traffic volume along it will be unacceptable in terms of pedestrian and highway safety. The High Street will therefore only allow for minimal vehicle access to any future development. However, it is the intention of the Council to promote pedestrian and cycle routes from the High Street and village into and through the site.

4.44 The private haul road is currently being used by the transport company as the main route to and from the warehousing on the docks. The main access to any new development will be routed along this road. The use of this road as the main access to any development will require an assessment of its impact to Old Heath. Increased traffic generation along this route may therefore require improvements in Old Heath. Further consideration may be given to a pedestrian/cycle bridge between Wivenhoe and Rowhedge to maximise the use of sustainable modes of travel.

4.45 Any proposal will need to address the future of Rowhedge Pits, which are designated a SINC. At present, local residents use the pits for informal recreation. Sensitive management in the future will provide a major opportunity to maximise their recreation potential for the local community and optimise the nature conservation value of the area. Applications will need to demonstrate via a master plan how they will maximise the potential integration of this important area.

4.46 Located along the High Street of Rowhedge are a number of small businesses that provide valuable local services. The loss of these businesses would be detrimental to the sustainable future of the village. Following the construction of the two consented residential developments, it is considered that the remaining mixed use character of the High Street should be protected and retained. The importance of commercial uses is not a particular issue at Wivenhoe Quay, as the only one remaining is the now underused warehouse premises of Messrs Wilkin and Son, located at the extreme western end. Indeed it may be preferable in amenity terms if this commercial use was replaced, as it is now effectively surrounded by residential development following the redevelopment of Wivenhoe Port. It is felt, however, that the public house, Nottage Institute and Royal British Legion, all located in the central part of the quay between Anchor Hill and Rose Lane, provide important local community facilities and should not be lost. In accordance with Policies CF4 and TCS13, the Council will resist any applications for change of use along Rowhedge High Street and the central part of Wivenhoe Quay, especially applications for conversion or redevelopment to residential use.

REQUIREMENTS FOR BOTH SITES

Access to the River

4.47 Due to their prominent riverside location, redevelopment of either site provides the opportunity to maximise the potential for riverside access for the public. Both developments will be required to incorporate a satisfactory means of promoting and providing public access to the river.

Footpaths

4.48 It will also be a requirement of any scheme to keep existing public footpaths. Where this is not practical in the context of a proposal, diversion of the line of the public footpath may be acceptable, provided that a satisfactory alternative alignment incorporating key features such as riverfront access or passage across the site is retained. This will be subject to the standard statutory procedures.

Landscape, Design and Conservation

4.49 The importance of the Wivenhoe waterside in terms of its architectural value

and its unique character is emphasised by the designation of the Wivenhoe Conservation Area, of which the site forms part. Although Rowhedge Wharf is not within Rowhedge Conservation Area, it adjoins it and occupies a prominent position in the landscape. Therefore the design and layout of any proposal must be compatible with the character of the surrounding area and urban and valley landscape. The impact on the skyline of both settlements will be particularly important. Proposals must also comply with the policies on development within Conservation Areas in Chapter 6, “Urban Environment and Archaeology” (namely Policies UEA1-3 and UEA7), the general principles for design and the “Essex Design Guide for Residential and Mixed Use Areas” (adopted as SPG in 1997). The proximity of the Colne SSSI will be important in determining the type and impact of any development. Proposals must not prejudice the integrity of the SSSI.

TRANSPORT

4.50 Proposals will be required to demonstrate how the proposed traffic generation can be accommodated on the local highway network and its likely impact on residential amenity. The study will also need to show how the levels and types of vehicle movements will be managed, bearing in mind the particular uses proposed.

4.51 Development proposals will also be required to demonstrate how they will minimise private car traffic. This may be shown by providing evidence of matching proposed uses to existing local need and providing safe routes of desire lines for cyclists and pedestrians, including routes to bus stops. The design of any vehicular streets will be required to follow the traffic calming and safety principles of the “Essex Design Guide for Mixed Use and Residential Areas”.

USES

4.52 The preferred use for both sites is an integrated mixture of uses including residential, business (B1), community facilities and small-scale leisure/tourism facilities specifically linked to the riverside locations and with access to the waterfront. The possible impact on the amenity of the existing and new residential uses will need to be considered. The provision of affordable housing is required on both sites as part of a mixed scheme, although the specific type and amount will depend upon the assessed needs in the respective communities. The Plan also seeks to promote additional shopping facilities in the Rowhedge Regeneration Area to serve the village. All applications will be required to provide sufficient detail to demonstrate how the proposals would fit with and contribute towards the strategic objectives and development criteria concerning:

- The provision of river access;
- The maintenance of public rights of way;
- The relationship with the adjoining built fabric;

- The minimisation and calming of private motorised road traffic and the maintenance of a balance of uses.

CE7 Development proposals for the site of Cook's Shipyard, Wivenhoe, as defined on the Proposals Map, will be required to meet the following criteria:

(a) To provide a comprehensive, balanced and integrated mix of uses for the whole site;

(b) To preserve or enhance the character of the river frontage;

(c) To minimise the need for private car usage, having regard to the mix of uses on the site;

(d) To provide or allow for sustainable and managed public access to the river frontage;

(e) To retain and manage for public use the existing wet dock, slipways and jetty;

(f) To maintain building heights generally at or below three storeys with third floors normally being contained within roofspaces;

(g) To protect the adjoining SSSI during construction work and thereafter;

(h) To protect the site's reptile population;

(i) To provide affordable housing at the rate of 25% of orthodox residential units on the site;

(j) To provide a fishermen's store/wc;

(k) To provide for the retention of shipyard artefacts;

(l) To provide access to and from the site via Valley Road/Belle Vue Road.

CE8 Development proposals for Rowhedge Port Regeneration Area, as defined on the Proposals Map, will be required to meet the following criteria:

- (a) To provide a comprehensive, balanced and integrated mix of uses for the whole site;**
- (b) To preserve and enhance the character of the river frontage;**
- (c) To minimise the need for private car usage, having regard to the mix of uses on the site;**
- (d) To provide or allow for sustainable and managed public access to the river frontage.**

CE9 Along Rowhedge High Street and that part of Wivenhoe Quay between Anchor Hill and Rose Lane, proposals for change of use or redevelopment of existing commercial or community uses to residential will be resisted.

WEST MERSEA

4.54 Mersea lies just off the coast and is connected to the mainland at low water by a causeway known as the Strood. The Island has two very distinct settlements: East Mersea, with a very scattered population and largely agricultural background; and West Mersea, the principal settlement, with a local economy based on an important yachting and boat building centre, a holiday destination and a fishing centre.

4.55 Many of the pressures referred to earlier in this chapter apply to West Mersea as tourists, conservationists, fishermen, yachtsmen, residents and visitors all compete to take advantage of what West Mersea has to offer. With such a large and varied demand on so small an area, the inevitable conflicts between different users arise. These issues are explored in more depth in the Blackwater Management Plan.

4.56 Many of the policies contained in this chapter, and some in Chapter 5, “Countryside”, have a direct bearing on activities along the West Mersea waterfront. In addition, the overwhelming majority of the estuarine frontage of West Mersea

comprises the West Mersea Waterside Conservation Area. Consequently, Chapter 6, “Urban Environment and Archaeology”, will also be applicable to any development proposal. It should also be noted that the Plan makes provision for adequate off-street parking and West Mersea under Policy T10.

4.57 Traffic congestion and, in particular, lack of public car parking provision are long-standing problems in Coast Road. Therefore, where development can be approved under this policy and where site conditions allow, appropriate provision for further seasonal public car parking as part of that development will be sought by means of a Section 106 Agreement (S106 Agreement).

4.58 Objectives for West Mersea:

- To safeguard and protect the character of the settlement and in particular to resolve the conflicts of interest in the waterside area;
- To protect the open countryside surrounding West Mersea which forms part of the Coastal Protection Belt and the Coast and Mersea Island Countryside Conservation Area;
- To make provision for limited additional residential development;
- To make provision for further open space.

4.59 The Council is concerned to conserve and improve the character of West Mersea Waterside. To that end, policies have been formulated to provide a comprehensive and detailed framework for considering the whole range of likely development proposals for the area.

4.60 Similarly, the Council would not wish to resist changes of use or new development at the Waterside, provided they were compatible with the character of the area. The loss of existing uses which contribute to the character of the area, eg the boat yards, will be acceptable only if they were to be replaced by a new use equally compatible with that character and which needed to be located in this area.

CE10 West Mersea Waterside Area of Special Character will be protected and enhanced. Within this area, the following will apply:

(a) Proposals for development and changes of use on both the landward and seaward sides of Coast Road will maintain the traditional character of the area and its role as a major yachting, fishing and boating centre;

(b) Proposals which would result in development of existing undeveloped areas of foreshore will be refused;

(c) With regard to the boatyard/storage and other related maritime uses and sites:

1. The expansion or development of existing premises/sites for this type of use will be permitted only where:

(i) the proposal would enhance the existing character of the Waterside Conservation Area;

(ii) the development would not result in unacceptable levels of traffic or increase the threat to road safety;

(iii) there is no adverse impact on residential amenity.

2. The redevelopment of, or change of use of sites/premises will be permitted only where:

(i) the new use or development will contribute towards and be compatible with the special traditional maritime character of the area; and

(ii) there is a proven need for it to be located in or on the premises concerned.

5. COUNTRYSIDE

Introduction

5.1 The Borough possesses important countryside resources that have been given protection from adverse development by successive development plans and by local, national and, more recently, international conservation designations. The open and undeveloped nature of the countryside is important in providing a setting to the Borough's settlements and preventing their coalescence. It is proposed to protect this undeveloped character in line with Government policy that sets out the importance of safeguarding the countryside for its own sake.

5.2 Publication of the Rural White Paper "Rural England, A Nation Committed to a Living Countryside", the co-ordination at County level to produce a rural strategy and the general development of countryside issues, illustrate the greater weight now being given to the countryside in policy making. The diversity of interests in the countryside mean a delicate balance must be sought between conservation of the environment and development in the countryside. The Rural White Paper acknowledges that such a balance will not be achieved by a single shift in policy. In reality, it requires many small- scale changes that respect local circumstances and a commitment to the principles of sustainability.

5.3 Part of the sustainable ethos is the provision of facilities, including employment opportunities within the rural area. The approach to housing and employment in the countryside is covered in detail in the relevant chapters. It should be noted however, that new housing and employment developments will be limited to within the Village Envelopes, except where proposals involve the re-use of farm buildings for employment development, when other policies in the Plan will apply. Community and recreation uses may also be permitted outside those limits.

Objectives

5.4 The Plan's objectives in terms of the countryside are:

(a) To safeguard and enhance natural rural resources and to safeguard the historic character of the countryside. In particular, to protect the international, national and local designations of: Special Areas of Conservation and SPAs; valuable agricultural land of grades 1, 2 and 3A; the Dedham Vale Area of Outstanding Natural Beauty; Sites of Special Scientific Interest; Protected Lanes; the Countryside Conservation Areas; nature reserves and Sites of Importance for Nature Conservation. Development proposals may result in conflict between one natural rural resource and another, in which

circumstances a balance will have to be reached between any competing natural rural resources;

(b) To resist non-essential development in the countryside in order to protect its open and undeveloped character;

(c) To reconcile rural employment, housing and service provision with the need to safeguard the countryside and its character;

(d) In reconciling the pressures for development, particular consideration will be given to the sustainability of proposals and their effect on the character of villages and the surrounding countryside.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

5.5 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal in addition to the following detailed policy guidance.

COUNTRYSIDE

5.6 The term “rural resource”, as used in subsequent countryside and conservation policies, refers to the natural, social and cultural elements that make up the Borough’s countryside. Landscape is an important and highly valued characteristic of that make up and the importance of its contribution can be seen in terms of its diversity. Referred to generally as “landscape character” in the policy, it ranges from the distinctive landscapes found around the Borough and sensitive wildlife and ecological habitats to the landscape in terms of the natural features and their relationship with historic settlements and the built environment, including archaeological remains. Finally it also includes recognition of a landscapes economic role in attracting tourism and business to the Borough.

5.7 One very important aspect generated by the Borough’s rural resources is the public’s perception of the countryside – a “peaceful area” in which small villages and hamlets lie undisturbed by major developments, heavily trafficked roads, pylons, intrusive lighting and excessive road signs. It is also where the villages are reached via country lanes, and new development is of a scale, size and appearance that does not harm the character of the area. Much of that perception reflects those traditional qualities of the countryside, which the Council will seek to protect. Some of this has been recognised in recent work undertaken by the Council for the

Protection of Rural England and the Countryside Commission with the publication of their “Tranquil Areas” maps. Although these have no statutory status, they are a good indication of the extent to which the tranquillity of the countryside is being lost.

5.8 The following policy sets out a basic guideline for the Council’s consideration of applications for new development or change of use in the countryside. It proposes to safeguard valuable natural rural resources and to steer any development for which it is not essential that a site be provided in the countryside to the towns and villages. More detailed and specific policies for agricultural and other resources are to be found in other policy sections of this chapter and those of Chapter 6, “Urban Environment and Archaeology”.

CO1 There will be a continuing commitment to the protection of the open countryside in the Borough for its own sake. Such protection will mitigate, as far as possible, against any adverse impact upon existing landscape character and maintain traditional rural qualities. Rural resources will be safeguarded and enhanced in order to give protection to agriculture, forestry, fisheries and woodlands, nature conservation, archaeological and historic features, and attractive landscapes. Development that does not need a countryside location and which could reasonably be located elsewhere in the Borough will be refused.

Deham Vale Area of Outstanding Natural Beauty

5.9 The elements of landscape character and landscape form are what interested the Countryside Commission when it produced its Character Analysis Map. This was ultimately published as the Joint Character Map for England, a major exercise carried out together with English Nature’s Natural Areas study. Together with the analytical landscape descriptions that accompany it, the map gives a broad national picture of landscape character. This creates the top tier of a three-tier system. The lower tiers consist of a County landscape assessment and a landscape assessment currently being undertaken by the Borough Council. Together with a landscape survey carried out in the Dedham Vale AONB, these three tiers will be a valuable aid in protecting and enhancing the Borough’s landscape character.

5.10 The Stour Valley between Wormingford and Cattawade (Brantham) is designated as an Area of Outstanding Natural Beauty (AONB). Within the limited resources available, the Borough Council works with Essex County Council, neighbouring authorities, statutory undertakers and landowners to protect this area

of attractive landscape with its historical associations. The Plan proposes that this approach should continue. Detailed policies are set out in the non-statutory management plan prepared by the Joint Advisory Committee of the local authorities and other bodies and adopted as SPG by the Borough Council.

However this document has been superseded by “The Dedham Vale and Stour Valley Management Strategy”, which is required as a direct result of the Countryside and Rights of Way Act 2000.

5.11 There may be rare instances where development that would otherwise be unacceptable in the Vale is necessary in the national interest. If the need for such development ceases, due for example to advances in technology or changes to national strategies, it is considered vital to secure its removal in order to protect the long-term landscape quality of the Vale. To this end, conditions will be applied to secure removal of the development and the reinstatement of the site to its original condition at the earliest possible date.

CO2 Development in or likely to have an adverse impact on the Dedham Vale Area of Outstanding Natural Beauty will be subject to special scrutiny. Where such development could have an adverse impact, directly or indirectly, on the area, it will be acceptable only where an overriding national need for the development in that particular location can be demonstrated and there is a lack of acceptable alternative sites.

Where development proceeds because of an overriding national requirement, removal and restoration of the site will be required in the event of redundancy at a later date.

Countryside Conservation Areas

5.12 The Countryside Conservation Area (CCA) boundaries shown on the Proposals Map have included those tracts of land which are of greatest importance within the Borough for their rural resources. However, changes are continuously taking place, both in the countryside itself and in our knowledge of its resources. The boundaries will therefore need to be kept under review, particularly in the light of further study of the CCAs. This may lead to areas being deleted as well as others being added.

5.13 There is a common boundary – as far as possible – between CCAs and the Coastal Protection Belt (as previously defined in the Coastal Protection Belt Subject

Plan), the Special Landscape Areas (a Structure Plan designation) and former Nature Conservation Zones (as previously defined in the non-statutory Countryside Conservation Plan).

5.14 The following CCAs are defined on the Proposals Map:

(a) Roman River Valley

The valley is well wooded and its landscape has considerable character and charm. It contains the Roman River Site of Special Scientific Interest (SSSI), which includes Friday Woods and Donyland Woods and the Roman River Valley Nature Reserve at Kingsford, as well as other sites important for the study of natural history. In addition, there are numerous features and sites of archaeological and historic importance, including parts of the dyke system and Gosbecks Field.

(b) High Woods

Areas of High Woods have been identified as Sites of Importance for Nature Conservation and, although the central parts have no official status in terms of their nature conservation value, they are nevertheless of considerable interest. A landscape feature visible from many parts of central Colchester, High Woods is ancient woodland containing Brinkley Grove earthworks, a Scheduled Ancient Monument. The woods and open land adjoining, which compose the Country Park, provide a valuable landscape, ecological and recreational asset. Safeguarding and promoting links between the park and the open countryside beyond forms part of the Council's Greenlinks Strategy.

(c) The Coast and Mersea Island

This CCA includes a SPA, a Ramsar site, a SAC, a SSSI and land that is included in the Coastal Protection Belt. It contains large areas of the estuarine marshland characteristic of the Essex Coast and is of international importance as winter feeding grounds for migratory wildfowl. This Area also includes the Fingringhoe Wick Nature Reserve and numerous archaeological and historic sites.

(d) Abberton Reservoir

This CCA largely consists of the Ramsar designation, the SPA and the SSSI, but also some of the surrounding countryside, including an area of heathland at Layer Breton. The CCA also contains a number of archaeological sites, as well as Layer Marney Tower and Garden (on the "Registration of Parks and Gardens of Historic Interest") and the main axial views from the Garden.

(e) Colne Valley

This CCA extends from Colchester – where the valley forms an attractive wedge of countryside extending into the built-up area – upstream to the Borough boundary at Wakes Colne. The whole area is of high landscape value, with numerous woodlands of nature conservation interest and archaeological sites such as those in the Sheepen/Hillyfields area.

(f) Salary Brook and Lower Colne Valley

This CCA is an important green wedge between Wivenhoe, Rowhedge, Colchester and the University of Essex. It includes the Salary Brook Valley, between the University and Greenstead and the Hythe. It is of considerable landscape value, forms part of the Coastal Protection Belt (defined in CE1 and on the Proposals Map) and contains a number of nature conservation sites.

(g) Tiptree and Messing

This CCA, located north of Tiptree, falls into two distinct parts. The north-west forms part of the Blackwater Valley, with attractive long-distance views, whilst elsewhere the land is flatter but contains important woodland, such as Layer and Pods Woods. There are a few sites of archaeological interest, such as The Rampart, a Scheduled Ancient Monument.

(h) Stour Valley

This CCA includes the Dedham Vale Area of Outstanding Natural Beauty and the area upstream of it, as well as areas to the south of nature conservation or landscape importance.

5.15 Within these CCAs, the Borough Council proposes to give special protection to the important natural, social and cultural resources described in paragraph 5.6. It is also proposed to promote public enjoyment of these areas where this can be done without detriment to the CCAs resources. The co-operation of different interest groups is considered to be the best way to resolve conflict and to safeguard these areas. Experience with the different arrangements in the Dedham Vale, Colne Valley Partnership, Colne Estuary Strategy, Blackwater Project and through the Borough's countryside service generally has certainly shown this to be the case.

CO3 The Countryside Conservation Areas are defined on the Proposals Map. These areas will be given special protection from any development likely to be prejudicial to their natural, social or

cultural resources.

Landscape Features

5.16 It is clearly important to try to retain and enhance as many of the existing natural features at a development site as possible, firstly because the existing vegetation cover provides an Area with a certain distinctive “personality”. This is recognised in the Joint Character Map for England and, on a more local scale, the Landscape Survey undertaken on behalf of the Dedham Vale Joint Advisory Committee for the Dedham Vale Area of Outstanding Natural Beauty. Such documents should be used to ensure that new planting reflects the recognised landscape character of the area by using species native to the locality.

Secondly, mature trees, hedges and other cover more easily disguise the “scar” inevitably caused by new development in an established townscape or rural landscape.

Finally, these natural features are important in maintaining and enhancing sensitive wildlife habitats. Such features include trees, hedges, ponds, woods, semi-natural grassland, heath, ditches, wetland features and bare ground where this is important for invertebrates. Where the implementation of schemes would result in the loss of any natural features, the Council will expect equal alternative provision to be made. This provision will be made within the site or, where this would lead to equal or greater value in habitat or landscape terms, on adjoining land. Exceptionally, provision could be made further afield.

CO4 Development schemes should protect existing landscape features such as those listed in the reasoned justification wherever possible. Additional planting may be required to maintain and enhance these features. Where this is considered necessary, planting will be carried out with species native to the locality. Where it is not possible to safeguard existing landscape features, compensatory provision will be required.

NATURE CONSERVATION

Habitats

5.17 The Borough has a number of habitats of importance for nature conservation. In particular there are sites of international importance, designated as SPAs and Ramsar sites, at Abberton Reservoir and the Colne and Blackwater Estuaries. In addition, the estuaries are designated as SAC. Other areas of the Borough are recognised for their national importance; known as SSSI, they are shown on the Proposals Map. These designations extend beyond the Borough, but one to be noted is that at Chalkney Wood, where it adjoins the Borough boundary at Chappel. Locally important sites include Local Nature Reserves, which will be promoted where appropriate in consultation with English Nature. In particular, the site of the former gravel workings at Rowhedge Pits, as shown on the Colchester Inset Proposals Map, is identified as a potential Local Nature Reserve. A further designation is proposed at Hill House Wood, West Bergholt. Following a Borough-wide survey, Essex Wildlife Trust identified Sites of Importance for Nature Conservation, and included in this are many river corridors that play an important role as natural linear features connecting habitats.

5.18 Part of the SINC and Public Open Space site at Bypass Nurseries, Cowdray Avenue, will be lost with the implementation of planning consent COL/88/2003/A and COL/02/ 1718. Any development on the area subject to the permission will fully accord with the approved details in Drawing 1410/05, Rev. A.

5.19 There are a number of very small SINC sites that, due to their small size are shown by a symbol on the Proposals Map. For the avoidance of doubt, these are listed below:

PROPOSALS MAP

SINC Number	Location
G1	Chappel
G2	Little Tey Churchyard
G5	Easthorpe
G6	Colchester Road, Mount Bures
G11	Claypit Green, Copford
G15	Birch
G37	Whalebone Corner
G43	Dedham
W1	Great Tey
W14	Easthorpe Road
W16	Green Lane, Tiptree to Paternoster Heath
W23	Mulberry Corner, Copford

W56

Bounstead Grove

CENTRAL COLCHESTER INSET

SINC Number	Location
M12	Roman Wall

For further information, on all SINC Sites please refer to the Essex Wildlife Trust document "Nature Conservation Colchester, A Reference Guide".

The valuable role hedgerows play in habitat creation has now been recognised, and under the Environment Act 1995 the Borough Council can protect important hedgerows from adverse development. Identification and designation of these local features will be part of the Local Plan's monitoring programme.

5.20 A distinction must be drawn between natural resources that are, in the terms of English Nature, critical environmental capital and constant natural assets. The former includes national and international designations that are irreplaceable and any loss or damage to them is therefore unacceptable. Constant natural assets, which includes local and non-statutory designations make a very valuable contribution to the countryside overall but are not individually of a critical nature.

The Council actively supports measures to protect and enhance the biodiversity and nature conservation value of all parts of the Borough, including the protection and management of sites of biodiversity importance and to secure gains consistent with biodiversity targets. Biodiversity Action Plans are being drafted as a joint venture between the County, Essex Districts, English Nature, Environment Agency, Essex Wildlife Trust and a number of other groups, including the farming community. These plans are an important management tool by which to identify endangered species and habitats within the Borough and single them out for protection and appropriate management. The habitat and species targets included in the Essex Biodiversity Action Plan will be used to guide the implementation of those policies that refer to habitat creation in Policy CO5 and species protection in Policy CO6.

5.21 The Council will use its planning powers to prevent new development harmful to wildlife habitats wherever it can. But it will also work with landowners, through its development control and countryside management services, to secure where desirable the retention of the nature conservation interest as part of a development scheme, or provide a habitat creation scheme. The applicant may be required to enter into a Section 106 or a Section 39 agreement, whichever is more appropriate, to ensure its proper management. The list of nature conservation sites will be kept under review and sites may be added or deleted if circumstances change. This may lead to formal alterations to the Local Plan.

5.22 The Council is conscious of the value of tree planting schemes in maintaining and enhancing habitats and will encourage planting where appropriate. However, it is also aware that tree planting on important non-woodland habitats should be discouraged.

CO5 Development that would adversely affect wildlife habitats of international or national importance will not be permitted unless the reasons for the development clearly outweigh the nature conservation value of the site itself and the international or national policy to safeguard the network of such sites.

Development and land use changes likely to have an adverse effect upon the following sites listed below will not be approved unless it can be clearly demonstrated that there are reasons for the proposal which outweigh the need to safeguard the substantive nature conservation interest in the site. Where development is permitted and is likely to cause damage, such damage will be kept to a minimum. Where this is not possible, appropriate mitigating measures will be sought before planning permission is granted. The creation of new habitats will be required as early as possible in the development process, and in some cases this may be before development commences. Such measures will include the creation of habitats of equal quality elsewhere within the site or the Borough as a whole. Where these measures are not possible, planning permission will be refused.

- **Local Nature Reserves or potential Local Nature Reserves;**
- **Sites of Importance for Nature Conservation;**
- **Regionally Important Geological/Geomorphological Sites;**
- **Existing woodlands and hedgerows, particularly those in the Inventory of Ancient Woodlands;**
- **Habitats identified as declining in the Essex Biodiversity Action Plan;**
- **Important hedgerows;**
- **Wetlands, water meadows and ponds;**
- **Unimproved grasslands.**

Protected Species

5.23 The Wildlife and Countryside Act 1981 (as amended) provides general protection for breeding birds, a number of animals (with more specific protection for some animals) and all wild plants (with more specific protection for some plants). The list of species offered protection by the Wildlife and Countryside Act 1981 is reviewed every 5 years. Some of this protection has subsequently been enforced by the implementation of the Protection of Badgers Act 1992, which affords protection to badgers and their setts, and the Conservation (Natural Habitats, etc) Regulations 1994.

5.24 Proposals for development or land use changes may potentially harm or interfere with protected species or their habitats, for example bat roosts, barn owl nesting sites or badger setts. This may occur in the case of buildings located in either rural or urban areas, which are the subject of proposals for either change of use and/or significant structural alterations. Developers will be required to carry out site surveys prior to submitting development proposals where these might adversely affect protected species. In carrying out such surveys, they should seek advice from statutory and voluntary conservation groups.

5.25 In the case of bats, planning permission may be refused where the affected site is one of key importance to the species. In other instances, the Council may impose a condition on a planning permission stating that the development in question should not be carried out until the bats are no longer at roost in the proposal building. In other situations, there will need to be safeguards allowing the bat colony to be removed to an alternative sanctuary before development commences.

5.26 In respect of barn owls, the Borough Council will need to be assured by the prospective developer that a nesting site will continue to be provided in the proposal building, and will insist by condition that approved development does not take place within the breeding season.

5.27 In respect of badgers, the Council will insist on development being located away from a known badger sett within a proposal site. If this is not feasible, the Council may refuse planning permission. In cases where planning permission has been granted, and a badger sett is subsequently discovered at the proposal site, the Council will wish to make suitable arrangements for the conservation of the badgers before development proceeds. A free booklet is available from English Nature for guidance.

5.28 Some species, like the badger, are protected in their own right whilst others are protected under the 1981 Act which affords different levels of protection to different species. PPG9 gives guidance on conserving the diversity of our wildlife and is a reference to the main statutory conservation obligations. The Council will consult closely with English Nature on the best ways to safeguard the wildlife interest in respect of proposed development likely to affect the habitats of these species and

any others included within the Wildlife and Countryside Act, or its subsequent re-enactments, and the Essex Biodiversity Action Plan. Where the habitat of a species is of key importance, permission will be refused. At other locations, the development and habitat should be integrated, and where this is inappropriate, if faced with the inevitable loss of a habitat, relocation will be required as a final option in appropriate cases.

CO6 When examining proposals for development, and where such proposals would adversely affect protected species, planning permission will be refused where the habitat is of key importance to the species.

At other locations, in the event of planning permission being given, the development scheme will provide for the full integration and accommodation of the habitat within the proposal building or site. Failing this, the relocation of the threatened habitat from the proposal site to another safe location will be required only as a final option before development commences.

Where relevant, planning permissions will contain a condition to ensure that implementation of the approved development scheme will be phased so as to avoid interference with the annual breeding season.

Protected Lanes

5.29 The County Council has identified certain lanes that have historic and landscape value. It is considered that, through appropriate management measures by the Highway Authority and by landowners, these features, which add to the character of the countryside, can be retained. The Plan supports this approach. These lanes are sometimes flanked by mature hedgerows and grass verges that provide a valuable and very diverse habitat that the Council will seek to safeguard through Policies CO4 and CO5.

CO7 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.

AGRICULTURE

5.30 In line with current Government guidance in PPG7, the Plan aims to protect good quality agricultural land (Grades 1, 2 and 3a of the Ministry of Agriculture's land classification). The Plan also aims to protect the viability of farm holdings. In general, the best quality agricultural lands in the Borough lie north of the A12 with further Grade 2 land at Stanway and on Mersea Island. When considering planning applications where it is thought agricultural interests could be affected, the Borough Council will, in accordance with the GDPO 1995, seek the views of the Ministry.

CO8 Development will not be permitted which would lead to the loss of the best and most versatile agricultural land, defined as Grades 1, 2 and 3a in the Ministry of Agriculture, Fishery and Foods' land classification unless:

(a) there is an overriding need for the development; and

(b) a suitable site of lower grade land is unavailable or has an environmental value which is recognised by a statutory landscape, wildlife, historic or archaeological designation. In cases where land is in ALC Grades 1,2 and 3a, where there is an overriding need for the development and where there is a choice between sites of different grades, development should be directed to land of the lowest grade first.

Proposals either likely to disrupt farming operations, or which would result in the fragmentation of farm holdings leading in either case to the non-viability of the holding, will not be permitted.

5.31 The Plan also contains policies to control the location of intensive livestock rearing premises or development ancillary to or servicing agriculture. Such uses have often proved difficult to locate satisfactorily, and where possible these should be located in existing farm buildings. With such applications, the Council can have regard only to material planning considerations, although this could include a

temporary planning permission to allow the planning authority to assess the precise impact of the proposal on the surrounding area. Such proposals will also be governed by other environmental, hygiene and welfare legislation and the Council will have regard to the advice on these aspects as set out in Annex C of PPG7.

5.32 Proposals for the establishment or expansion of intensive livestock rearing or for associated structures such as slurry tanks and lagoons will be refused where they do not comply with the requirements of Policies DC1 and P1 in Chapter 7, “Pollution and Land Resources”.

5.33 The location of facilities for boarding and breeding of animals not connected with agriculture has caused difficulties in the past. The Plan therefore includes criteria in Policies CO9 and DC1 which can be used to assess individual proposals and ensure that not only are they located so as to minimise nuisance on an individual basis but also that nuisance caused by the cumulative impact of such establishments is avoided.

CO9 Planning applications for the establishment or extension of facilities for the breeding or boarding of horses, dogs or cats or any other animals not bred or boarded as part of an agricultural operation, will be refused where either of the following apply:

(a) There is an adverse effect on farming and the quality of agricultural land on the site; and

(b) The use has an adverse impact on the character or appearance of the countryside.

Agricultural Diversification

5.34 “Farm diversification” is taken to mean an alternative use of land or buildings that remains within the farming unit in the ownership of the farmer and run from the existing house. Although a manager may be employed to run the business, it should not require any extra accommodation, unless that provision is within or connected to the farmhouse. The Council does not wish to unreasonably hinder diversification plans; however, it does want to ensure that any use granted on the basis of diversification remains part of the farming unit and is not sold to an independent owner who would not otherwise have gained planning permission.

5.35 Changing agricultural policy and the continued loss of agricultural employment have led farmers and farm workers to seek alternative means of income. Diversification clearly benefits the rural area in terms of providing much needed local

employment, supporting the local economy and making use of existing farm buildings, some of which may have an architectural or historic value. However, this is not to suggest that all forms of diversification are acceptable and that the needs of the countryside, conservation and neighbouring residential properties can be set aside. Some farm diversification – such as the introduction of new land uses out of character with the landscape, or new buildings that are inappropriate in size and scale and materials – will have detrimental effects on the countryside. Similarly, some uses and ancillary activities may adversely affect residential amenities.

5.36 Other uses may lead to an unsustainable subdivision of the farm unit. For this reason the cumulative effect of diversification will be addressed in two ways: first, by requesting that each application is accompanied by a farm management plan in order to assess the context of the diversification scheme, its impact on the site and any repercussions on the effective running of the farm; second, to consider the scheme in conjunction with other schemes that operate in the area in order to assess the overall impact visually and in terms of traffic generation, and to ensure the safety of all users and avoid the use of urban features in the countryside.

5.37 Farm diversification schemes may result in the loss of particular habitats, trees or hedgerows. The site, in some instances, may benefit from additional landscaping in order to minimise the proposal's impact on the surrounding countryside. In order to ensure there is no damage to or loss of the open and undeveloped character of the countryside, or to habitats of nature conservation importance, and to promote biodiversity, landscape and habitat creation schemes will be required as part of the planning application. Any scheme will be appropriate to the size and scale of the proposed development.

5.38 Some diversification schemes will be more appropriate in the countryside than others, due – for example – to the specific circumstances of their location or design or because of traffic generation and issues related to it. The suitability of any scheme will be judged against Policy CO10 and other Local Plan policies, some of which are given below. Applications for the extension of existing buildings or the change of use of buildings for tourist accommodation raises particular issues in relation to being sensitively located and designed and are subject also to Policy UEA6. Proposals within Use Class Order B1, B2 and B8 are subject also to EMP4 and farm shops in accordance with shopping Policy TCS13. Leisure uses that require no new buildings and are extensive in their use of the land or community uses are considered more appropriate. Storage of non- agricultural items in the countryside is a contentious issue, applying in particular to large items such as caravans or boats, and even more so if they are visible. Although this issue will be covered by other Local Plan policies, in terms of diversification a limited number of caravans or boats (perhaps 2 or 3) could be stored. It should be stressed that this type of use will be of a very limited nature and confined to within existing buildings.

5.39 The Council recognises the need for farms to diversify but is also aware of the isolated nature of many farms and therefore of the need to ensure that development proposals make the best use of existing farm buildings rather than introduce new structures into the countryside. Any potential new buildings will have regard to the scale and design of the surrounding area and applications for new buildings must prove why the existing buildings cannot be used as part of the diversification scheme. This will be particularly important in sensitive areas of the Borough, such as the Dedham Vale AONB.

5.40 Opportunities for increasing access to the countryside on foot, horse and by bicycle will be encouraged – for example, through the introduction of public rights of way or permissive routes.

CO10 Appropriate and alternative uses for agricultural land and buildings will be approved provided that all the following criteria apply:

- (a) Maximum use of existing buildings is made and any new non-agricultural buildings should be essential to the diversification scheme. Where new buildings are allowed, particular regard will be had to their quality and character;**
- (b) A landscape scheme and habitat creation scheme will be required;**
- (c) There is no damage to the agricultural holding and its continued viability and proper functioning; and**
- (d) Additional traffic generation must be accommodated without significant change or amendment to the local highway network.**

DEDHAM

5.41 Dedham village lies near the heart of what is known as Constable Country. The area has a long history as a tourist destination because of its peaceful rural nature, attractive countryside, historic buildings and village atmosphere and connections with the painters John Constable and Alfred Munnings. Dedham is not the only quintessential village in the area but it has become the area most well known to day trippers and long-stay visitors by virtue of its location and connections, as well as the

number and variety of additional facilities available in the village.

5.42 The presence of so many visitors pays great dividends to the residents by sustaining many services that might not otherwise be available to a village the size of Dedham. However, a survey undertaken by the Council (Dedham Recreation Capacity Study, 1994) demonstrates the problems associated with large numbers of visitors, the significant majority of whom arrive by car. The demand for car parking, congestion, the pressure of so many visitors on a very small area of the countryside and the inconvenience and intrusion experienced by residents in contrast to the opinion of local businesses puts great demands on the village. It is possible to relieve this pressure, principally by encouraging tourists either to visit at less busy times or to visit less well used areas. In addition, the Council will strongly resist future applications for facilities that offer totally new opportunities to the visitor and which would attract those who would not otherwise come to Dedham.

5.43 Another aspect that the Council believes can increase the number of visitors and materially affect the appearance of the Conservation Area and the countryside character is the proliferation of signs. The Borough Council now has very little control over the use of brown tourist signs, although advertising consent is still required for other signs and the Council will seek to ensure that these are strictly limited in order to safeguard the character of Dedham village and its surrounding countryside and to avoid attracting new or chance visitors.

5.44 The Council has provided the Mill Road car park and increased the capacity at the Mill Pond parking area to meet demand for off-road parking. The wisdom of providing further parking provision is doubtful, however, and the Council is keen to promote and encourage visitors to use alternative modes of transport, such as scheduled bus services, park and ride services and safe cycle routes into and within the Dedham Vale Area of Outstanding Natural Beauty.

CO11 Proposals for additional visitor car parking facilities or for development which would constitute separate “stand alone” facilities, and which it is considered would or could add significantly to the numbers of visitors and/or vehicles within Dedham or the surrounding countryside, will be refused.

Any proposals for additional signs to serve existing and future facilities will be refused where they prejudice the historic and landscape character of the area.

STABLES

New Stables or Extensions to Existing Stables

5.45 The Council recognises that horse riders must have properly established bases and a good network of bridleways or permissive routes (eg farm ride schemes) for what is a growing leisure activity. However, this increase in the number of stable/equestrian type uses puts increasing pressure for development on the countryside. Clearly such uses are best located in the rural area, but an uncontrolled spread of stables, ranch fencing, exercise rings etc and on-site residential accommodation threatens the open landscape, neighbouring residential amenities and local wildlife habitats. For example, there could be a significant increase in the level of “wear and tear” on sensitive wildlife sites near to or along bridleways.

5.46 The Council is very conscious of the continued demand for houses in the countryside and in particular that some may seek to take advantage of recreational uses in order to secure a home in the rural area. Although the Council would welcome increasing public access to the countryside, it does seek to refuse the inappropriate development of buildings, particularly of a sporadic or isolated nature. Accordingly, existing stables seeking on-site residential accommodation will be required to provide a business plan in order to prove their viability. The Council will want to ensure that the accommodation always remains in use in connection with the business. Therefore any planning permission that may be granted will be subject to an occupancy restriction. The removal of an occupancy restriction will be assessed against Housing Policy H11.

5.47 To avoid isolated or sporadic development, the Council will want to ensure that new stable/equestrian development takes advantage of existing residential properties to accommodate the manager or supervisor and enable the new business to be operated from the house. Only in exceptional circumstances would a proposal for the re-use of existing buildings, as a new equestrian establishment where the residential element was subordinate part, be appropriate. Exceptional circumstances could be, for example, to safeguard a listed building. The Council is keen to ensure there is no confusion between the needs of the business and the desire to have a home in the countryside. To this end, as in Policy CO13, all applications for accommodation in connection with equestrian or stable businesses will be restricted in size so that the residential element is truly a subordinate part of the equestrian use and not a reflection of the aspirations of the owner. It will be important to ensure that the accommodation is close enough to meet the operational requirements of the business and the manager, because future applications for new accommodation to continue operating or retain employees of the stables will be subject to the strict housing and countryside policies in the plan.

CO12 Planning permission will be granted for the establishment of new, or the extension of existing riding schools and other equestrian establishments provided the following apply:

- (a) The new equestrian development is located in association with existing residential property or, in exceptional circumstances, in association with the re-use of existing buildings where the residential element is as a subordinate part of those buildings that is capable of meeting the duties of the manager/ supervisor;**
- (b) There is no adverse impact on landscape character and residential amenity;**
- (c) There is no damage to or loss of sensitive local wildlife habitats;**
- (d) The traffic generated can be accommodated without alteration to the existing local highway network;**
- (e) Existing and proposed bridleways and byways and the surrounding road network are suitably and safely located and are able to accommodate horse riders**

Residential Accommodation for Existing Stables

5.48 For existing equestrian establishments, the business may develop sufficiently that on- site accommodation is sought. If the Council was minded to grant planning permission, it would want to be assured that the business is capable of funding a house and, to avoid any doubt, may consider it necessary to grant temporary planning permission for a mobile home before granting permanent consent. Any permission that may be granted will be subject to an occupancy restriction. The removal of an occupancy restriction will be assessed against Housing Policy H11.

5.49 The Council is also keen to ensure that the requirements for a legitimate business are not confused with the desire to own a house in the open countryside. To this end, all applications for accommodation in connection with equestrian or stable businesses will be restricted in size so that the house represents a true reflection of the needs of the business and the income generated and not the needs or aspirations of the owner. For example, a modest house with three bedrooms and

a study with an integral garage would meet the requirements for most businesses.

CO13 Planning permission for residential accommodation for existing equestrian establishments will be granted subject to the following:

- (a) New accommodation is located adjacent to or physically adjoining the stables so as to create one complex of buildings;**
- (b) The accommodation can be provided from business income a business plan verifying the viability of the business to achieve this will be necessary and the accommodation is the minimum required to meet the needs of the business;**
- (c) There is no adverse impact on the character of the surrounding countryside; and**
- (d) In all cases where residential use is permitted, a standard occupancy condition will be attached to the planning permission.**

6. URBAN ENVIRONMENT & ARCHAEOLOGY

Introduction

6.1 Its built environment is one of the most important assets that the Borough possesses. In addition, it contains sites of national and international importance for archaeology. The town not only claims to be Britain's oldest recorded town but can also claim to be one of the most important towns historically within the country. The Town Centre is designated a Conservation Area and is perched up on top of a hill with views out to the open countryside and with the attractive landscape of the River Colne Valley coming close to it. It is an environment to be envied.

6.2 In addition to the Town Centre, there are a number of fine villages within the district of which perhaps the most important historically and architecturally is Dedham, although the older parts of both Wormingford and Messing as well as many others have their attractions. There are also the riverside settlements at Wivenhoe, Rowhedge and West Mersea.

6.3 Much new development has taken place in the district over the last 40 years and inevitably some of this has not been of a very high quality. Through the use of the Council's development control powers it has been possible to ensure that much of the new development that has taken place in the last 20 years is probably as good as most other comparable areas have managed to achieve. Within the Town Centre, some of the new development has managed to enhance the Conservation Area and efforts continue with English Heritage and the County Council to enhance it further. Development from the '60s and early '70s, including road building, caused much harm to the town's character.

6.4 The Council has also been pro-active in preserving the archaeology of the town. It has spent significant sums of money, with the financial support of English Heritage, to ensure that the Roman Walls and the Castle have been repaired and kept in good order.

6.5 For the future, there are signs that the value of good design in new development is being increasingly recognised at a central and local level. Hopefully, the new development over the next plan period will show a further improvement from that achieved in the last.

6.6 The Borough is fortunate in possessing a number of green wedges or greenlinks that come from the edge of the built up area almost to its centre in some instances. These are important for the setting of the town as well as being important locally for people and for wildlife. There are also a number of small incidental areas of value within the urban area.

Objectives

6.7 The Plan's objectives in terms of this chapter are:

- (a) To safeguard and enhance the historic form and character of settlements and, in particular, to protect and enhance the character and setting of Conservation Areas, listed buildings, Scheduled Ancient Monuments, areas of archaeological importance and historic parks and gardens;
- (b) To ensure that the layout and design of new housing retains local distinctiveness; meets the highest standards in terms of visual appearance, treatment of the external environment and personal safety and security; and respects or enhances local character;
- (c) To encourage the highest standards of design for all non-residential development;
- (d) To improve those areas with poor environments;
- (e) To retain and enhance green wedges and greenlinks and incidental areas of value as far as possible.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

6.8 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal in addition to the following detailed policy guidance.

CONSERVATION AREAS

6.9 The Planning (Listed Buildings & Conservation Areas) Act 1990 requires that Local Planning Authorities should pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

6.10 The 1990 Act also requires Local Planning Authorities to designate Conservation Areas, to keep such designations under review, and "to formulate and publish proposals for the preservation and enhancement of" Conservation Areas.

6.11 The Borough Council carried out an extensive review of Conservation Areas

and boundaries in the 1980s and has subsequently evaluated a number of potential Conservation Areas, some of which were designated. It is considered that all those areas currently warranting Conservation Area status have been designated.

6.12 The Proposals Map shows the existing 21 Conservation Areas to which the policies set out in this section apply. The Borough Council is currently considering the need for further Conservation Area appraisals. It will also, within the resources available, implement a programme of positive schemes for the preservation and enhancement of Conservation Areas and encourage and support property owners to preserve and enhance buildings worthy of retention.

6.13 The appraisal process will identify the special character which has led to designation. It could lead to amendments to boundaries to reflect more accurately the extent of the special character. The conclusions arising from appraisals will be used as SPG and may lead to alterations to the Local Plan itself. The appraisals should also identify those priority buildings and areas towards which resources for repair and enhancement should be directed. A planning application in a Conservation Area should be in the form of detailed proposals, incorporating full elevational treatment and colours and materials to be used.

UEA1 Within Conservation Areas, all those buildings, open spaces, trees, views and other aspects of the environment which go to make up the character or appearance of such places will be protected.

Development considered detrimental to the setting of Conservation Areas will be refused.

UEA2 An application for a new building, alteration or extension affecting a Conservation Area will be permitted only provided that:

(a) the proposal does not detract from the character or appearance of the Conservation Area;

(b) in the case of a new building, its siting retains the existing street building line and the rhythm of the street, its mass is in scale and harmony with the adjoining buildings and the area as a whole, and the proportions of its parts relate to each other and to the adjoining

buildings;

(c) architectural details which contribute to the character or appearance of the Conservation Area are retained;

(d) in the case of a shop front, it is of a high standard of design relating sympathetically to the character of the building and the surrounding area;

(e) the materials used are sympathetic with the particular character of the area which it is desirable to retain and enhance.

6.14 In addition to seeking to control the appearance of buildings and spaces in Conservation Areas, the Plan also seeks to resist unsympathetic uses of land. The establishment, change of use or expansion of uses that would detract from the character of a Conservation Area due to noise and traffic generation, or would be detrimental to visual amenities, will not be permitted.

6.15 Conservation Area designation is often in recognition of the fact that a group of buildings together, or a particular arrangement of buildings and spaces, comprises an identifiable character. Such areas are sensitive to the demolition of even one building. There is a general presumption in favour of retaining buildings which make a positive contribution to the character or appearance of a Conservation Area, so the Borough Council must be satisfied that there are good or overriding grounds for such demolitions. Equally, the Borough Council will wish to ensure that, firstly, no unsightly gaps are left in building facades any longer than is necessary after demolition and, secondly, that replacement buildings in line with Policy UEA2 would actually enhance the character and appearance of the Conservation Area.

6.16 Applications for planning permission and Conservation Area consent for demolition should be submitted together. Outline applications will not normally be acceptable.

UEA3 Within a Conservation Area, consent will be granted to demolish an unlisted building only where:

(a) demolition and/or redevelopment of the existing

building would make a positive contribution to the wider aim of preserving and enhancing the character of the Conservation Area;

or

(b) the applicant is able to demonstrate that the building is beyond reasonable repair;

and

(c) the applicant provides clear and convincing evidence that all reasonable efforts have been made to sustain existing uses or find viable new uses, and these efforts have failed; preservation in some form of charitable or community ownership is not possible or suitable; or redevelopment would produce substantial benefits for the community which would decisively outweigh the loss resulting from demolition.

Where (a) to (c) apply, it will also be necessary to demonstrate that, if appropriate, there are acceptable detailed proposals for redevelopment of the site. In these cases, planning permission will be conditional to the making of a contract before demolition can proceed for the works necessary to implement the approved redevelopment scheme, and the proposed redevelopment would preserve or enhance the character and appearance of the Conservation Area.

LISTED BUILDINGS

6.17 Buildings listed as being of special architectural or historic interest are important in themselves and for the contribution they make to the character of the Borough, particularly in Conservation Areas. PPG15 makes it clear that there will be a general presumption in favour of the preservation of listed buildings. The Plan therefore proposes that these buildings should be protected from demolition or unsympathetic change and that measures should be pursued to safeguard their continued well-being.

6.18 In considering proposals for the demolition of listed buildings, applicants will need to demonstrate the efforts that they have made to keep the building in its present use, or find new uses with a new owner which may include a charitable trust or a community group. This would include marketing campaigns over a period of some months and in a variety of outlets, evidence that the price being sought for the building in its existing or a new use was realistic given its condition and location, and

evidence of meetings with community groups and charitable trusts, including building preservation trusts.

6.19 The Borough Council currently operate a programme of grant aid for the repair of listed buildings. It is proposed to continue with this subject to the availability of resources.

6.20 The policies in the Adopted Review Colchester Borough Local Plan have been reviewed and revised in the light of PPG15, "Planning and the Historic Environment". In particular this has led to a strengthening of the policy relating to the demolition of listed buildings.

UEA4 There will be a presumption against the demolition of listed buildings. Consent for demolition will be granted only where :

(a) clear and convincing evidence has been presented that all reasonable efforts have been made to sustain existing uses or find viable new uses and that these efforts have failed; or

(b) preservation in some form of charitable or community ownership is not possible; or

(c) redevelopment will produce substantial benefits for the community which would decisively outweigh the loss resulting from demolition.

6.21 The value of many historic buildings does not just relate to their external appearance, but can derive from any special internal features such as panelling and fire surrounds or the spaces within and the layout itself. The Council can control any proposed works which may damage any of these features. Applicants for listed building consent must be able to justify their proposals and these should be supported by sufficient information including detailed drawings and a considered analysis of the impact of the proposals on the building's special character. The Council's general approach to applications is set out below.

6.22 The policy also reflects the fact that new unsympathetic development may seriously detract from the appearance and/or setting of a listed building. It also relates to the Council not wishing to encourage inappropriate land uses solely to

secure retention of, or improvements to, listed buildings. However, the Council will consider new uses which enhance and facilitate the maintenance of a listed building if this will not undermine other policies contained elsewhere in the Plan. In all cases, the Council would wish to negotiate schemes for repair or refurbishment with the applicant prior to any permission being granted, using the mechanism of a formal legal agreement where this was felt to be necessary. The success of such schemes can often hinge on the careful supervision of the work and the use of appropriate specialist labour and methods. Where such refurbishment schemes are pursued in buildings open to the public, opportunities to improve access for disabled people will be pursued in a manner that does not prejudice the building's special interest.

UEA5 Any works to a listed building or to other buildings and structures dating from before 1 July 1948 within its curtilage, must:

- (a) preserve the special interest of the building;**
- (b) retain and repair internal and external original fabric and features, and replace that which is missing;**
- (c) not harm the structural stability or fabric of such buildings and structures, or adjoining buildings and structures;**
- (d) in the case of an extension, be of a scale and character that would clearly retain the distinctive form, scale and mass of the original building.**

Furthermore, any development which adversely affects the setting of a listed building will not be permitted. In addition, permission will only be given to a change of use of a listed building where structural and economic evidence indicates it would otherwise be incapable of continued beneficial use in its present use and where the change of use does not adversely affect the special architectural or historic interest of the building, or give rise to adverse environmental impacts. Any demolition or structural alteration of a listed building will be subject to a condition ensuring the necessary archaeological and historic recording.

Listed Barns or Other Listed Agricultural Buildings

6.23 Colchester, in common with other parts of Essex, has a substantial number of historic farm buildings, predominantly timber-framed barns, many of which are statutorily protected as buildings of special architectural and historic interest. Many of these buildings belong to archaeologically important domestic and agricultural settlements, dating back in some cases to the Norman Conquest. As a result of these changes in general farming practices, many of these barns and other structures have become effectively redundant in agricultural terms, although they are frequently used for low- key storage and other uses.

6.24 In the County as a whole there have been a number of proposals for the re-use of barns for residential purposes. In a number of cases, the change of use to residential has been so dramatic that the barns in question no longer qualify for listing.

6.25 The result in these circumstances has been that the very reason for allowing this kind of change of use – to conserve historic and architectural character – has been destroyed in the process. This is predictable given the characteristics of the barns, which are, in the majority of cases, large black boxes with steeply pitched roofs, the boxes themselves being essentially simple large, void containers with big doors and virtually no windows.

6.26 In order to safeguard the character of barns, conversion to appropriate employment (within use classes B1, B2, or B8) or community uses will be preferred. Conversion to residential use will be accepted only as a subordinate part of a scheme for business re- use of that building or group of buildings or where business or community re-use is not feasible. To comply with the former, the residential use would occupy a small proportion of the total floorspace of the building or buildings converted and would be occupied in association with the business use attached. To demonstrate that conversion to business or community use is not feasible, the applicant will need to demonstrate the sustained efforts they have made to market the building and that the price being sought is realistic. In addition, they should demonstrate what attempts they have made to get community groups interested in using the building. The change in emphasis of the policy is further justified in the light of statements in the Rural White Paper and PPG7, “The Countryside – Environmental Quality and Economic Development”.

6.27 In addition, conversion to holiday accommodation – ie let for a maximum of individual 4- week periods – would be acceptable where it safeguarded the fabric of the building and conversion to a suitable business or community was neither possible nor desirable.

6.28 The proposed conversion should not alter the original character of the building in respect of its structure, external cladding materials, internal spatial character, external openings, skyline silhouette and roof planes or its immediate or landscape

setting. The introduction of new alien structural members is unlikely to be permitted.

6.29 An application for a change of use should be accompanied by a fully detailed scheme, based on a thorough survey of the existing fabric to demonstrate that the conversion of the building concerned will secure the preservation of its architectural and historic interest.

6.30 Applicants are advised to seek expert advice, including archaeological advice, at an early stage. The Council may require an archaeological record to be made as part of any permission.

6.31 In considering proposals, regard will also be had to other policies in the plan relating to the needs of agriculture, the availability of utility services and the provision of adequate parking and servicing.

UEA6 Conversion of a listed barn or other listed agricultural or formerly agricultural building to employment or community use will be permitted provided that:

(a) the conversion of the barn to the new use would secure its preservation in terms of its historic fabric, its character and appearance and its contribution to the group value of any building nearby and/or to the landscape in general;

(b) the proposed use would not generate traffic of a magnitude or type that might be likely to cause additional traffic hazards and/or damage to minor roads.

Conversion to residential use will be acceptable only where:

(i) the applicant has made every reasonable attempt to secure suitable employment or community re-use, and the application is supported by a statement of the efforts which have been made; or

(ii) residential conversion is a subordinate part of a scheme for business re-use of that building or group of buildings;

(iii) in either case, criteria (a) and (b) above are met.

In addition, conversion to holiday accommodation would be acceptable where:

(iv) criteria (a) and (b) above are met; and

(v) criterion (i) above is met

ARCHAEOLOGY

6.32 The Borough possesses an important archaeological resource, particularly in Colchester Town Centre and at Sheepen and Gosbecks. The area was an important centre prior to the Roman Invasion, witnessed by the arrival of the Emperor Claudius himself to receive the surrender of the British forces and the presence of the Iron Age dyke system. The Roman Invasion led to the eventual establishment of a walled city whose street plan is still largely in use today and whose wall survives intact to a great extent. There is evidence of Saxon and Norman occupation, particularly with Holy Trinity Church and Colchester Castle.

6.33 The “Sites and Monuments” record is an important source of identifying archaeological sites. In order to improve further knowledge of the archaeological resource in Colchester Town Centre, English Heritage are financing the establishment of an urban archaeological database. The resultant strategy will inform subsequent reviews of the Local Plan. The County Council have also completed surveys of Dedham and Wivenhoe which may be adopted as SPG. Chapter 15, “Shopping and Town Centre”, contains a specific policy relating to the Town Wall.

6.34 Prior to considering applications that affect archaeological sites and which involve ground disturbance, the Council will require the submission of an appropriate archaeological assessment as required in PPG16. Applicants are advised to seek advice from the Council to the extent of the assessment required, which will take the form of an initial desktop assessment followed by more detailed evaluation where appropriate. For small developments, this whole process may not be extensive. In considering the impact of development on archaeological sites, their value for other aspects, particularly bio- diversity, needs to be considered.

6.35 Development affecting the more important national sites, which are designated as Scheduled Ancient Monuments, will require Scheduled Ancient Monument consent. This is decided by the Secretary of State for Media, Culture and Sport on advice from English Heritage. The preferred option for scheduled sites and other

sites of national importance is that remains should be preserved in situ.

6.36 Where granting consent, the Council may seek to impose conditions or a S106 agreement to ensure that there is adequate recording of the archaeological interest. However, it is considered that preservation in situ is nearly always preferable to preservation by record.

6.37 It is expected that those carrying out the development will fund any necessary assessment and recording.

6.38 The Council recognise that landowners and tenants have an important “guardianship” role to play in the continuing task of preserving archaeological sites, as does the Council itself in respect of those sites and monuments on its own land. The co-operation of other landowners and tenants will be sought in preserving such sites.

6.39 When the Council becomes aware of a threat to a recognised archaeological site as a result of the potential exercise of Permitted Development Rights, it may seek to use an Article 4 Direction to safeguard the archaeological interest.

6.40 Interpretation of archaeological sites is also recognised as important and the Council will continue to implement schemes to interpret sites and monuments.

UEA7 There will be a presumption against development that would adversely affect Scheduled Ancient Monuments and other nationally important archaeological remains and their settings, whether scheduled or not.

Other sites of archaeological significance will be safeguarded from development which would adversely affect them where the significance of the remains outweighs the benefits of the development

Archaeological assessment will be required prior to the determination of planning applications within areas of archaeological potential or which affect suspected archaeological sites where the proposal involves ground disturbance.

Where permission is granted for development which would involve or would potentially involve the loss of archaeological remains,

provision for their excavation and/or recording will be required.

6.41 The extensive Iron Age Dyke System around Colchester can be viewed as one of Colchester's primary archaeological monuments. Apart from the Lexden Tumulus, the dykes are the only surviving standing structures from the Iron Age settlement of Camulodunum and should be regarded as an internationally important, fragile and irreplaceable resource.

6.42 The Dyke System is a unique historic asset for Colchester. Accordingly, the Council will attach appropriate conditions to relevant planning applications in order to ensure that the system remains completely undisturbed.

UEA8 The Dyke System, including those lengths not scheduled as Ancient Monuments, will be preserved and protected from development. In areas of new development, every effort will be made to incorporate the Dykes undisturbed into amenity open spaces.

6.43 Gosbecks is situated on the south-western outskirts of Colchester. It has been described as one of the country's premier Iron Age and Roman monuments. Much of the site is protected as a Scheduled Ancient Monument.

6.44 The Gosbecks Archaeological Park, which is owned by Colchester Borough Council, covers a large part of the scheduled site. Within its boundaries lie a Roman temple and theatre, a stretch of a Roman road and substantial evidence of fields and trackways of Iron Age and Roman date. There is a continuing programme of archaeological research at the Park.

6.45 The Gosbecks Archaeological Park is a major potential asset for the area. The Council is currently pursuing the creation of a major visitor attraction on the Park as well as a programme of land management designed to safeguard and interpret the archaeological interest. Development and management of the Park will follow principles consistent with Policy UEA7.

6.46 The major visitor attraction will therefore need to be consistent with preserving the archaeological importance of the site. It will also need to respect its rural location and be compatible with the Council's transportation policies. Such an attraction will support the Council's overall vision for the Town Centre and its Tourism Development Plan.

6.47 This programme also seeks to manage the site for informal recreation and to enhance its landscape and ecological value. It is hoped to extend the area of the park either by land acquisition or a management agreement.

UEA9 The Gosbecks Archaeological Park will be safeguarded for its archaeological importance. A major archaeological visitor attraction will be located within the Park.

PARKS AND GARDENS OF HISTORIC INTEREST

6.48 English Heritage has compiled a “Register of Parks and Gardens of Special Historic Interest”. However, inclusion in the Register gives no extra statutory protection. Within the Borough, Castle Park, Wivenhoe Park (part of the University campus) and the gardens at Layer Marney Tower are all currently included. The Local Plan seeks to safeguard these important historic landscapes. The currently included sites are shown on the Proposals Map but additions or deletions to the register may occur during the Plan period.

UEA10 Sites included on the Register of Parks and Gardens of Special Historic Interest will be protected from development which would lead to the loss of, or cause harm to, their historic character or setting.

DESIGN

6.49 The general principles that underlie the Council's approach to design are:

- (a) To promote or reinforce local distinctiveness;
- (b) To achieve the highest possible standards of design in terms of buildings, associated landscaping and townscape in general;
- (c) To ensure that development has no adverse impact on residential amenity in, for example, Mixed Use Areas;
- (d) To attain a form of development in harmony with adjoining established buildings and uses;

(e) To make sure there are no significantly increased problems arising from new traffic movements into and out of the development site in question;

(f) To avoid prejudicing the effective redevelopment of adjoining sites;

(g) To have regard to crime prevention, energy conservation and nature conservation, including the scope for habitat creation.

6.50 The importance of quality in the built environment and the need for good design is endorsed in PPG1. That guidance endorses more detailed policies being contained within SPG. The Council has adopted as SPG the “Essex Design Guide for Residential and Mixed Use Areas”. This sets out detailed criteria to guide the layout and design of new residential development. It also provides guidance for mixed use areas but does not cover other non-residential development.

6.51 The Guide draws attention to the need for site appraisals on schemes of over 1ha and explains what is required. The Borough Council supports such an approach for all sites, although the level of detail necessary will generally be less for smaller sites. Guidance on this aspect is set out in Annex A of PPG1.

6.52 The Borough Council has produced SPG in relation to domestic extensions and is considering preparing SPG in relation to village housing design and trees and landscaping.

6.53 Policies relating to development in Conservation Areas are also set out in Policies UEA1- UEA3.

UEA11 There shall be a high standard of design in the layout of an area and of a building itself. New development should in general accord with the Borough Council’s design, layout, parking, highway and space standards and to further the interests of crime prevention, energy conservation and nature conservation.

In addition, the following design principles will apply:

(a) When any non-residential use is to be developed, expanded or redeveloped within a predominantly residential area, any part of the development affecting the street scene should be compatible with the

surrounding dwellings in scale, form, detailed design and materials;

(b) The buildings or building groups shall be well designed in themselves and have adequate regard to their setting;

(c) When a non-residential use is to be developed, expanded or redeveloped in any other built-up area, but outside a Conservation Area, it should be well designed in itself. Any part of a development affecting the street scene should reflect the predominant form and character of the surrounding area where that form and character makes a positive contribution to the appearance of the area;

(d) Good standards of townscape should be achieved in terms of harmonious groups of buildings and the spaces between them;

(e) The external materials used should be of a good quality and sympathetic to the particular character of the area which it is desirable to retain and enhance;

(f) The design and layout of the buildings should ensure that the amenity of adjacent property is not unreasonably affected;

(g) Where they are to be created as part of the development, public open spaces should be well landscaped and properly maintained;

(h) In all cases, redevelopment should be designed and implemented so as not to prejudice the redevelopment of adjoining land.

6.54 It is important that the optimum use is made of land available for development, and this can be achieved in part by infilling within existing residential areas, although it is important to avoid over-development or town cramming. One of the major factors disruptive of existing good character in residential areas in both town and village is the insertion of minor new development of an unsympathetic design and layout.

Even where the existing residential character is of a lower quality, the Council will still expect new development to be designed to a high standard. Backland development is a particular issue with infill development and creates three principal problems:

- (a) Poor townscape in terms of the approach to the development – often down a long driveway flanked with high fences;
- (b) Loss of privacy and amenity caused by overlooking and the distance between existing and proposed dwellings – a problem that can be overcome in some instances through the use of bungalows;
- (c) Noise and disturbance and hence loss of amenity caused by vehicles from the new development passing close to the existing properties and their gardens.

The policy seeks to address these issues.

UEA12 Where the character of existing residential development makes a positive contribution to the appearance of the area, infilling – including backland development – and minor extensions shall reflect that character. Elsewhere a good standard of design will be required.

Backland development will be permitted only where

- i) The vehicular and pedestrian approach to the development and the development itself creates a satisfactory form of townscape;**
- ii) There is no significant loss of amenity to neighbouring residential property by virtue of overlooking or from overshadowing**
- iii) There is no significant loss of amenity to adjoining residential property by virtue of noise and disturbance caused by traffic generated by the proposed development.**

DEVELOPMENT, INCLUDING EXTENSIONS, ADJOINING EXISTING OR

PROPOSED RESIDENTIAL PROPERTY

6.55 Infill development in residential areas and extensions to existing properties can provide a more efficient use of existing urban land. Development adjacent to residential property can, however, have a dramatic impact on the character of a street and the individual living conditions of neighbours. The Council will not grant planning permission for development which will detract from the visual appearance of the property or street scene or which will result in a significant reduction in the amenity of neighbours.

6.56 An extension to existing property will be expected to be built in good quality matching materials, although in some cases intentionally contrasting materials may be preferable to help to articulate the new extension. Good articulation is vital to good design and will normally require that a new extension is set in from the main publicly visible frontages of the existing property, although this will depend on the specific architectural context of the proposal. Front or side extensions should not protrude beyond established building lines where these are a character of the street. Any new roofs should reflect the character and appearance of the existing, although flat roofs are normally considered acceptable on single storey extensions which are hidden from public view and not in sensitive locations. A roof alteration or dormer should be carefully designed, as such extensions are on the most visually prominent part of a building. They should be unobtrusive and of a scale that reflects the original roof design.

6.57 Infill development, including extensions, should not appear artificially cramped and should preserve the spatial characteristics of the locality. A minimum separation distance is required at first-floor level and above where a visual gap already exists between properties, but in some streets the character of property will require a larger separation distance which may also be required at ground floor level to avoid a loss of character to that street.

6.58 A direct impact on neighbouring occupiers can occur as a result of a loss of natural daylight or sunlight, a loss of privacy or the bulk of a new development being oppressive and overbearing. Minimum requirements to prevent an unreasonable loss to residents' amenity as a result of these factors are outlined in Policy UEA13. With regard to loss of privacy, the window-separation distances stipulated in the "Essex Design Guide" to avoid overlooking between windows of new residential properties will be applied to include extensions to existing properties as well as non-residential buildings adjoining residential property.

6.59 Although most suburban gardens are already overlooked to some degree, where the adjoining residential property has an existing private garden area it would be expected to retain an area of that garden which is not overlooked at close distances by any new development. Proposed balconies, including the use of flat

roofs, will be refused planning permission unless it can be shown that problems of loss of privacy do not and will not occur.

6.60 Exceptions may be allowed to the standards within Policy UEA13 where the historic character of the area already exhibits different characteristics, such as an area of Victorian terraced houses where compliance may result in artificially restricted or manufactured development. Likewise there may be exceptional cases where it can be proved that, by good design, individual standards need not apply because the envisaged problem will not occur. However, it is envisaged that, unless a clear case for relaxation can be made, all the criteria of the Policy will be applied in full.

UEA13 An extension to a building, or a new building adjoining existing or proposed residential buildings, will not be permitted where:

- (a) the development would be poorly designed or out of character with the appearance of the original building;**
- (b) the proposal leads to the creation of a cramped appearance or terracing effect of detached or semi-detached properties;**
- (c) the proposal has an overbearing effect on the outlook of neighbouring properties;**
- (d) the proposal leads to an unreasonable loss of natural daylight or sunlight to an adjoining dwelling or its curtilage;**
- (e) the proposal leads to undue overlooking of neighbouring properties;**
- (f) the proposal leads to an unacceptable reduction in garden area or an increase in off-street car parking requirement which cannot be adequately met on site in a visually acceptable manner.**

6.61 A number of other Local Plans have included policies relating to what are termed greenlinks or wildlife corridors or green chains or green corridors. These relate to three particular aspects:

- The movement of plants and animals along open corridors of land;
- The movement of people for the purposes of informal recreation;
- As major linear and landscape features traversing the urban area.

6.62 On the question of the value to wildlife, it is becoming increasingly clear from recent research commissioned by English Nature that a linked network of sites of importance to wildlife is much more sustainable and of higher nature conservation value than a situation in which such sites are isolated islands in a sea of urban or intensively cultivated agricultural land. Wildlife corridors can therefore assist with the movement and spread of plants and animals. Some of the greenlinks use existing sites of nature conservation value, and with good management others may also achieve such a formal status.

6.63 As a recreational resource, such greenlinks can provide a way for local residents or visitors to explore and make fuller use of the variety of green spaces available throughout Colchester. Amongst other advantages, a greenlinks network could be linked to the existing pedestrian and cycle network and therefore encourage yet further the use of these two transport modes. In particular they could provide an opportunity for people to cycle from their homes out into the open countryside. They could also provide valuable and attractive walking routes.

6.64 As landscape features, greenlinks can provide a contrast to more urban development and break up the urban structure.

6.65 By encouraging the retention of existing trees, hedgerows and shrubs, and also by encouraging the planting of others to enhance the value of greenlinks, they can assist in reducing CO₂ emissions – an increasingly important aspect of local planning.

6.66 At present there are a number of open spaces, both public and private, within the built- up area which are of varying importance in terms of their value to the urban structure. Whilst all are important areas for local recreation, some are of greater significance in the overall urban context.

6.67 The greenlinks therefore consist of open spaces of importance within the urban area overall, open spaces of local importance, and links between them. As regards the latter, it may well be a case of using existing quiet roads or taking opportunities when redevelopment occurs to actually provide a proper link. At present, therefore, not all the greenlinks are fully in place. The greenlinks are shown on the Proposals Map. Where they cross an area of open space and are shown diagrammatically as

passing across it, the whole of the open space is to be regarded as part of the greenlink and managed as such.

6.68 The ideal overall width for a greenlink would be 80m. Such a link would consist of a central 12m path verged on each side by a 34m zone consisting initially of a wildflower meadow of 6m and then a scrub and woodland belt of 28m. The central path zone could be available for walking, riding and cycling on segregated tracks (see also Policy L15). Obviously, such an ideal arrangement will not be able to be achieved immediately, and indeed on some occasions the link between areas of open space may be much smaller than this. The Council must also balance the benefits of retaining all existing greenlinks against making the optimum use of urban land. In addition, its management must respect and strengthen existing individual characteristics.

6.69 The idea of greenlinks should be linked to improving existing open spaces for nature conservation and recreational access. Though much has been done by the Borough Council in recent years along these lines, there is surely scope for more. It is also proposed that landscaping on adjacent development complements the appropriate greenlink. A fully developed network of greenlinks will do much to improve the quality of life for local residents.

UEA14 The greenlinks shown on the Proposals Map will be safeguarded from development. Greenlinks will be required as part of development proposals where the development lies across the line of or adjoins a proposed greenlink.

6.70 In addition to these larger greenlinks, there are within the urban areas a number of small incidental open spaces. These are sometimes privately owned, sometimes publicly owned, sometimes just large roadside verges with or without landscaping. They make an important contribution to the character of a place. The Borough Council already seeks to protect these features in areas of new development and in established areas through such measures as Tree Preservation Orders, conditions on planning permissions and discussions with landowners.

6.71 Whilst the new Local Plan seeks to make the maximum use of land within the urban area for new development (using so-called “brownfield sites”), it nevertheless needs to avoid the opposite extreme of cramming all development within the urban area and losing any open spaces which contribute to the character and feel of people’s environment.

6.72 It is proposed that the sites would be identified by a survey of Colchester, Tiptree, Stanway, West Mersea and Wivenhoe which would complement the series of Village Appraisals that have currently taken place. Because some of the sites involved will be very small, it may not be possible to mark them on the Proposals Map. It is therefore considered that the sites would be held on a “register” and adopted as SPG. Pending completion of the survey, the Council will deal with proposals that affect such areas on their merits, taking into account all material planning considerations. In the rural areas, Policies H7, L6 and L7 will apply.

UEA15 Within the urban areas, all those small incidental areas of open land and important natural features which contribute to the character of existing residential neighbourhoods will be safeguarded.

ADVERTISEMENTS

6.73 The quality of outdoor advertising can have an important effect on the appearance of an area. The policies aim to ensure that advertisements are appropriate for the area in which they are situated and in harmony with the building on which they are placed. When considering outside advertisements, the Council will have regard to the interests of amenity and public safety. Within Conservation Areas, particularly, strict controls are proposed as it is these which are the most attractive of the built-up areas. Similarly, strict controls are proposed in the countryside to protect the rural character of the area.

6.74 When an advertisement benefits from deemed advertisement consent but is considered to be detrimental to visual amenity or public safety, the Council will serve a discontinuance notice requiring its removal.

6.75 Where appropriate the Council will designate Areas of Special Advertisement Control.

Advertisements Within Conservation Areas

UEA16 Advertisements will be permitted only if they are well designed and sited do not detract from the character and

appearance of the Conservation Area and are not detrimental to highway safety. The following principles will apply:

- (a) The proliferation of signs and advertisements will be discouraged – signs will be restricted to the ground floor wall area;
- (b) Advertisements should be designed as an integral part of the shop front and building and should be in keeping with the character of the surrounding area;
- (c) Traditional materials should be used which preserve or positively enhance the character and appearance of the Conservation Area. Unless indicated in (d) below, box signs will not be permitted and traditional signs and advertisements should be retained;
- (d) Illuminated signs will be permitted only in the main shopping streets of the Town Centre. Within the High Street, Head Street, Queen Street, St Botolph's Street, St John's Street, Osborne Street, Crouch Street, Culver Street and Long and Short Wyre Streets, illumination should take the form of discreet external lighting or individually fixed halo-illuminated letters. The fascia itself should not be internally illuminated. Within the Culver Centre and Lion Walk, advertisement consent will be given to internally illuminated signs with a matt opaque background and "cut out" lettering;
- (e) In rural Conservation Areas, illuminated signs will be permitted only on commercial buildings where no harm is caused to the character and appearance of the building itself or the Conservation Area. Where consent is given, illumination should take the form of discreet external lighting;
- (f) Corporate image advertising will be accepted only where it is not detrimental to the character of the building and the surrounding area;
- (g) Advertisement hoardings will be given temporary

consent around building sites during periods of construction where the harm to the character of the Conservation Area is outweighed by the benefits of screening the development site.

Advertisements Outside Conservation Areas

UEA17 Signs and advertisements should respect the character of the area in which they are located and should relate to the scale and architectural features of the building on which they are placed. They should be sited so as not to be detrimental to highway safety.

In general, shop signs, including projecting signs, should be located at fascia level and should not damage the appearance or architectural integrity of the building on which they are located. High-level signs will be acceptable only where it can be demonstrated that they make a positive contribution to the character of the area.

UEA18 Advertisements in the rural area will be permitted only if they are well designed and sited, relate to the site on which they are placed and do not detract from rural amenity.

UEA19 Where consent is required under the Advertisement Regulations, new advertisement hoardings will only be given temporary consent around building sites during periods of construction, taking account of the criteria set out in Policies UEA17 and UEA18 above.

Advertisements on Listed Buildings and Scheduled Ancient Monuments

6.76 Additional controls generally apply to advertisements for display on listed buildings and on the sites of Scheduled Ancient Monuments. This is because almost all advertisements will constitute an “alteration” to the site of the building or monument, and therefore require listed building or scheduled monument consent in

addition to any advertisement consent. Special care is essential to ensure that any advertisement displayed on, or close to, a listed building or scheduled monument does not in any way detract from the character or appearance of the building or monument concerned, or compromise its setting.

UEA20 In considering applications to display advertisements on, or within the curtilage of, listed buildings or Scheduled Ancient Monuments, consent will not be given where the proposals will:

(a) detract from the integrity of the building's character, appearance or structure;

or

(b) compromise its wider setting.

AREAS OF SPECIAL CHARACTER

6.77 There are four areas within the Borough which are not of Conservation Area status but nevertheless have a particular character which it is desirable to keep. These are Lexden, Fitzwalter and St Clare Roads, Lexden, as shown on the Proposals Map; Welshwood Park; part of West Mersea; and Stanway Green. The Plan proposes that their special character should be safeguarded.

6.78 In the case of Lexden Road, Fitzwalter Road and St Clare Road, the area's special character comes from large properties set in large grounds. There is ample space around the buildings and the gardens are extensively treed. Infill by smaller dwellings would detract from this spacious character.

6.79 Welshwood Park is a more modern area developed in two main phases. The earlier phase has the larger and more individually designed properties. Throughout the area, which has an active residents' association, there are large numbers of trees both within gardens and on grassed areas. The loss of this tree cover would have a seriously detrimental affect on the area and the Council has therefore recently confirmed new Tree Preservation Orders covering it.

6.80 Stanway Green consists of a number of properties of varying styles set around a pleasant green. Part of the dyke system crosses the green and is a Scheduled Ancient Monument. Again, trees make an important contribution to the area's character.

6.81 The Borough Council has recently reviewed the West Mersea Conservation Area. The conclusion was that the area adjacent contained a number of important trees and interesting dwellings. As it was desirable to retain this character, the Council has placed preservation orders on a significant number of trees and has designated the area in the Local Plan as an Area of Special Character.

UEA21 Within an Area of Special Character, all those spaces around buildings, trees, open spaces and other aspects of the environment which create the area's character will be protected. Development that will lead to the loss of character will be refused.

7. POLLUTION AND LAND RESOURCES

Introduction

7.1 In recent times there has been a major increase in environmental awareness. Public opinion will no longer accept the ceaseless expansion of urban sprawl onto more and more “greenfield” sites. However, at the same time, demand for the creation of further new housing, retail and leisure developments etc continues to be extremely strong. The Council, therefore, must ensure that the best use is made of the land that is available within the Borough. At least 60% of new development allocated in the Plan should ideally be on “brownfield” sites – that is to say, land that has been previously used for building or related purposes.

7.2 Despite its support for the re-use of vacant, derelict and contaminated land, the Council will need to avoid the occurrence of “town cramming” (the over development of available space). This is particularly important in respect of Colchester, given its status as Britain’s oldest recorded town.

7.3 Both PPG22 (Renewable Energy) and the DTI’s Energy Paper 62 highlight the need for diversity of energy supply and the environmental benefits that can accrue from a whole range of renewable energy sources. The Eastern Region Renewable Energy Study has considered these matters in more detail, and with specific regard to this area. The British energy producing sector is being required to include an element of renewable energy production in its overall fuel supply provision. There are undoubtedly suitable sources located within the Borough. As technology rapidly develops, various renewable energy sources are likely to become far more viable. Given the Borough Council’s aim of becoming the greenest Borough in the country, it will seek to encourage the local production of renewable energy supplies wherever practicable and environmentally friendly. Similarly, schemes incorporating energy conservation measures will be strongly encouraged.

Objectives

7.4 The Plan’s objectives with regard to pollution and land resources are:

- (a) To control developments likely to lead to significant levels of pollution or hazards to public safety or to natural eco-systems;
- (b) To avoid the location of new development in areas where it is likely to be subject to pollution generated by existing uses;
- (c) To ensure that land resources are used to best effect and best use is made of derelict and contaminated sites.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

7.5 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal, in addition to the following detailed policy guidance.

POLLUTION (GENERAL)

7.6 The threat of various forms of pollution arising from new development or changes of use has assumed increasing importance over the past few years, arising from greater research into the environmental impacts of different forms of development and public opinion becoming more and more sensitised to such impacts by a number of well-known incidents involving release of harmful waste or other materials into the environment. The Borough Council, working under the auspices of its Environmental Charter and making full use of relevant statutory powers, will prevent development of any kind that would be likely to cause any form of significant pollution affecting the amenities of surrounding interests. In this regard, the Council will work, wherever it can, to precise standards – for example, in respect of noise pollution.

Safeguarding New Development

7.7 There is also a need to safeguard proposed new development from likely pollution caused by existing uses bordering or close to the proposal site. In cases where such pollution would be at unacceptable levels, the new development proposed will not be granted permission.

Noise Pollution

7.8 The policy reflects the general guidance on pollution and noise – that is, that noisy activities should not be located near noise sensitive uses such as housing, schools etc and, conversely, that these noise sensitive uses should not be located near existing noise sources.

Air Pollution

7.9 The Council is required to measure air quality and, if necessary, declare Air Quality Management Areas. At present, it is not certain it will be necessary to declare such areas, which might have implications for the Local Plan. The matter will be kept under review.

Hazardous Materials

7.10 Convincing evidence will be required from all relevant applicants for planning permission demonstrating that maximum safeguards are, or shortly will be, in place to prevent any but the most marginal threat from potentially hazardous materials to neighbouring interests. This is especially the case where such surrounding uses are particularly vulnerable, as with residential and educational uses, for example.

7.11 The Planning (Hazardous Substances) Act 1990 introduced specific planning controls over the storage and use of hazardous substances, additional to controls over development. It gives local authorities an opportunity to consider whether the proposed storage or use of a significant quantity of a hazardous substance is appropriate in a particular location, having regard to the risks arising to people in the surrounding area.

7.12 The Borough Council is required to consult formally various organisations – for example, the Health and Safety Executive (H&SE) – with respect to planning applications, depending upon location and type of development proposed. Any special consultation requirements applicable to any particular site or proposed use may be confirmed by enquiring of the Development Control section of the Environmental Services Department.

P1 Development will not be permitted where either it or any ancillary activities, including vehicle movement, are likely to harm the amenities of people living nearby by reason of:

- (a) noise;**
- (b) vibration;**
- (c) smell;**
- (d) fumes;**
- (e) smoke;**
- (f) ash;**
- (g) dust;**

(h) grit;

(i) light;

(j) lack of adequate drainage facilities;

(k) likelihood of pollution of surface or underground waters;

(l) air pollution or any other forms of pollution.

New development will not be permitted that is likely to be significantly affected by any of the relevant forms of pollution listed above.

Any proposed development involving the manufacture, storage or use of materials potentially hazardous to public health and safety will be approved only when fully adequate safeguards have or will be taken to reduce likely risks to the surrounding area.

It may be appropriate, in the light of an environmental assessment, to require a scheme of mitigation covering matters of planning concern to be approved before any built development is allowed to be undertaken.

LIGHT POLLUTION

7.13 The over use of outside lighting can be harmful to the character of the countryside or to local amenity. It can also prove detrimental to highway safety (eg through distraction and glare), energy conservation, wildlife interests, historic and listed buildings and those who need darkness for their work/leisure pursuits (eg astronomers).

P2 Planning applications for development requiring or likely to require external lighting should be accompanied by details of the proposed lighting schemes. These will be expected to demonstrate that they:

- (a) are the minimum required to undertake the lighting task;**
- (b) minimise light spillage;**
- (c) do not compromise highway safety;**
- (d) protect local amenity and natural ecosystems;**
- (e) do not detract from historic buildings or result in harm to the character or appearance of a Conservation Area.**

Landscaping measures might be required to screen the lighting from neighbouring countryside areas.

DEVELOPMENT IN FLOODPLAINS AND WASHLANDS

7.14 The Borough Council is required to consult the Environment Agency on all proposals for development that could be at risk from freshwater flooding (see Chapter 4, “Coast and Estuaries”, for policies relating to tidal flooding). Floodplains are defined as being those areas of low-lying land alongside water courses or in coastal areas that are liable to flooding. Washlands are the areas designed and maintained to store water in times of exceptional flooding. The Plan also seeks to encourage sustainable drainage solutions in all locations (see Policy UT1).

P3 A proposal for new development or redevelopment will not be permitted if it would:

- (a) materially impede flood water flows or increase the risk of flooding; or**
- (b) undermine flood control defences and measures in floodplains, washlands, along river courses or at the coast; or**
- (c) pose an unacceptable risk to the quality of surface water, aquifers or groundwater, or compromise the**

**integrity of any watercourses or other water features
dependent on ground water.**

CONTAMINATED LAND

7.15 Typical examples of contaminated land include land formerly occupied by old gas works, where concentration of metals in the soil may be high; ex-industrial land where a potentially very wide range of hazardous substances may be found; and at completed industrial and domestic landfill sites where combustion might be readily induced, and settlement, generation of leachate and gas emissions may occur. However, very few sites are so badly contaminated that they cannot be used at all. In this context, it is primarily the responsibility of the prospective developer for assessing whether contaminated land is suitable for a particular use.

7.16 On the other hand, there is an obligation, when determining a planning application for land suspected of being contaminated, to consider whether the development proposals take proper account of this factor. Accordingly, in cases where the land is known to be or is suspected of being contaminated, prospective developers will be required to carry out a risk assessment and submit a report of the findings. This will establish the nature and extent of the contamination and whether:

- (a) the site is suitable for its proposed use, or;
- (b) the site can be made suitable for its proposed use by remediation measures.

Development will be permitted provided that these requirements can be met. Subsequently, the development and its users, adjacent development and its users and natural resources, including any controlled waters, will be free of short and long term risk from any contamination that may have been present on the site. Any report should be full and detailed and undertaken by a member of a body or organisation acceptable to the Borough Council.

7.17 The Environmental Protection Act (1990) provides the local authority and other pollution control bodies with separate pollution powers that are exercised outside of the planning function.

P4 When development is proposed on or near a site that is known to

be or is suspected of being contaminated, the development will be permitted provided that a risk assessment carried out by the applicant demonstrates that the site is suitable for its proposed use or can be made suitable for its proposed use by remediation measures. Any permission granted will require any necessary remediation measures to be agreed and to be carried out in accordance with an agreed timetable.

UNSTABLE LAND

7.18 Unstable land can be variously attributed to underground cavities, unstable slopes or compression of ground, either caused by natural processes or human activities in each case. In this connection, it is important to recognise that development itself or the intensification of development may be the triggering factor which initiates problems of instability. However, the aim of this policy is not simply to prevent development (although in some cases this may be the wisest course of action) but rather to ensure that a proposed use of land is suited to the physical constraints of the proposal site.

7.19 The responsibility for determining whether unstable or potentially unstable land is suitable for an intended use rests primarily with the developer. In particular, the responsibility and subsequent liability for safe development and secure occupancy of the site rests with the developer and/or landowner. It is therefore incumbent on prospective developers that they should make a thorough assessment of the proposal site to ensure that it is stable, or that any actual or potential instability can be overcome by appropriate remedial, preventative or precautionary measures.

7.20 In this context, where instability is suspected, applications will be required to be accompanied by a “stability report” describing and analysing the issues relating to site ground instability and indicating how these would be resolved. Any report should be full and detailed and undertaken by a member of a body or organisation acceptable to the Borough Council. The report would also need to address any likely adverse impacts on the interests of users of the surrounding land.

P5 Development or redevelopment of a site suspected of being unstable will be permitted if both the following criteria are met:

(a) It is suited to the physical characteristics and

capability of the proposal site; and

(b) It has no harmful effects on the stability of adjoining land or interests of adjoining land users.

ECONOMY OF LAND USE

7.21 It is national policy to safeguard “greenfield” sites from unnecessary development and to allocate at least 60% of new development on to “brownfield” sites. To assist this aim, the Plan proposes that existing under-used, redundant, vacant, derelict and even contaminated sites, particularly in urban areas and villages, should be developed in preference to these. This issue is referred to further in Chapter 13, “Housing”, and Chapter 14, “Employment”.

7.22 In considering appropriate after-uses for “brownfield” sites, the following will be taken into account:

- (a) The likely effect – including traffic generation – of any new use on the landscape and residential amenities;
- (b) The existing or potential nature conservation or recreational value of the site;
- (c) The nature and composition of any waste that has been deposited on the land (see Contaminated Land Policy P4).

RENEWABLE ENERGY SCHEMES

7.23 The Council is keen to help to ensure that increased exploitation is made of renewable energy sources in order that they can supply a significant contribution to the Borough’s overall energy requirements.

7.24 Support will generally be given to the development of renewable energy schemes provided that they do not significantly conflict with other policies in the Plan. It is considered that the following represent the most technically feasible and suitable local sources of such energy:

- (a) Landfill gas (already proposed at Bellhouse Pit, Stanway);
- (b) Municipal (eg composting) and industrial wastes;
- (c) Bio-mass (agricultural and forestry wastes);

(d) Energy crops (eg short rotational coppicing of willow/poplar trees and straw burning);

(e) Solar power;

(f) Other (eg small wind turbines, photovoltaic [PV] cells and sewage sludge).

7.25 The aim of the planning system is to secure economy, efficiency and amenity through the use of land in the public interest. The Borough Council's policies towards developing renewable energy sources must be weighed carefully with its continuing commitment to policies for protecting the local environment. It acknowledges the advice in PPG22 that proposals to harness renewable energy can display a variety of factors peculiar to the technology involved. Moreover, such schemes can have particular locational constraints since, in many cases, the resource can be harnessed only where it occurs. The Borough Council will need to consider both the immediate impact of renewable energy projects on the local environment and a projects wider contribution to reducing emissions of greenhouse gasses.

7.26 However, proposals for wind farms and wind turbines or other types of renewable energy generation which would be visually intrusive because of their plant or networks of supply, will not be permitted in the Dedham Vale Area of Outstanding Natural Beauty, locally important landscapes, the undeveloped coast (much of which is designated of international importance), or within sites which are statutorily protected because of their historic or nature conservation importance. Where energy generation necessitates the movement of raw materials on the local road network to the generating plant (eg bio- gas production, forestry waste and energy crops), the local road network should be suitable for handling the road traffic generated by the proposals.

P6 A proposal for renewable energy will be permitted if it does not harm the landscape or historic features within it. In this context, special protection will be given to the Dedham Vale AONB and the undeveloped coast.

ENERGY EFFICIENCY

7.27 In line with its commitment to Local Agenda 21, the Local Planning Authority will seek to ensure that, where development occurs, it incorporates suitable energy conservation features. The use of good design can play a major part in helping to

control and restrict unnecessary energy wastage, whereas siting and layouts can be planned so as to help to minimise the number of car journeys generated, thus restricting levels of atmospheric pollution.

7.28 Examples of how energy efficiency can be best achieved include the innovative use of:

- (a) siting;
- (b) layout;
- (c) design (eg use of passive and/or active solar energy);
- (d) construction (eg methods and materials);
- (e) alternative technology.

7.29 Appropriate energy conservation measures will be encouraged for incorporation within development schemes.

P7 A proposal should pay due regard to its own impact on the environment – including in terms of energy efficiency – and, where pertinent, incorporate suitable mitigation measures in order to reduce its total energy consumption.

8. COMMUNITY FACILITIES & INFRASTRUCTURE PROVISION

Introduction

8.1 The focus of this chapter extends from nursery education through to secondary education, and from social, health and veterinary facilities through to cemetery provision. Policies relating to the University of Essex and Colchester Institute are contained within Chapter 9.

8.2 Far-reaching changes have had, and are likely to continue to have, major policy implications, specific examples being:

- The expansion of nursery education;
- The autonomy of many local organisations, such as schools, doctors' surgeries and hospital trusts who now independently manage their own financial affairs and are seeking to maximise their assets;
- The fact that private-sector funding from developers is increasingly required in order to provide major new community facilities, particularly in locations where deficiencies currently exist. The National Lottery is an added source of possible funding.

8.3 The Plan seeks to ensure that the provision of community facilities, including essential services and infrastructure, is closely linked to the construction of new development. Furthermore, developers will be expected to fund such provision where it is specifically required in order to serve their proposed developments.

Objectives

8.4 The Plan's objectives in the context of this chapter are:

- (a) To seek the retention of key local community facilities where local need still exists;
- (b) To relate the provision of community facilities to the number and location of people and homes and to promote the efficient use of existing facilities;
- (c) To encourage the provision of community facilities in order to make good deficiencies that have arisen from high rates of housing development in the past;
- (d) To ensure that new buildings and alterations include appropriate

means of access and facilities for people with disabilities or other special access needs;

(e) To encourage the provision of workplace childcare facilities in major new developments.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

8.5 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal in addition to the following detailed policy guidance.

INFRASTRUCTURE AND COMMUNITY FACILITIES PROVISION

8.6 The Borough Council believes that it is in the public interest to ensure that essential community facilities, services and infrastructure are all available in close conjunction with the completion of major developments. Therefore, a planning obligation will usually be required prior to the granting of planning permission so as to secure essential facilities, services and infrastructure. This includes, in appropriate cases, provision of affordable housing, bus services, educational contributions, public open space, playing fields, children's play facilities, on and off-site highway improvements, parking provision and pedestrian and cycle routes. Community centres, health facilities, local shopping facilities, libraries, churches, youth centres, recycling facilities and facilities for emergency services may well also be applicable in respect of major new development (see Table 3 for site-specific requirements for new housing allocations). Planning permission will not be granted where development would bring about a reduction in services below minimum acceptable levels or where shortfalls exist, and where a planning obligation has not been secured to remedy the shortfall.

Planning Obligations

8.7 Circular 1/97 details where planning obligation may be reasonable. It must be for a planning purpose. The Borough Council will consider it reasonable where the obligation is so directly related to the proposed development and the use of the land after its completion that the development ought not to be permitted without it. It will also consider it reasonable if the substance of the planning obligation brings about an improved scheme, or enhances the development or its relationship with the local environment. The Borough Council will only seek a planning obligation that is fairly and reasonably related in scale and kind to the proposed development and

reasonable in all other aspects

Planning Conditions

8.8 Where a condition requiring works to be carried out before a development commences is appropriate (a Grampian-style condition), this will be used rather than a planning obligation. Where such a condition is inappropriate, planning permission will be refused if the Borough Council is satisfied that the development should not go ahead without the provision of a service or facility and where:

- the organisation responsible for providing the service or facility has no project programmed for its provision; or
- the project is programmed for a period more than five years ahead; and, in either case,
- the owners (for the purposes of a S106 agreement) are unwilling to enter a planning obligation to meet the cost or their proportion of the cost of bringing forward the provision of a necessary service or facility.

Community Benefits (general)

8.9 The Plan seeks to concentrate development in larger settlements where facilities are, or can be expected to be, adequate to meet the needs of that development. Frequently, however, there can be a mismatch between the level of service and infrastructure provision and the rate at which development will come forward. Where development is likely to place an undue strain on local services or infrastructure, the Council will negotiate a contribution to ensure that the development can take place without causing undue harm. When the provision of benefits on the application site itself is impracticable, provision elsewhere – or, if appropriate, a contribution towards such provision – will be required. Where a planning application is for only part of a larger area planned for development, at least an appropriate pro rata provision of, or contribution towards, any such community or infrastructure benefits will be required. This assessment will be limited to schemes involving ten dwellings or more and to major commercial development. The policy will apply to “windfall” sites as well as to allocations made within this plan.

Community Halls

8.10 A number of the Borough’s settlements currently possess older halls whose size and facilities are inadequate for meeting the modern needs of communities which have often substantially increased in population size. Proposals to upgrade and enlarge existing facilities, and to create new ones, will be supported subject to all of the following being satisfactory:

- (a) Siting;

- (b) Design;
- (c) Use of materials;
- (d) Landscaping;
- (e) Impacts on the local environment.

8.11 Where development creates a need for new, improved or enlarged community or village- hall facilities, developers will be expected to fund its provision directly. This may range from small upgrades or extensions to existing halls right through to the actual provision of purpose-built community centres for much larger housing schemes.

8.12 A proposal for residential development will not be permitted in a location where existing community-centre or village-hall facilities are either lacking or inadequate to meet the additional needs that would be generated unless:

- (a) it will contribute a fair and reasonable sum towards the upgrading and/or enlargement of existing facilities; or
- (b) it will establish new facilities to meet the extra demand that will be generated.

CF1 Planning permission will not be granted for any development unless provision is secured for all community benefits and other infrastructure which are directly related to the development proposal and where such provision is fairly and reasonably related in scale and kind to it.

LIBRARY FACILITIES

8.13 A branch library is proposed for Highwoods, and a site – next to the community centre at Highwoods Square – has been agreed. The Plan supports the retention of existing library facilities and other such key community facilities (see Policy CF4).

CF2 A new branch library is proposed at Highwoods.

ACCESS FOR PEOPLE WITH DISABILITIES

8.14 There are statutory requirements placed on Local Planning Authorities regarding access facilities for disabled people under the provisions of the Chronically Sick and Disabled Persons Act 1970 and the Town and Country Planning Act 1990. The 1970 Act requires that the buildings to which the public are admitted, including places of employment and education, should be accessible to disabled people.

8.15 These statutory requirements are amplified by Part M of the 1999 Building Regulations, which require the provision of access and facilities for disabled people in certain classes of new buildings, including dwellings, and the retention of existing provision where extensions and material alterations are carried out. However, the Plan recognises that, whilst location and arrangement of dwellings on site is a matter for planning, the internal layout and the approach to and construction of dwellings is dealt with by the Building Regulations. The provisions of the Highways Act 1980 relate to traffic-management schemes and provision of new street furniture.

8.16 The SPG document entitled “People With Disabilities” contains specific policies relating to housing, shopping, car parking, the pedestrian environment and access to the countryside.

CF3 Development will be permitted only if the design and layout of public access to new buildings, developments involving changes of use and major extensions to buildings are accessible to people with impaired mobility. In addition, provision for the needs of the disabled should be made in all other proposals for development where there is public access, particularly those including highway proposals, traffic-management schemes, car parks, footpaths and those requiring the provision of new street furniture and open space.

RETENTION OF KEY COMMUNITY FACILITIES

8.17 There are a number of facilities and services that play a vital role in maintaining cohesive local communities. The Borough Council is keen to ensure that these are retained, particularly in instances where their loss would either leave communities totally lacking in such provision or give rise to unsatisfactory deficiencies. In such circumstances, proposals that fail to provide replacement facilities (either on site or within a reasonable walking distance) will be refused unless they are no longer needed. Applicants will be expected to submit detailed documentary evidence

proving the lack of such local community need.

8.18 The following are examples of the types of key community facilities and services covered by this policy: village halls, general stores/post offices, doctors' surgeries, public houses, car repair garages and libraries. The re-use of existing school facilities is covered by Policy CF5, which applies to facilities within communities throughout the whole Borough, irrespective of whether they are located in an urban or in a rural area.

CF4 In order to ensure that key community facilities and services are retained, redevelopment that would result in their loss will not be permitted unless:

(a) it provides replacement facilities of an equal or greater benefit within reasonable walking distance; or

(b) it is demonstrated that there is no longer a local need for the facility.

EDUCATION – GENERAL

8.19 Short term accommodation problems at existing schools are often met by the provision of relocatable classrooms, for which permission will be granted, subject satisfactory siting. These are not, however, generally seen as being a suitable long-term solution to accommodation problems.

8.20 Within the Plan period, it is likely that schools or their grounds, including detached playing fields, will become surplus to educational requirements. In their current use, these are important community assets and the Council would wish to see those retained in community use wherever possible or alternative educational or community provision made. Applicants will, therefore, need to show that appropriate steps have previously been taken to find an alternative community use. Where it is adequately demonstrated that no such alternative community use is achievable, proposals will be considered in relation to policy criteria (a) , (b) , (d) and (e) listed in the overall Development Control Policy.

8.21 However, the Private Open Space designation, which applies to the Borough's secondary schools, recognises that the creation of new educational buildings (eg classroom provision) may need to impinge sometimes onto existing school playing fields. The Policy does not seek to prevent this from occurring where necessary.

Section 77 of the School Standards and Framework Act 1998 requires the prior consent of the Secretary of State for Education and Employment before a school may dispose of a school playing field or change its use to any other purpose other than for the educational purposes of a maintained school or for recreation. This requirement applies both to land currently used as a school playing field and to land used for such purpose during the previous 10 years.

CF5 A proposal for the re-use of a school facility that is surplus to educational requirements – including any building, playing field or other land – will be permitted only if it is for an alternative community purpose on site, or makes provision for improvements to local education or community facilities of equal or greater benefit.

NURSERY & PRE-SCHOOL EDUCATION

8.22 The development of day nurseries and playgroups can remove barriers to employment for young parents, especially those who are single, and assist in the essential socialising process for the children themselves. However, proposals for this kind of use often relate to ordinary domestic dwellings or other buildings in residential areas, quite often on well-trafficked roads or near busy junctions. It is therefore important that traffic generated by this type of use does not cause problems on the highway or to neighbouring land users, while also ensuring that buildings within their curtilages can cope in terms of room for outdoor play and car parking. A further concern arises from proposals to intensify the existing use, as these could mean over-dominance of a site by an expanded building, which could also be quite out of character with surrounding buildings, in terms of size, massing or overall design. Therefore, any proposal for the establishment or expansion of a playgroup or a day nursery will be subject to the criteria set out in Policy DC1.

Work-Based Day Nurseries

8.23 It has become increasingly evident that the labour market since the 1990s has become tighter in the sense that the numbers of young people seeking jobs has shown a relative decrease. It is equally clear that significant and growing numbers of younger adult men and women, particularly single parents, have been prevented from entering the labour market by the absence or high cost of day nursery facilities.

8.24 It is in the interests of employers, single parents and similarly economically inactive adults, as well as in the wider interests of the local economy, to try to reduce this artificial barrier to entering the labour market by encouraging suitable work-

based day nursery facilities in all major new commercial developments. Specific childcare provision facilities will be required within the proposed employment allocations at Tollgate and Cuckoo Farm (see Chapter 14, “Employment”) under the provisions of Policy CF6.

8.25 The Council will therefore seek to enter into a S106 Agreement with developers for this purpose in order to cover such central aspects as the establishment and continuing provision for meeting revenue costs, and access to work-based day nursery facilities for single parents and other vulnerable economically inactive adults from local communities.

8.26 The Agreement will also identify when the childcare facilities will become operational. This should be at an early enough stage to meet satisfactorily any need that is generated by the development.

CF6 Developers will be required to provide and make provision for the continuing operation of purpose-built work-based day nursery facilities in all major commercial developments over 23,250 sq m (250,000 sq ft) or those that would generate employment for more than 1,000 people.

PRIMARY AND SECONDARY EDUCATION

8.27 The Local Plan makes provision for new, or expansion of existing, primary and secondary school facilities to serve areas of new residential development. Developers of housing schemes will be expected to contribute to any extra school capacity in direct relationship to their development where there is insufficient capacity in relation to catchment areas as defined in current national guidance. In each case the precise level and type of contribution will be the subject of negotiation between the Local Planning Authority, the Local Education Authority and the prospective developer (or developers where new or expanded schools would serve large-scale new housing allocations). The developer will be expected to make a contribution – fairly related in scale and kind to the proposed development – to the cost of meeting that additional need, provided that the Local Education Authority proposes to utilise that contribution as part of its capital spending programme and to make such a provision within a reasonable period of time. The likely scale of contributions, including a minimum threshold for triggering contributions, will be set out in SPG, which will be updated from time to time during the lifetime of the Plan.

CF7 The Plan makes provision for new, or expansion of existing, primary and secondary school facilities to serve areas of new residential development. Developers will be expected to contribute to any extra school capacity required in direct relationship with their schemes where there is insufficient capacity based on current national guidelines. Negotiations between the relevant authorities and the prospective developer or developers will take place in each case on the basis that the developer's contribution(s) is/are fairly related in scale and kind to the proposed development. The starting point for such negotiations will be based on current and up-to-date formulae provided by the Local Education Authority and reinforced by Supplementary Planning Guidance produced jointly by the Local Planning and Education Authorities. This Supplementary Planning Guidance will be issued and updated at regular intervals throughout the Plan period.

HEALTH TRUST FACILITIES

8.28 The Borough Council has a role in promoting the provision of health facilities, as a statutory consultee in respect of the Essex Strategic Health Authority's forward development programme and working in partnership with Colchester Primary Care Trust. The policy seeks to enable the provision of the requirements of the Health Authority and the various NHS Trusts, including, Essex Rivers Healthcare, North Essex Mental Health, Partnership NHS Trust, New Possibilities and the Essex Ambulance Trust. Support and encouragement will be given to the agencies providing health facilities to ensure that there is adequate provision throughout the Borough, especially in priority areas.

8.29 The Plan provides for the later phases of hospital development at the District General Hospital site, subject to the proposals being satisfactory in terms of design and transportation impact. Development will include the re-provision of nursing accommodation from Constable Close to partly within the District General Hospital. (Nurses' accommodation will not be required to contribute to the Northern Approaches Road under Policy ME1.)

CF8 The Plan makes provision for the following:

- **District General Hospital, Turner Road, Colchester (later**

phases).

MEDICAL AND VETERINARY FACILITIES

8.30 The development of a comprehensive and effective network of neighbourhood “primary healthcare centres” throughout the Borough will generally be encouraged (eg via the expansion of doctors’ surgeries into larger medical centres incorporating a wide range of community health facilities and services). It is recognised that such facilities often need to adapt to meet increasing demand for services and/or to achieve higher standards of operational efficiency. However, in examining proposals for this kind of use, regard will be given to the interests of highway safety, neighbouring amenities and the often residential character of the surrounding area. In this context, the Development Control Policy (DC1) will apply to both medical and veterinary facilities.

8.31 The “Community Care and Children’s Services Plan” for north-east Essex recognises the increasing importance being given by local agencies and voluntary groups to joint working arrangements in order to better pool ideas and resources and target them at the areas of greatest need. Greenstead and Highwoods are two area based projects under way which are “helping local communities to help themselves”.

8.32 The most convenient option for the service provider is often expansion at the established site for that patient catchment area. This may well be an acceptable solution in planning terms; for example, where internal layouts are to be changed to gain better space standards, but where little extra traffic will be generated as a result. Expansion at existing sites cannot be accepted where this would seriously mar the character of the local environment and/or significantly worsen neighbouring amenities through, for example, extra on-street parking.

8.33 Major new residential developments will be required to incorporate appropriate primary healthcare facilities (eg community health centres or doctors’ surgeries – see also Table 3). The final level of healthcare provision will be agreed in master plans for the identified sites, following consultation with the relevant health bodies.

CF9 The Plan makes provision for the following facilities:

(a) Primary healthcare facilities within major new residential

developments at:

- **Colchester Garrison**
- **Turner Village**
- **Severalls Hospital**

(b) Dentists' surgery at Highwoods Square, Colchester.

CEMETERY PROVISION

8.34 This Policy indicates the general principles to be applied to new and expanded cemetery provision. Specific provision is likely to be made during the Plan period at Tiptree (adjacent to the United Reformed Church, Chapel Road), at West Mersea and in Wivenhoe. Additional cemetery provision will also take place in association with the Garrison redevelopment as adjuncts to the existing adjoining cemetery. More detailed indication of this provision is set out in Chapter 17. However, there is no specific reason why other private open land cannot be used for cemetery purposes, provided the requirements of general Development Control Policy DC1 and other relevant Local Plan policies, notably Policy P1, are met. Some environmental benefits may arise out of new burial provision in the form of woodland and other green cemetery sites.

CF10 New Cemeteries and other burial places will be permitted on existing private undeveloped land, provided that the criteria for assessing new development set out in Policy DC1 and the requirements of other relevant Local Plan policies are satisfied.

PLACES OF WORSHIP

8.35 Places of religious worship play an important part in providing community facilities in the Borough. Such facilities will be permitted in appropriate locations, including residential areas, with regard being given to the character of the surroundings and the need to protect the amenities of nearby residents, in accordance with the criteria set out in Policy DC1.

CF11 New places of worship will be permitted within existing

settlement boundaries, including residential areas, provided the criteria for assessing new development, set out in Policy DC1, are met.

9. UNIVERSITY OF ESSEX AND COLCHESTER INSTITUTE

Introduction

9.1 Assistance will be given to both the University of Essex and Colchester Institute to ensure that appropriate facilities are provided to fulfil their current and future educational requirements, given their status as important local centres of research and teaching and their wider roles within the community. Both are also major sources of direct and indirect employment. In considering specific proposals, the Council will also have regard to the wider implications of any development on the site in question, on its surroundings or on the Borough generally.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

9.2 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal in addition to the following detailed policy guidance.

THE UNIVERSITY OF ESSEX

9.3 The University occupies an attractive campus on the edge of the main urban area, part of which is included on the Register of Parks and Gardens of Special Historic Interest (see also Policy UEA10). Part west of Boundary Road is of ecological interest and has been designated a SINC (see also Policy CO5).

9.4 In addition to the main area of buildings, parts of the campus are identified for commercial development. Planning permission exists for a Research Park immediately to the east of Boundary Road. The Council supports this development, which is seen as assisting with the overall economic development of the district.

9.5 A further area of land to the west of Boundary Road is also indicated for development. The Council sees scope for this area being developed as an extension to the Research Park, one which could accommodate industrial or office or research uses (B1 or B2) related to activities on either the University itself or the Research Park, but uses that need not necessarily be located on the campus but choose to do so. In addition, other uses within class B1 or B2 would be acceptable. In agreeing specific development, the Council will wish to be satisfied that the development is of

a high standard of design given the site's location and the need not to prejudice the setting of the University or the success of the Research Park. In addition, individual proposals will have to incorporate any necessary measures that may be required, following consultation with English Nature, to prevent significant and measurable loss of nature conservation value on the adjacent SINC.

9.6 In addition, some leisure uses would be acceptable in principle on parts of the site provided they were for sports or ancillary uses, complemented the existing University or employment facilities, and could not be located in the Town Centre or in local centres. A hotel or conference use would also be acceptable. Such uses would not be in conflict with sustainable development principles.

9.7 Residential development has been considered as an alternative use for the proposed development land west of Boundary Road. However, it is acknowledged that the University considers that development solely for this purpose would be unlikely to contribute to the University's progress and secure the wider mix of activities and integration with the town which will enhance the University. The Council has also allocated sufficient land for housing elsewhere. However, residential development on part of the site as a pump primer for the necessary infrastructure to enable the Research Park to go ahead would be acceptable in principle.

9.8 Any development of this site and the Research Park will contribute towards the regeneration of East Colchester. It is expected that proposals in this general area will also contribute towards the necessary social and community infrastructure at a level consistent with the advice in Circular 1/97. Details of projects will be worked up through the East Colchester Initiative (see Chapter 16, "East Colchester and the Hythe").

9.9 In transportation terms, the University has carried out many initiatives to encourage cycling, walking and public transport use and the Council will assist the University in furthering these initiatives. One proposal currently being considered is the provision of a new railway station alongside the campus. This needs to be assessed both for the obvious benefits it would bring to the University and the contribution that a new facility could bring to the regeneration of East Colchester.

9.10 Development proposals for University purposes outside the areas specifically allocated for such purposes will be considered in the context of their likely impact on the landscape and nature conservation interests. Parts of the campus are of sufficient importance in landscape or nature conservation terms to justify inclusion within the Salary Brook and Lower Colne Valley CCA. They form part of the green wedge between Colchester and Wivenhoe, which the Council wishes to retain.

UC1 Any development within the area denoted by “UE” on the Colchester Inset Proposals Map shall be limited to that for University purposes, including ancillary purposes. The provision of a Research Park occupied by uses specified under planning permission COL/92/0986, dated 7 October 1993 and subsequently renewed, will be supported within the area defined on the Proposals Map.

Any development within the area denoted by “UE/C” on the Colchester Inset Proposals Map shall be limited to University purposes (UE) and/or uses specified in paragraph 9.6 for the Research Park and/or other uses within Use Class B1 or B2.

In addition, within this latter area:

(a) a limited element of residential development would be acceptable;

(b) leisure uses as specified in the reasoned justification would be acceptable.

Outside these two areas and on the remainder of the campus, proposals for University purposes will be acceptable provided that they have full regard for the landscape and nature conservation interests, including that of the site.

Any development proposed for the University site should be of a good standard of design, respect the existing landscape setting and have regard to the nature conservation interest of the Site of Importance for Nature Conservation.

COLCHESTER INSTITUTE

9.11 The Institute has undergone a period of steady growth over the past ten years which has seen its student population increase by over 40%. Since incorporation in 1993, the Institute has expanded by over 5% per year to meet Government targets for the further education sector.

9.12 The principle of further student related development at the Colchester Institute site is accepted (other than for residential accommodation) within its current campus boundaries. However, given the site’s visually prominent position on the edge of Colchester Town Centre, views across it will need to be protected to ensure that the impression of a “green backcloth” to the west is safeguarded. Development on the

site also needs to be of a high standard, given that there are views across it southwards towards the Town Centre.

9.13 The Institute has prepared its own “master plan” layout for future development at its site, including the removal of existing demountable classrooms, which will enhance the environment.

UC2 Permission will be granted for educational expansion within the Colchester Institute campus provided that it is satisfactory in terms of scale, design, siting, traffic circulation, parking provision and the protection of views across the site to and from Hillyfields.

10. LEISURE, RECREATION AND TOURISM

Introduction

10.1 The most relevant of the Government Planning Policy Guidance notes (PPGs) referring to leisure, recreation and tourism are:

- PPG17: “Planning for Open Space, Sport and Recreation” and “Assessing Needs and Opportunities: A Companion Guide to PPG17”; and
- PPG21: “Tourism”.

The English Sports Council’s Land Use Planning Policy Statement is also of importance.

10.2 In relation to Colchester Borough, amongst the key topics considered within the plan are:

- The future provision of leisure facilities, open space and children’s play facilities;
- Relocation of Colchester United Football Club;
- How best to promote sustainable tourism.

Objectives

10.3 The Plan’s objectives in terms of leisure, recreation and tourism are:

- (a) To promote Colchester Town Centre as the Borough focus for major leisure, cultural and visitor facilities;
- (b) To support the provision of an appropriate range of leisure, cultural and entertainment facilities in other locations;
- (c) To promote sustainable tourism and the development of visitor attractions in appropriate locations and to improve facilities for visitors to the Borough;
- (d) To encourage the development and management of a range of indoor and outdoor sports and recreation facilities appropriate to the differing needs of the population;

- (e) To promote opportunities for informal recreation so far as this is compatible with the need to safeguard valuable natural resources;
- (f) To safeguard existing areas of public open space and promote additional areas, including children's playgrounds, in order to attain both a standard of 2.83ha (7 acres) of open space per thousand persons throughout the main built-up areas of the Borough and meet local needs in the villages, and to ensure that homes are located within 400m (1/4 miles) of public open space of at least 0.2ha;
- (g) To maintain adequate land for allotments;
- (h) To promote a woodland strategy for the Borough.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

10.4 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal in addition to the following detailed policy guidance.

INDOOR AND OUTDOOR LEISURE AND ENTERTAINMENT FACILITIES

10.5 There is a need to ensure the provision of a sufficient range and number of indoor and outdoor facilities within the Borough to meet the leisure and entertainment needs of residents and visitors to the Borough. This reflects Colchester's position and role as a major centre for sport, recreation and the arts, and its status as a tourist and heritage destination.

10.6 The planning of leisure facilities in the Borough is undertaken in co-operation with regional bodies such as Sport England (East), the Eastern Arts Board and the East of England Tourist Board, and the policies below reflect the Council's own leisure policies and consultations with those regional bodies.

10.7 Meeting the leisure needs of the local community and visitors to the Borough will be achieved in three main ways:

- (a) Provision of new facilities;
- (b) Improvements to existing facilities, including ancillary provision, such as changing rooms;

(c) Fuller and more effective use of such facilities as village halls and school sports provision through the principles of dual use or joint provision.

Different Types of Leisure and Entertainment Facilities

10.8 Leisure facilities, including commercial development such as theatres, snooker halls, bowling facilities, ice rinks, race-courses and sports stadia, should be located in town centres, employment zones, mixed use areas or Local Shopping Centres, as indicated in more detail within policies elsewhere in this Plan. Proposals for leisure developments affecting Colchester Town Centre are covered by policies in Chapter 15, “Town Centre and Shopping”, and will be considered in accordance with the sequential test set out in PPG6.

Suitable Sites for Leisure and Entertainment Facilities

10.9 Apart from setting out the standard criteria for examining proposals of this kind, such as traffic flow and safety, and the effect on Town Centre vitality and other resources, the Plan emphasises the need for the right setting for this type of provision. Similarly the Borough Council will seek to encourage opportunities for sport and recreation through the further establishment of indoor and outdoor clubs in the Borough. Proposals that would lead to the preservation of a listed building of special architectural or historic interest, or a building worthy of retention for its architectural, historic or community value, or a landscape of similar quality, will be welcomed.

10.10 The Council is keen to ensure that leisure and entertainment facilities in both rural and urban areas are upgraded in order to meet satisfactorily the needs of the communities that they serve. Provision is made in the Plan for a variety of new leisure facilities at various sites throughout the Borough (see Proposals Maps). Chapter 15, “Town Centre and Shopping”, also refers to those facilities listed in Policy L1 which are located in and around central Colchester. Further opportunities are identified as part of the proposals for the East Colchester Regeneration Area (see Chapter 16, “East Colchester and the Hythe”). The plan allows for the development and management of an appropriate range and standard of indoor and outdoor sports, recreation and cultural facilities. This includes improvements to sports pavilions and ancillary facilities (eg changing rooms) on existing sports grounds and playing fields.

10.11 Opportunities also exist for further provision as indicated below, and it is the intention to identify sites for:

- a dry ski slope;
- an indoor tennis centre;

- a basketball centre;
- improved skateboard and in-line skate facilities.

10.12 Similarly, the Borough Council is undertaking an assessment of local demand for the main pitch sports and how this compares with existing provision. Once the survey findings are known, it will seek to ensure that identified deficiencies are addressed wherever possible.

10.13 The list of facilities identified below in Policy L1 is not intended to preclude other arts, culture, tourist, and sport and recreation proposals coming forward. These will be considered in light of other policies in this plan.

L1 Provision is made in the Plan for the following leisure facilities:

(i) Arts, Culture and Tourism

- a new Visual and Media Arts Centre;
- a theatre for the amateurs at Chapel Street North;
- a community theatre and arts centre (the Old Engine Shed Theatre Project) at Wivenhoe;
- second phase of development at the Mercury Theatre
- second phase of improvements at Colchester Arts Centre;
- the development of a major archaeological visitor attraction at Gosbecks Archaeological Park.

(ii) Sports and Recreation

- second phase of community leisure development at Monkwick Sports Centre;
- community leisure development at Broad Lane, Wivenhoe;
- additional visitor facilities at High Woods Country Park;
- second phase of development – including new community leisure facilities, extension of sports pitches and further pavilion development – at Mile End Sports Ground;
- redevelopment of former nursery site in Castle Park;
- second phase of community leisure development at Highwoods Recreation and Sports Centre;
- new community leisure development at Stanway to serve west Colchester;

- **new community leisure development at Sir Charles Lucas School to serve east Colchester;**
- **second phase of community leisure development at Tiptree Sports Centre;**
- **development of improved pavilion and spectator facilities at the Garrison athletic track;**
- **enhanced provision for rugby at Mill Road including clubhouse improvements and an extension to the current sports fields;**
- **multi-games area at West Mersea.**

OPEN SPACE AND CHILDREN'S PLAY FACILITY PROVISION

Private Open Space

10.14 There are a number of areas of privately owned and maintained open space within the Borough. Some of these are used for formal games and some for informal recreation. These are important green spaces in their own right and help to meet demand for informal and formal recreational facilities. In recognition of this, the Plan has formally designated such areas as private open space. Proposals that would result in the loss of private open space will be refused unless a fully equivalent or greater amount of open space can be made available in reasonable walking distance of the proposal site or other alternative facilities acceptable to the Borough Council would be provided (see also Policy CF5, which relates to surplus educational premises and land).

Public Open Space

10.15 Public open space provides easily accessible opportunities for sport, recreation or play, with a range of styles and facilities. Public open space also provides form, structure and relief from built development in the urban environment. In rural areas, public open space contributes to the character of settlements and provides a focal point for community activity. The "Open Space" Technical Paper gives a more detailed analysis and explanation of the background to the allocation of individual sites as public open space. The Council will produce open space deficiency maps relating to different areas of the Borough. These will be regularly updated to take account of changes in provision.

10.16 Open space allocations in new residential developments are necessary in helping to meet the standard of 2.83ha (7 acres) of open space per 1,000 population. This is a long-established standard, first adopted by the Borough Council in 1974, and based upon that recommended by the National Playing Fields

Association (6 acres per 1,000 population) plus the former Ministry of Housing and Local Government advice that a further 1 acre per 1,000 population be provided for informal recreation. The latest Central Government advice contained in PPG17, "Sport and Recreation", leaves it to Local Planning Authorities to adopt appropriate local standards. This Council considers, in the light of its experience, that its long-established adopted standards should be retained to ensure an adequate supply of public open space.

10.17 The standard of 7 acres of open space per 1,000 population is applicable to all settlements in the Borough whose population is 1,000 or over. It is recognised that some settlements fall significantly below this level at present. The Borough Council will in due course seek to bring forward proposals to rectify such deficiencies. However, for now, the only new such open space allocations being proposed are at Great Horkesley and Tiptree.

10.18 It is felt appropriate that open space of at least 0.2ha (1/2 acres) in size ought to be located within a 400m (1/4 mile) distance of all homes, and this figure should become a new goal. Access to open space should be unhindered by physical barriers (eg major roads, railway lines, rivers, etc).

10.19 Playing fields in both private and public ownership are an important recreational resource. The policies listed below are designed to safeguard both public and privately owned sites currently or formerly used as playing fields. The term "playing field" specifically relates to sports pitches, greens, courts, tracks and all other such areas used for formal sports activities. In considering proposals for the loss of these, the Council will grant permission only if it is satisfied that one of the following will be met:

- (a) There is evidence, from a fully quantified assessment, of a surplus of playing field provision in the area;
- (b) The development is for a small part of the area which would not affect overall usage;
- (c) Alternative provision to at least the same standard is to be made nearby;
- (d) The development is for another sports facility, the provision of which would, overall, be beneficial to sport.

Table 1 – Hectares of Public Open Space per 1,000 Persons

The figures for 1998 are:	Hectares (HA)
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Colchester and Stanway	1.97
Tiptree	0.60
West Mersea	0.54
Wivenhoe	2.14

Note: The “Public Open Space and Country Parks and Wildlife Areas” Technical Paper explains the basis for the above figures and updates and replaces the Council’s previous standards. It also identifies specific provision figures on a ward by ward basis.

Open Space Provision Within New Development

10.20 The provision of 10% open space within new residential areas is a long-established standard which was adopted in 1974 by this Council and reflected similar standards operated by the County Council within Essex as a whole. Thus, in assessing the overall open space requirements for the Borough, and in making new allocations, the anticipated contribution from the “10% policy” for individual sites has been taken into account.

10.21 Whilst the Council would normally expect the 10% open-space provision to be included in new development, it may not be necessary or feasible to require this, in whole or in part, on all sites. The following are offered, by way of examples, of possible alternative provision:

- (a) In areas of very low housing density (2/3 dwellings per acre) where public amenity space would be of less value to residents;
- (b) Where provision is made elsewhere locally as part of an agreed scheme;
- (c) Where other land is secured to provide alternative amenity benefits, such as woodland or nature reserves.

10.22 An important reason for seeking open space allocations in new residential developments is the need to meet the immediate needs of residents in the new development itself, such as those of young children. It is recognised that such provision for residents on smaller housing developments needs to be allocated on a different, somewhat more flexible basis. In addition, in respect of new development providing specialised accommodation for the elderly, such as sheltered housing, the Council will require the provision of suitable and adequate amenity space as part of the scheme.

10.23 In this regard, many new residential areas provide high-density, relatively low-cost housing, catering to a large extent for young families with children. Such

developments inevitably provide more limited private garden areas for children's play. Alternative, communal provision of play areas is therefore essential within such developments if adequate facilities are to be provided for this important element of social life.

10.24 Such communal areas can, however, cause problems, especially as regards loss of amenity from overlooking, noise and general disturbance for residents living adjacent or nearby, and this is exacerbated when such areas are provided after developments are built and occupied. The identification of suitable areas at the outset can help to avoid such problems, as they can be designed into housing layouts, thus allowing possible amenity problems to be taken into account and therefore minimised.

10.25 In addition, there is less likelihood of problems arising following occupation of properties, as new residents can be made aware at the outset of the ultimate arrangements for play areas and play equipment provision within the development. It is considered important that such areas and equipment are not only earmarked but also properly provided for.

10.26 When considering specific proposals for open space provision within new residential development, the following factors will be taken into account:

- (a) The amount and location of existing local provision;
- (b) The topography and other physical characteristics of the site;
- (c) The form and density of layout proposed;
- (d) Scope for integration into the Borough's greenlinks network.

Off-site Open Space Provision

10.27 In appropriate circumstances, applicants will be permitted to provide open space off site, subject to it being convenient and accessible to the new development and of an equivalent or greater benefit.

CHILDREN'S PLAY FACILITY PROVISION

Playground Development Plan

10.28 The provision of children's play facilities will be supported where they accord with the objectives of the Borough Council's "Playground Development Plan", which seeks:

(a) to provide safe and attractive equipped playgrounds for use by children up to 14 years of age, such playgrounds to be distributed throughout the Borough, taking into account the following considerations:

(i) demographic profile/trends for the area;

(ii) potential catchment areas so that playgrounds are within easy reach of the most family homes;

(iii) physical barriers, such as major roads and railways, that prevent safe access to playgrounds.

(b) to develop kick about areas and other facilities for the 11+ age group to allow opportunity for exercise and socialising with the minimum disruption to younger children and residential areas;

(c) to provide integrated play facilities for use by young people with disabilities on selected sites throughout the Borough.

Children's Play Facilities

10.29 Conflict can arise between residents keen to get further children's play facilities provided within their neighbourhoods and those worried about noise and disturbance emanating nearby to their homes. Consequently, the Borough Council will seek to ensure that proposed sites for such facilities within new developments are identified and made known as early as possible, in order to help to avoid local discord. A requirement will be introduced whereby developers are required to display notices within areas approved as public open space and "children's play areas" prior to any work commencing on site. This will draw attention to the fact that these areas will be used for such purposes.

GENERAL

Commuted Payments

10.30 The Council is concerned to ensure that areas of public open space and children's play facilities are properly maintained and available for use by residents of the area. This can impose a severe financial strain on the Council in perpetuity, which, it is considered, should be offset by contributions from the developer. Accordingly, a "one off" commuted payment will be required to provide for a maintenance period of 25 years for public open space, appropriate nature conservation management and any play equipment provided in children's play areas. The Borough Council has adopted figures which it proposes to review periodically.

Greenlinks

10.31 The Borough Council's greenlinks policy should also prove of assistance (see Policy UEA14). It will connect green corridors of value in terms of landscape and amenity, wildlife, historic significance and access and enjoyment. The Council will also encourage the establishment of a wider network of recreational footpaths linking green spaces to one another and will increase the accessibility of open land to the urban areas.

10.32 Where open spaces are being provided for public use beside railway lines, suitable and secure fencing will be required. The relevant rail infrastructure body will advise on the appropriate form and extent of the fencing.

L2 Permission will not be granted for any change of use to any other purpose of a private playing field, sports ground or open space defined on the Proposals Map as private open space, unless – in the case of playing fields – the proposal complies with one of the following requirements:

- (a) There is evidence, from a fully quantified assessment, of a surplus of playing field provision in the area;**
- (b) The development is for a small part of the area which would not affect overall usage;**
- (c) Alternative provision to at least the same standard is to be made nearby;**
- (d) The development is for another sports facility, the provision of which would, overall, be beneficial to sport.**

L3 Permission will not be granted for the development of sites allocated on the Proposals Map as existing or proposed public open space for any other purpose, unless – in the case of playing fields – the proposal complies with one of the following requirements:

- (a) There is evidence, from a fully quantified assessment, of a surplus of playing field provision in the area;**

(b) The development is for a small part of the area which would not affect overall usage;

(c) Alternative provision to at least the same standard is to be made nearby;

(d) The development is for another sports facility, the provision of which would, overall, be beneficial to sport.

L4 The Plan makes provision for the following areas of public open space:

- **Abbeyfields and Cricket Ground***
- **Bowling green at Braiswick**
- **Braiswick Fruit Farm**
- **Breachfield Road**
- **Bullock Wood**
- **Bypass Nurseries, Cowdray Avenue (see paragraph 5.18)**
- **Camulodunum Way**
- **Chitts Hill map**
- **Colchester Road, West Mersea**
- **Cymbeline Meadows (Lennox Land and Essex Hall)**
- **Distillery Pond**
- **Elmstead Road, Wivenhoe**
- **Elmwood Avenue**
- **Gaffney's site, Tiptree***
- **Gosbecks (land adjoining)**
- **Grove Road, Tiptree***
- **High Woods Country Park Extension**
- **High Woods Country Park (heathland adjacent Visitors' Centre)**
- **Hillyfields Colchester Institute Playing Field**
- **Horkesley Heath (Coach Road)***
- **Inworth Grange, Tiptree**
- **Rowhedge Iron Works Meadow***
- **Irvine Road (currently leased by CBC)**
- **Land north-east of Suffolk Avenue, West Mersea***
- **Land west of Iron Latch Wood, Halstead Road**
- **Lordswood Road**
- **Mile End Sports Ground Extension**
- **Mill Hotel (land to rear of former)**

- **Mill Road Sports Ground Extension**
- **Oaks Drive (land to rear of)**
- **Priory Street**
- **Roach Vale (British Gas Sports Ground), Bromley Road**
- **St John's Road (land to north of)**
- **Spring Lane Playing Fields**
- **Stanway Pit (former ARC land)***
- **The Moors**
- **Tiptree – TBS site***
- **Wivenhoe Ferry Marsh***
- **Wivenhoe Redlands site**

*** Public open space to be provided as part of a residential development scheme.**

L5 Within any area of new residential development, the following open space provision will be required:

(a) Where the site area is 2ha (5 acres) or over:

(i) at least 10% of the area will be reserved for open space purposes, including children's play spaces, kick about areas for older children, and amenity/ landscaping;

(ii) such open space provision is concentrated in as large parcels as possible, and no less than 0.2ha (0.5 acres).

(b) Where the site area is under 2ha (5 acres), the developer will:

(i) either make a 10% contribution of site area as an addition to any abutting open space provision; or

(ii) allocate 10% of the site area itself for avenue planting along the principal roads.

Where open space is to be dedicated to the Council, a commuted payment will be required from the developer to provide for future maintenance. Developers will also be required to provide play equipment to the Council's satisfaction in order to meet the needs of the particular housing scheme.

OPEN SPACE IN VILLAGES

10.33 The Plan aims to encourage the provision of further open space and sports facilities in the villages, particularly in those which have already recorded, or will experience, increases in population. The Borough Council's Rural Recreation Study and its individual Village Appraisals will help form a basis for the assessment of local needs. The Borough Council grant aid playgrounds in villages and other sports facilities.

10.34 The role of small areas of land for use for informal recreation purposes within the countryside needs to be recognised as making an important contribution to leisure provision. Pitts Wood at Copford is a good example of what can be achieved. The plan will seek to safeguard existing such areas and promote further areas.

10.35 The Borough Council will consider financial or other assistance in providing adequate village sports facilities, playing fields and areas of open space (including small plots) for informal recreation. In particular, priority will be given to areas where deficiencies in local provision have been recorded (eg Great Horkesley) and villages that have or will experience population growth. New allocations of public open space are proposed as part of proposed housing schemes at Great Horkesley and Messing.

L6 Permission will not be granted for the development of any important open space designated as such within a village envelope or outside it.

COMMONLAND, HEATHLAND AND VILLAGE GREENS

10.36 It is considered important to protect commonlands, heathlands and village greens from any form of development and to oversee their good management as they form valuable assets in terms of their ecology and contribution to the historic character of settlements, as distinctive landscape features and as places for informal recreation within the countryside. In the latter regard, recreational use of these areas should be restricted to informal pursuits such as horse riding, picnicking, dog walking and those team sports that are traditional features of village greens.

L7 Permission will not be granted for development which would lead to the loss of any part of a registered common, heathland or village green.

ALLOTMENTS

10.37 It is considered that the proposed standard of 0.2ha (2 acres) per 1,000 population is adequate given the relatively low level of demand for allotments. New allotment sites will be sought in the north of Colchester and at Wivenhoe and Tiptree.

10.38 No other type of development will be permitted on any allotment site zoned in the Plan unless the Borough Council is satisfied that either alternative provision of an equal or greater value will be located nearby by the applicant, or the need for the retention of the allotment facility no longer remains.

L8 Permission will not be granted for development on an allotment site unless:

(a) a facility of an equivalent or greater value will be provided by the applicant at a location within an equally convenient walking distance of the site's potential catchment area; or

(b) the facility is no longer needed.

EXTENSION OF COLNE RIVERSIDE WAY

10.39 The extension of the River Colne Riverside Way which runs between Colne Bank Avenue, Colchester and Wivenhoe (see Proposals Map) is seen as an important feature of the overall need to extend opportunities for leisure walking and cycling in Colchester and provide links between the Town Centre and the wider countryside. The Wivenhoe Trail section has already brought benefits to the area. There is considered to be particular scope for this in areas of major redevelopment, such as at the Hythe. The proposed route of the Colne Riverside Way as shown on the Proposal Map is indicative, rather than definitive, and is subject to detailed negotiation, taking into account wildlife and landscape considerations.

L9 Permission will not be granted for development along the route of the proposed extension to the Colne Riverside Way unless it incorporates a safe and convenient cycleway and footway open to the public within its layout and which can link with adjoining areas, unless this would prove harmful to flood defences or nature conservation and the harm cannot be mitigated.

GOLF FACILITIES

10.40 In its publication entitled “The Future for Golf – Review” (1992), the then Sports Council (Eastern Region) suggested that Colchester Borough required a further two play-and- pay courses and two other golf courses in order to satisfy demand. It is the view of the Authority that existing provision is now adequate. However, the policy does not impede further proposals coming forward.

10.41 Proposals for all types of golf course development should accord with the Essex Golf Report SPG adopted by the Borough Council in September 1992. Further relevant information is contained within the Countryside Commission’s “Golf Courses in the Countryside” (1993) and English Nature’s “On Course Conservation – Managing Golf’s Natural Heritage” and “Your Course – Preparing a Conservation Management Plan”.

10.42 Proposals for golf facilities within or adjacent to the Dedham Vale AONB will be refused permission in order to safeguard the quality of this nationally important landscape (see also Chapter 5, “Countryside”, for further policy guidance on the Dedham Vale AONB), although golf course developments can be an appropriate land use in other areas of the countryside. However, in terms of the market they are designed to serve, or because of their particular nature, some of these developments, such as golf-driving ranges, may well be best located in areas close to, or within, the urban fringe. Proposals for golf courses in areas of despoiled or derelict land which would result in material improvements to the appearance of the landscape will be welcomed. Proposals for unrelated development, such as banqueting suites, beauty salons, hotels, swimming pools, conference facilities and similar indoor or outdoor leisure and social provision, will not be permitted.

(a) Visual Impact – the development should present only an intensification of the existing landscape pattern, as opposed to the imposition of an alien landscape form. In this regard, applicants will be expected to submit:

- (i) a comprehensive landscape appraisal of the proposal site and

relevant areas adjoining the proposal site; and

(ii) full details of the development layout, the proposed landscaping scheme, the siting and size of buildings and associated parking as part of the planning application, and not as a reserved matter for later approval by the Authority.

(b) Ecological Impact – the provisions of Policies CO4 and CO5 will be closely adhered to. In this regard, applicants will be expected to submit a comprehensive ecological statement, which should demonstrate both how existing ecological features and habitats will be safeguarded and the scope for enhancing existing habitats and creating new ones. Developers will also need to submit adequate information with planning applications to enable a judgement to be made against Policy CO8, which seeks to protect agricultural land.

10.43 Applicants seeking planning permission for the expansion or intensification of existing golf course facilities, or the creation of new facilities, will be expected in appropriate cases to:

(a) enter into S106 Agreements dealing with all relevant matters, such as improvements to the local road networks and safeguarding important natural features; and

(b) fund any or all appraisals relating to ecology, landscape or archaeology.

L10 Golfing facilities should be located in either:

(a) the urban fringe; or

(b) in those rural areas where the more “urban” characteristics of such facilities, particularly golf driving ranges, can be satisfactorily screened from outside view.

Permission will be given for golf course development, including golf driving ranges, pitch-and-putt courses and putting greens, if the proposal meets all of the following criteria:

(i) It maximises the re-use of existing redundant buildings on the

- site, rather than creates a need for major new built development;**
- (ii) It does not include “unrelated” development;**
- (iii) The local rights-of-way network is unharmed and, where possible and appropriate, enhanced; and**
- (iv) It will not use land zoned as an “approved” or “preferred” site in the Essex County Council’s Minerals Local Plan.**

BIRCH PIT

10.44 Following the extraction of gravel from Birch Pit, an area of water will remain. It is considered that this could be used for appropriate quiet water recreation uses in accordance with the planning after-use agreement and which do not generate heavy volumes of traffic.

L11 Provision is made for an area of water recreation at Birch Pit. The following water recreation uses are considered suitable: fishing, rowing, sailing and canoeing.

WOODLAND, TREE AND HEDGEROW COVER

10.45 Woodland, tree and hedgerow cover has been decreasing over the years due to changes in agricultural practices and pressure from development. PPG7 refers to the benefits of well planned and managed woodland and states that the Government would like to double woodland coverage over the next 50 years. The importance of protecting these features for their habitat and wildlife value is dealt with in policies in Chapter 5, “Countryside”, but another of the benefits of woodland is the valuable opportunity it provides for leisure and recreation. The Council will therefore seek to increase the area of woodland in the Borough and encourage the planting of trees and hedgerows. This will be through new development schemes to provide informal leisure and recreation opportunities or to secure additional planting in relation to large-scale developments to enhance the overall amenity of the Borough.

L12 The Council will pursue the planting of woodland, trees and hedgerows using locally native species through opportunities provided by new development and will provide access to these areas for leisure and recreational uses.

COUNTRYSIDE RECREATION

10.46 Increased pressures for informal recreational facilities (eg footpaths, picnic sites, small country parks etc) will inevitably occur for a number of reasons (see also Chapter 5, “Countryside”, and Chapter 4, “Coast and Estuaries”). These include shorter working hours, higher disposable incomes and increasing car ownership levels.

10.47 Whilst the Council wishes to see increased provision for informal recreational activities to meet this higher anticipated demand, there is a need at the same time to ensure that no harmful impacts (eg noise and disturbance) are caused to the Borough’s limited and valuable resources, such as its fine landscape, good agricultural land, important wildlife habitats and archaeological sites.

10.48 Finding an appropriate balance between conserving these resources and meeting the demand for informal recreation opportunities will require very careful planning in a situation where most of the demand is from car-owning households wanting easy access to facilities. The Borough Council will assist with the implementation of this policy in specific locations. In addition, liaison will occur with landowners throughout in order to promote public access. The needs of people with disabilities should be particularly borne in mind. See Policy CF3 in Chapter 8, “Community Facilities and Infrastructure Provision”. Proposals should be easily accessible by public transport, bicycle or foot.

Rivers

10.49 The Borough’s rivers attract local residents and tourists as a setting for various informal recreational activities. While increased access to, and recreation along, such river courses should generally be encouraged, full account will be taken of relevant local nature conservation and agricultural interests as well as the need to conserve scenic landscapes (see policies relating to the Dedham Vale AONB and to Countryside Conservation Areas) and water quality. Proposals should accord with the Environment Agency’s “North Essex Local Environment Agency Plan” (LEAP), which covers a wide range of water issues relevant to the Rivers Blackwater, Colne and Stour.

Ministry of Defence Land

10.50 Considerable use is made of the Army training areas stretching south from Middlewick Ranges to the Roman River Valley. Although footpaths cross this area, the bulk of this use is due to the generosity of the Ministry of Defence in allowing public access when the areas are not in use for military purposes. The Council will seek the co-operation of the Ministry of Defence to ensure the continuance of these arrangements, which are of considerable benefit to the Borough.

L13 A proposal for an informal recreational facility in the countryside or along river courses or the coast will be permitted if it would not:

(a) introduce an activity damaging to the area in scale or nature; and

(b) harm the character or appearance of the countryside or coast.

Facilities should use existing buildings if they are available. New buildings or structures should be sited close to any existing buildings, blend into the landscape and provide for the needs of people with disabilities.

PROTECTING PUBLIC RIGHTS OF WAY

10.51 The continued retention of existing rights of way is necessary in order to maintain public access and to promote more environmentally friendly alternatives to motor transport. It is fully recognised that, in order to proceed, some development schemes will require changes to be made to existing public rights of way. In such instances, permission will be given only if the changes would not be harmful to its users, the environment or nearby residents and land users.

L14 Permission will not be granted for any development affecting a public right of way unless:

(a) it would include the maintenance or the diversion of the public right of way as a route no less attractive, safe and convenient for public use; and

(b) it would not be harmful to the environment or nearby residents

and land users.

IMPROVEMENTS TO RECREATIONAL FOOTPATHS, CYCLEWAYS AND BRIDLEWAYS

10.52 One significant measure to meet the increasing demand for informal recreation opportunities in the countryside (as outlined under Policy L14 above) is an improved and extended footpath, cycleway and bridleway network throughout the Borough. The Council is fully committed to the extension of the definitive and permissive routes network and will work in conjunction with other relevant parties to achieve this outcome. Proposals should be integrated into the existing network and not be harmful to residents, nature conservation, historic buildings or sites, archaeological interests, agriculture, vehicular traffic or other users of the route. They should be designed both to minimise opportunities for criminal behaviour and to make provision for the needs of people with disabilities. The creation and diversion of footpaths, bridleways and cycle tracks are subject to statutory procedures.

10.53 The Countryside Agency is currently promoting the “Milestones Initiative” to have the rights of way network in good order by the year 2000. The primary responsibilities for achieving this rest with the Highway Authority, although the Borough Council has an important role to play. In addition, the Council’s Countryside Recreation Access Group (CRAG) will work towards achieving the aims of this initiative.

10.54 The Borough Council is also keen to encourage recreational cycling and supports the East of England Tourist Board’s “England’s Cycling Country” initiative, which seeks to establish the region as the country’s leading cycling destination. Cyclists can use bridleways by right under the Countryside Act 1968. When considering the creation of new routes for cyclists, the Borough Council will consider whether it is appropriate to designate these routes in such a way as to allow equestrian use of them as well. Such shared use facilities will be likely to be most appropriate in rural areas and for long distance cycle paths.

10.55 The creation of new public footpaths, cycleways and bridleways not only boosts informal recreation activities but also provides new opportunities for people to avoid having to travel by car. Such provision in new development should be linked to nearby facilities such as shops, community and sports centres, schools and open spaces and other such places of public resort (see paragraph 6.70, UEA14).

L15 Proposals to improve and extend the recreational footpath, cycleway and bridleway network will be permitted provided that they:

(a) are linked to existing or proposed routes, or places of public resort;

(b) do not harm agricultural operations;

(c) are located and designed with regard to community safety; and

(d) do not have an adverse effect on nature conservation, wildlife and historic features.

SPORTS CAUSING NOISE OR DISTURBANCE

10.56 A number of increasingly popular sporting activities have in recent times given rise to greater levels of complaints from nearby land users and residents due to ensuing noise and disturbance. Examples of these include a wide range of activities, from shooting to motorised sports on land, parachuting, parascending, microlight flying, hang-gliding and model-aircraft flying in the air.

10.57 There is a need to ensure that the interests of both those wishing to participate in sporting activities and those living and working nearby are adequately served. To this end, it will be necessary to ensure that proposals for sports are located (or relocated) in appropriate localities. Degraded land, former minerals sites and set-aside farmland offer considerable scope for establishing many noise generating and/or disturbance causing land based activities. In the case of noisy air sports, proposed runway and circuit alignments will be closely examined in order to ensure that minimum ground noise and disturbance is caused to locally affected residents. Restrictions will be imposed on the number and times of runway movements and the sizes of aircraft permitted.

10.58 Locations which are likely to prove more suitable for noisy sports include sites adjoining existing noise generating areas, such as major A roads (ie A12 and A120) or the main railway line to London, particularly where these are well screened by banks and trees and provided that they comply with the policy criteria listed below.

10.59 Recreational proposals should not cause harm, including noise and disturbance, to local residents and land uses because of the nature, scale, extent, frequency or timing of the activities. No harm should be caused to public safety (particularly in relation to nearby roads and public rights of way) or to traffic flow. Any

proposed sporting activity will be required to conform with Policy DC1.

Wormingford Airfield

10.60 Wormingford Airfield is used by Essex and Suffolk Gliding Club for glider flying and training. As it is an unlicensed aerodrome, the Civil Aviation Authority recommend the protection of obstacle limitation surfaces around the runways by reference to an unofficial safeguarding map. The Club has lodged an unofficial safeguarding map for Wormingford Airfield with the Council. This map is used as a basis for an agreed consultation procedure on certain types of planning application.

War Gaming

10.61 It is acknowledged that “war gaming” or “combat games” is a popular leisure activity which, in Essex, has led to damage in a number of ancient semi-natural woodlands. It is especially vital to protect these woodlands, as they generally support a greater diversity of wildlife than either planted woodland or semi-natural woodland of recent origin. It is felt that there are alternative types of site, such as derelict land, scrubbed-over wasteland or recent secondary woodland, which should be used in preference to ancient woodland for playing combat games. Control over this type of leisure activity is constrained by the Town and Country Planning (General Permitted Development) Order 1995, Part IV, Class B, which permits combat games to be pursued up to 28 days in any one calendar year without planning permission. Nevertheless, in cases where planning permission must be sought, applicants will be expected to put forward proposal sites away from sensitive nature conservation or wildlife habitats, including particularly ancient semi-natural woodland.

10.62 Planning permission will not be granted for the leisure activity of war gaming in areas containing important and sensitive nature conservation or wildlife habitats, particularly ancient semi-natural woodlands. Nor will permission be granted where there would be disturbance to equestrians, cyclists or pedestrians using adjacent or nearby public rights of way.

Site Issues

10.63 Full consideration will be given to the number of people likely to be present at any one time and the effects of their overall concentration or dispersal within the site. Landowners and operators will be encouraged to prepare site-management agreements where appropriate.

L16 Permission will be given for a proposed sporting activity causing noise or disturbance only if:

(a) harm would not be caused to local residents and land users by the nature, scale, extent, frequency or timing of the recreational activities proposed, including:

(i) any noise or disturbance to be generated by the proposed recreational activities; and

(ii) the number of people likely to be at the site at any one time and their degree of concentration or dispersal within the site; and

(iii) the harmful use of outdoor lighting;

(b) it is located and designed with regard to community safety.

COLCHESTER UNITED FC

10.64 The existing site occupied by Colchester United Football Club is unsatisfactorily located and there is some conflict with the amenity of local residents. In order to find a satisfactory alternative location, the Borough Council established a working party consisting of its officers and representatives of the club. Consultants were commissioned to investigate the viability of a new community-based stadium to incorporate Colchester United FC. These consultants also investigated alternative locations, having taken on board the need for any chosen location and scheme to conform with the following criteria:

- (a) Road safety and the free flow of traffic would not be impaired;
- (b) Access would be available by a choice of means of transports;
- (c) Harm would not be caused to the amenity of local residents and land users;
- (d) Adequate access and parking provision could be made;
- (e) The character or appearance of the countryside would not be damaged;
- (f) No harm would be caused to sites of historic, archaeological or nature conservation value, or to high quality agricultural land;

(g) The proposed stadium and any associated buildings and structures would be compatible with its surroundings in siting, scale, design materials and landscaping;

(h) Only the minimum necessary lighting would be used;

(i) Facilities for spectators would be adequate, including those for people with disabilities

10.65 As a result, it has been established that the most appropriate site on which to locate a new football stadium is Cuckoo Farm (south of the A12), as defined on the Proposals Map. Any planning application should be accompanied by detailed environmental-impact assessment and traffic-impact reports and will need to secure a satisfactory junction to the A12 (as required by Policy ME1).

10.66 Should the development not proceed for any reason, the site will provide for a significant extension to the Cuckoo Farm (south of the A12) Employment Zone. Development will therefore be expected to conform to Policy EMP1.

L17 The Plan provides for the relocation of Colchester United football ground to a site at Cuckoo Farm (south of the A12) as part of a new community sports stadium.

Should this development not proceed, future development will accord with Policy EMP1.

ARTS

10.67 The initiative pioneered by the Arts Council in 1988 which encourages private sector investment in the arts by commissioning suitable works of arts and craft within, or in association with, new development or refurbishment schemes is strongly supported.

10.68 In supporting this initiative, the Council wishes to encourage, by negotiation, the use of art and craft, especially that created locally, to enhance important development schemes. The policy below relates to development which would, either by its scale or location, have a significant impact on the environment. The term “major development” will apply to any proposal for more than 1,000 sq m floorspace, or where the site area is 1ha or more in size, or where the development is of more than 10 dwellings, or 0.5ha in size if the number of dwellings is not given. Schemes

involving new buildings open to public view within Conservation Areas, and those on particularly prominent or important sites elsewhere, will be considered against this policy.

10.69 The Council will seek to negotiate for those features which would embellish and enhance already acceptable schemes. These should result in a positive contribution to the scheme itself, its immediate environment or the locality in general. Whilst art forms such as sculptures, murals and paintings could be acceptable and appropriate, this policy also aims at promoting such elements as enhanced architectural detailing, traditional features requiring a significant “craft” element in their fabrication and, possibly, the use of enhanced materials where they may not ordinarily be required, such as in paving or street furniture.

10.70 As an alternative, it may be considered appropriate for developers to contribute towards the financing of arts facilities or works of art away from the immediate locality. The Council’s Cultural Services could advise on this different context.

10.71 The Council will promote the further enhancement of the arts in the environment in general, and individual development in particular, by seeking to secure, as supplements to its normal design requirements, the provision of architectural features or works of a purely artistic or craft nature as an integral part of important development proposals. It may also seek to secure the provision of other facilities for the arts through the use of S106 Agreements attached to such proposals.

<p>L18 Major development will be required to make provision for commissioning features or works of an artistic or craft nature.</p>
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TOURIST AND VISITOR FACILITIES

10.72 A Regional Tourism Strategy has been prepared by the East of England Tourism Board. The Borough Council maintains a “Tourism Development Plan” and is keen to support sustainable tourism, and will continue to make its own direct contribution through, for example, the visitor information and museums service and the promotion of a positive approach to the management of visitors. However, it is nevertheless aware that certain parts of the Borough, such as the Dedham Vale area and Mersea and the coast, have only a limited capacity to absorb further visitor-related activities, whether this is higher flows of tourists and day-trippers or means more physical infrastructure and other provision to cater for their needs. The Council

has undertaken a capacity study, the “Dedham Recreation Capacity Study”, which has resulted in the production of a new policy (see Chapter 5, “Countryside”). In addition, the “Constable Country Visitor Management Plan” was produced under the co-ordination of the Dedham Vale AONB Project. In relation to Mersea, the Blackwater Estuary Management Plan is of relevance to visitor management. The Colne Estuary Management Plan has been prepared in respect of the River Colne and is particularly relevant to Wivenhoe and Rowhedge. Particular regard will be paid to the aforementioned documents when determining proposals for visitor facilities and services at locations covered by them.

10.73 The Plan supports the principle of sustainable tourism and visitor facilities. Whilst some parts of the Borough may well be able to accept tourism-related development, the Local Planning Authority must have regard to the ability of other areas to absorb further such development. The Council will assess all tourist and visitor related proposals (eg the establishment, extension or change of use of premises for hotel, guest house, youth hostel, public house, restaurant, or self catering visitor accommodation, etc) in terms of their likely impacts on local environments, especially in terms of traffic generation, general amenity and, in particular, high quality townscape or landscape, or important wildlife habitats. Whilst the policy seeks to encourage the provision of small-scale tourist related development in the countryside, all proposals will be subject to other relevant policies elsewhere in the Plan. The following policies are especially relevant: CO10 (farm diversification), EMP4 (employment uses in the countryside – general), UEA6 (converting listed buildings) and CF3 (access for people with disabilities). Larger-scale proposals are likely to be appropriate only within, or on the edges of, urban areas (Policies TCS21 and TCS22 are of particular relevance here).

10.74 Hotel and conferencing facilities would be acceptable in respect of the community stadium and university sites. In addition, hotel provision may be acceptable within some of the Town Centre Regeneration Areas (see Policies L17, ME1, UC1 and TCS24).

10.75 Caravans and tents can provide relatively cheap holiday accommodation for tourists coming to the Borough. However, provision for these types of holiday accommodation should be provided at established sites, as referred to in the policy below. Entirely new sites in the Borough will be considered if they can be catered for without harming the local environment, residents and land users and without generating new problems of traffic management. The term “camping sites” referred to in the policy below is applicable to all proposals for facilities for touring and transit caravans and tents. As the development of “leisure plots” can have a damaging impact on the landscape and result in high amounts of traffic travelling along narrow country lanes, such proposals will be rejected. (See also Policies CE4 and CE5 in Chapter 4, “Coast and Estuaries”, which relate to further holiday development within

or close to the coast and caravan occupancy restrictions.)

L19 Outside the Coastal Protection Belt, a new or extended visitor facility will be permitted if:

- (a) the local area is able to absorb the proposed development; and**
- (b) it does not propose the development of small plots of land in the countryside as leisure plots with any buildings, caravans or structures.**

Additional camping sites will be permitted only where the development has good access to the main highway network and would not result in unacceptable traffic or environmental impacts or harm to local residents.

11. TRANSPORT

Introduction

11.1 It should be noted that this chapter on transport policies deals exclusively with those policies that have District-wide application. There is a need for further transport policies which are related to particular areas of the District, such as Colchester Town Centre, Mile End, Stanway and Eastern Approaches (in the Hythe). These latter policies will be found in the relevant chapter for each area, towards the end of this Local Plan.

11.2 It should also be noted that the transport package of policies contained in this local Plan does not represent the full breadth and content of the Councils transport policy framework. This is also expressed elsewhere in other documents, most notably through the “Local Transport Plan” (LTP) as it relates to Colchester and, through the Council’s Transportation Strategy, which sets out the basic principles and priorities of the Council’s general strategic approach to transport issues. The Council has, in addition, issued more closely focused policy guidelines, including a statement of intention regarding the establishment of a cycle network in Colchester.

Objectives

11.3 The Plan’s objectives in terms of transport are as follows:

- (a) To reduce significantly the number and length of trips that are made by private car;
- (b) To work towards a major improvement in the quality, coverage and co-ordination of public transport services in town and countryside, including ensuring that these are fully accessible to disabled and older people, those with children and lower-income families;
- (c) To develop a safe and high quality environment for cyclists in each major urban area of the Borough together with well-located and sufficient cycle parking facilities;
- (d) To facilitate journeys on foot along an attractive pedestrian route network to a variety of locally based and more centralised retail, community, leisure, educational and workplace centres;
- (e) To continue to work towards reducing the number and severity of road accidents, especially among the most vulnerable road users, including cyclists, pedestrians and horse riders;

- (f) To ensure a level of parking provision compatible with achieving a reduction in the number of trips made by private car;
- (g) To secure adequate and convenient parking facilities for disabled people at all public and private facilities;
- (h) To decrease levels of noise and air pollution generated by traffic, especially for diesel-engined vehicles;
- (i) To investigate and make provision, if appropriate, for park and ride services as part of an integrated public transport system;
- (j) To ensure that flows and volumes of traffic do not exceed the environmental carrying capacity of built-up areas or open countryside, especially in respect of the Dedham Vale Area of Outstanding Natural Beauty, Countryside Conservation Areas and Conservation Areas;
- (k) To discourage “rat-running”;
- (l) To encourage that transport of commercial freight by rail and water rather than by road and to ensure that commercial freight facilities are sited in sustainable locations.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

11.4 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal in addition to the following detailed policy guidance.

PROVISION FOR WALKING

11.5 Walking is a very natural and appropriate way of making short trips, either from the home to local facilities, or in a whole variety of other situations, such as shopping in the Town Centre of Colchester. However, the needs of pedestrians have tended to be neglected in relation to the attention given to meeting the needs of those travelling by motorised means. The Council has established a topic group through its Transport Forum to develop its approach to walking and cycling.

11.6 In this context, the Council is anxious to promote more and safer opportunities for walking in urban parts of Colchester District, particularly along key desire lines

linking residential areas to local retail and community facilities, the public transport network, open spaces, workplaces, the Town Centre, the countryside and the greenlinks network (see Policy UEA14 above).

11.7 Pedestrian routes will be characterised by a high standard of facilities providing safer, more frequent road crossings, traffic calming, improved lighting, signposting, seating, dropped kerbs, tactile paving and minimum pavement widths and will be free of obstructions (such as parked cars) and maintained in a good state of repair. Such a network would meet the needs of particularly vulnerable groups of pedestrians, such as the disabled, parents with very young children and individual walkers at night.

11.8 Within different areas of established development, varying levels of attention have been paid to the needs of pedestrians. For example, in the Town Centre of Colchester, there is an extensive semi or totally pedestrianised core. In some residential areas, traffic-calming schemes have been implemented. On the other hand, in retail warehouse parks and local shopping centres, the needs of pedestrians have been far less recognised. In most residential areas, the needs of car drivers take precedence over those of pedestrians.

11.9 There is therefore a real need to give a much higher priority to pedestrians in these areas, taking every available opportunity to achieve this. It is likely that the most appropriate measures will involve a mix of:

- (a) a general reduction of the maximum speed limit for motorised traffic (down to around 20mph or less in some cases);
- (b) a reduction of conflict in cross-flows of motorised and pedestrian traffic;
- (c) extension of pedestrianised areas (at the expense of areas available to motorised traffic).

This will be particularly important in residential areas, where the living environment should be deliberately designed to give automatic precedence to pedestrians (eg children at play or crossing the road). The designation of Home Zones, once the necessary legislation is passed, has great potential and the Borough Council is keen to explore such designations.

11.10 Equally important are the needs of people on foot in the rural parts of the District, either residents or visitors. These needs are very similar to those of pedestrians in the towns, but any practical measures to meeting them will be far more constrained in scope by a general requirement to harmonise with existing village-scapes or countryside environments.

11.11 However, in the villages, where space and environmental considerations permit it, footpath networks will be extended and improved to allow for safer pedestrian journeys, particularly to local shops and community facilities. In the countryside, consideration will be given to traffic-calming measures that do not urbanise the rural environment, such as speed limits, and reinforcement of embankments with natural materials to prevent road-widening by their erosion.

11.12 There are first-class opportunities in areas of new residential development to create a high quality pedestrian environment which allows people on foot to walk safely and in attractive surroundings to their chosen destination. One of the main aims in creating such new pedestrian networks must be to make short journeys to local retail and community facilities more attractive, or, at least, as attractive on foot as going by car. This, in part, means making journey times as short as possible by laying out the pedestrian network to give the most direct access possible to such facilities from all parts of the development concerned. The means of achieving a safe, attractive, direct access pedestrian network are set out in the “Essex Design Guide” (1997).

11.13 There are similar opportunities that can be exploited in larger areas of new commercial development (retail, office, industrial, leisure). There is a real requirement to make the walking experience as pleasant and safe as possible in all such areas of development, ensuring that links to the public transport network and other regular destinations are as short and direct as possible.

T1 In areas of new development, pedestrian networks will be secured to provide safe, direct and attractive passage to people on foot, especially where this can be a real alternative to the same purpose journey by car.

PROVISION FOR CYCLING

11.14 Parallel to the Council's concern to give a much higher priority to addressing the needs of pedestrians is its determination to meet the needs of cyclists in as comprehensive a fashion as possible. To this end, in March 1994 the Council decided on the concept of a cycle route network to cover the main urban area of Colchester/Stanway. The current network relies heavily on lengths of shared-use cycle/pedestrian paths alongside the busiest main roads (eg Ipswich Road), supplemented by shorter lengths of cycle/ pedestrian paths away from the main street network (eg Wivenhoe Trail) and sections of reserved cycle lanes on some main radial routes (eg Lexden Road). Cyclists are additionally given some measure

of priority on main carriageways by the use of advanced stop lines at traffic lights (eg at Middleborough) and by being permitted to use bus lanes (eg Osborne Street).

11.15 The Council's own cycle route network will be complemented by sections of the National Cycle Network, which is being promoted by the voluntary sector agency Sustrans. Some stretches of National Route 1 will be off the standard road network, but the rest will follow the line of existing highways. The Borough Council is working in partnership with Sustrans and others to implement cycle proposals and has established a Topic Group to review its policies.

11.16 The Council will be seeking to make selective improvements and extensions to the existing cycle network – for example, by facilitating access to it by feeder extensions or by links to the emerging greenlink network (see paragraph 6.65 and Policy UEA14 above). On the other hand, where the existing cycle network shares footpaths with pedestrians, the Council will endeavour to remove such joint use wherever possible and where alternative provision can be made, as this is seen as unsatisfactory to both sets of user. However, more and more of the Council's energies will be focused on making every road in the Borough safe for cycle use, mainly through overall reduction of speed limits, aiming ultimately for 30mph on main routes in the towns and villages and 20mph on other streets in built-up areas, and lower speeds, as appropriate, on country roads. This latter approach will be pursued in respect of all new development where there are clear opportunities to design in restraints on vehicle speeds from the outset. In addition, there is the chance to design layouts that offer cyclists as direct access as possible to regularly used facilities inside or outside the new development, thus making trips by bike more attractive than those by car within a safe and attractive riding environment. The Council would refer prospective applicants to the Arup/Sustrans publication "The National Cycle Network: Guidelines and Practical Details" (issue 2).

11.17 If cycling is to be encouraged as a significant mode of transport, it requires not only a comprehensive network of safe routes for cyclists but also convenient and secure places to park bikes at the end of each trip. It will therefore be a central task of the Borough Council to provide progressively more bike parking facilities at key areas, such as within the Town Centre, at retail warehouse parks, at major leisure facilities and at the larger local shopping centres. The parking facilities should comprise Sheffield-type stands of a suitable design in prominent places for short-term use, and secure cycle parking in lockers or in a building for medium and longer-term parking. All such facilities should be integrated into the affected environment in a visually satisfactory manner.

11.18 It has been a long-established requirement that new developments outside Colchester Town Centre and its fringes should include an adequate amount of car parking. In October 1995, the Council extended this basic requirement to the provision of parking facilities for cyclists. The relevant Supplementary Planning

Guidance (SPG) sets down cycle parking standards for all categories of development requiring planning permission.

11.19 The Council recognises, however, that, as with car parking provision, it may well not be feasible or desirable to provide cycle parking facilities on-site in new developments within Colchester Town Centre. In such circumstances, applicants will be expected to sign a Unilateral Planning Obligation (UPO), which will require them to pay the appropriate commuted sums in respect of short or long-term parking spaces, so that these can be provided at public sites.

T2 In areas of new development, a convenient and safe cycle environment will be secured to provide direct and attractive access by cycle. Within development sites, appropriate priority for cyclists and the provision of appropriate cycle parking facilities will be required. Where on-site provision is not feasible and/or not desirable, applicants will be required to sign a legal agreement to ensure equivalent provision at a public site.

PROMOTION OF NON-CAR MODES OF TRAVEL

Safe Routes to Schools

11.20 It is considered that up to 20% of peak-hour traffic flows are caused by parents taking their children to school in the morning or picking them up in the afternoon. On a national scale, the trends are alarming: in 1990, 35% of school-children travelled to school by car compared to around 10% in 1971. Over the same period, the number of children walking to school fell by around 20% and the number of children travelling to school by bus was more than halved.

11.21 There are a number of reasons for these trends: parents cite fear of traffic and fear of assault on their children as the two principal motivations. Apart from this, greater car availability per household and more choice in the school that their child attends can encourage parents to choose a more distant school, and hence lead to use of the car for school journeys.

11.22 The Council is concerned to reverse this increasing reliance on the car for pupils' journeys to and from school and to encourage a much greater proportion of such trips by bus, cycle or on foot. In this regard, the Council, in conjunction with the County Council and the national cycling charity Sustrans, is in the process of introducing traffic management and safety measures that should induce less reliance

on the car for pupils attending the Gilbert School in Highwoods and Philip Morant School in Lexden. This approach will be progressively extended to other schools in the District as and when funds can be secured through new LTP process, in partnership with the schools. This policy issue is being dealt with in more detail in the Council's development of its Transportation Strategy.

11.23 In addition, proposals for the location and siting of new schools must take careful account of site accessibility by pupils and staff arriving or departing on foot, by bike or by scheduled bus services in relation to the schools' likely catchment areas. This consideration would be equally relevant at existing schools where significant expansion of the teaching area or allied community facilities was being proposed. Facilities for buses and coaches at schools, eg turning circles, may need to be provided.

Travel Plans

11.24 According to the 1991 census, no fewer than 60% of those both resident and working in Colchester travelled to work by car. The second most popular mode was by foot for nearly 14% of workers. Only 9.3% went by bus, 6.5% went by bike, a further 2% by motorcycle and a tiny percentage, 0.53%, by rail.

11.25 As with the journey to school, the Council wishes to see far less reliance on the journey to work by car. A principal means of achieving this aim is through the production and implementation of Travel Plans, which seek to provide financial and other incentives for employees to change to a non-car mode of transport for the journey to work. In other parts of the country, such plans have been markedly successful in changing travelling habits.

11.26 The Council will require applicants for major new commercial or community developments to formulate Travel Plans as an integral part of the process of seeking planning permission. In this regard, it should be noted that:

- "major" refers to all developments of over 1,500 sq m (16,000 sq ft) or those which would generate employment for more than 30 people;
- "commercial or community developments" refers to new, or extensions to existing, development such as industry, offices, educational establishments and hospitals.

11.27 Where appropriate, the Council will require applicants for planning permission to sign an S106 Agreement which will ensure the production of a fully implementable Travel Plan to the Council's satisfaction before any new buildings (including extensions) are occupied. The Council will be willing to assist such applicants in both formulating and implementing these Plans within its powers and means, including

bringing together a number of employers to produce a joint Plan. It will also wish to give the strongest encouragement to major existing commercial and public establishments to institute and execute such Plans.

T3 Applicants seeking planning permission for major commercial or community development will be required to draw up and implement Travel Plans secured by a Section 106 Agreement.

Car-Free Residential Areas

11.28 As has been made explicit above, the Council is continually seeking ways to reduce people's dependence on the car as a principal mode of transport, either generally or in respect of particular types of journey. It is therefore inclined to give sympathetic consideration to the concept of car-free residential developments at locations that can be well served by public transport services and are closely related to safe and attractive street networks for cyclists and pedestrians.

11.29 The Council is well aware that there are very few car-free developments in existence at present, and that therefore there is no track record of successful experience with these schemes to date. Nevertheless, the Council is keen to promote this concept at any suitable location in the District. However, it will need to be satisfied that the main issues arising from keeping a residential area car-free have been properly addressed. These issues would include, for example, adequate and ready access to all parts of the development for emergency vehicles and imaginative measures such as the establishment of a community car hire/use scheme. Car-free residential areas will need to contain or be in close proximity to a range of retail and community facilities.

T4 Proposals for car-free residential developments must be for sites that are located close to Colchester Town Centre or that are along or close to transport corridors that are well served by public transport services and are closely related to high quality pedestrian and cycle routes.

PROVISION OF PUBLIC TRANSPORT

11.30 An effective, efficient, affordable and attractive network of integrated public

transport services within and outside Colchester District is the essential central feature behind the Council's major aim of getting local people to place considerably less reliance on the car in making their different types of trip. Ideally, there should be a seamless public transport service suitable for customers that is based on close co-ordination of routes, timetables and frequencies. The Council recognises that this is difficult to achieve, particularly in the short term, among the number of private companies involved in service provision.

11.31 In particular, the Council would wish to see public transport operators, as a minimum, retaining existing levels of service and the present extent of their respective networks. More ambitiously, the Council would want to see appropriate extensions to networks and/or raised service levels as well as improvements in linkages between different public transport services.

11.32 In addition, special attention needs to be given to the requirements of people with disabilities, those on low incomes, those living in remoter parts of the District and cyclists.

11.33 In the case of disabled people, this means achieving the minimum distance possible to travel from the car park or between modes of transport, and the ability to get on or off public service vehicles easily. Low income households will particularly benefit from fare increases kept at or below the rate of inflation or through special concessionary fare packages. Those living in more remote parts of the District will benefit from both subsidised public transport services and specially tailored services geared to low volumes of demand in relation to specific trip needs. Cyclists require either proper secure and sheltered cycle parking facilities at the public transport terminal or stop or the opportunity to take their bikes with them to their destinations.

11.34 To achieve any or all of the above aims will require the closest co-operation and co-ordination of effort between the Borough Council (who provide financial support towards public transport provision), the County Council (with its powers to subsidise socially necessary services in the context of its Passenger Transport Plan, PTP) and public transport service operators. An example of this is Quality Bus Partnerships, whereby bus operators provide a better quality service level or standard of vehicle (eg easily accessible by all, especially disabled people) in return for the Local Authority improving road conditions for the bus service (eg bus-only lanes or gates). A similar example is park and ride, as and where this is appropriate. In addition, the Council is keen to see the retention of the Sudbury branch railway line and assists in promoting the summer Marks Tey Sunday Service as a member of the Essex and South Suffolk Community Rail Partnership. (The role of Colchester Town Station is referred to in Chapter 15, "Town Centre and Shopping".)

11.35 In this context, it is well known that it has been a long-established practice for Local Planning Authorities to require that applicant developers should meet the costs

of off- site highway works made necessary by the scale and nature of their proposed developments. In the new era of sustainable development, it is essential that such major developments are as well served as possible by public transport services (bus and/or rail).

11.36 The Council will therefore expect any applicant seeking permission for a major residential or commercial development to produce a package of suitable proposals that will ensure that the proposal site can be properly accessed by public transport where this is not already the case. In this context:

- “major residential development” means 100 units or more;
- “major commercial development” is defined as in paragraph 11.26 above.

11.37 No particular sets of measures can be prescribed, as each relevant package of proposals will possess its own spatial and other context (see reference to Travel Plans for individual developments under Policy T3 above). However, examples of appropriate measures will include financial contributions to the establishment of bus priority systems, the provision of real-time information systems and the initial underwriting of dedicated bus services. Any requirements will need to meet the test of Circular 1/97.

T5 Proposers of major residential and/or commercial development will be required to put forward suitable proposals for the enhancement of local public transport services, backed by financial contribution where:

(a) this could secure a significantly greater use of non-car modes of transport for trips to and from the development site at the outset of its use; and/or

(b) it would minimise the need for new road building, particularly in urban areas; and/or

(c) it would help put local bus/train services on a more viable footing; and/or

(d) it would assist local public transport services to be more competitive with private transport in terms of trip length/ duration

and passenger comfort and convenience.

11.38 The Council wishes to see the rail network having a greater role in the movement of freight in relation to that transported by road. In this regard, the Council will need to co- operate with Network Rail and the rail freight operators in identifying suitable sites that may need to be safeguarded as a future base for rail freight operations. Where a site is no longer viable for rail freight, the Council will work with Network Rail in identifying appropriate alternative uses, possibly through the production of a planning brief. The Council will also play its part in the Essex Rail Freight Forum.

11.39 However, in assessing specific proposals for rail freight operations at a particular site, the Council must be satisfied that there will be no undue adverse impact on the local environment and the amenities of neighbouring land users. See also Policy DC1.

T6 The Council will work with Network Rail and freight operators towards the aim of getting a greater proportion of total freight transported by rail, in particular safeguard sites which are considered operationally, technically and commercially viable. In assessing proposals for rail-freight development, the Council will nevertheless require:

(a) good access from the primary road network or direct links with the source of the freight; and

(b) the availability of sufficient land to provide for adequate sidings and any associated buildings and other infrastructure.

Where continued freight activity cannot be justified, alternative uses will be sought.

TRAFFIC MANAGEMENT

11.40 One of the most significant policy trends in managing urban traffic flows in recent years has been a shift from building new roads, often for the benefit of commuters, to a more efficient and fairer use of existing road space for the benefit of

all road users. This trend is underpinned by increasing concerns about traffic-derived air pollution; the level of road accidents, particular those involving pedestrians or cyclists and children or older people; the continuing phenomenon of rat-running; the general degradation of the physical environment along road corridors; the constraints on the efficient running of bus services and other essential services caused by general road congestion; and the erosion of road surfaces, road edges and the general roadside environment by increasing lorry traffic, particularly on the narrower and more minor parts of the urban and rural highway network.

11.41 Traffic-calming schemes, in particular, have been conceived and implemented by the Council – especially in some of the older, higher density housing areas in Colchester with a history of higher accident rates – so as to try to give the streets concerned back to the residents. In the light of successful experiences in the Netherlands, Germany and other parts of England, it has been realised, for example, that the right of young children to play in safety in the street is as important as car drivers gaining reasonably quick access to their homes at the end of a journey. In furtherance of the aim of creating a safe street environment in residential areas, the Council is keen to experiment at the earliest opportunity with the idea of Home Zones. Taking in one or several streets, in these Zones priority is given to pedestrians and cars travel at little more than walking pace. The use of “green niches” is another traffic management concept worth further exploration. In order for these to be truly effective, community involvement is crucial in designing and introducing schemes.

11.42 There are particular concerns in rural areas, given the increase in traffic volumes generally and the localised issues of heavy goods vehicles. There are also problems with leisure related car traffic. This affects the quality of life of rural residents as well as that of those using country lanes for quiet recreation, such as walking, cycling and horse riding. The concept of “Quiet Lanes” has been used successfully elsewhere. The Council will be pursuing this within the Borough, possibly as part of an overall package of rural transport measures.

T7 Traffic management schemes will be introduced where these would serve to:

- (a) increase the level of safety for all road users, particularly pedestrians, cyclists, and disabled people; and/or**

(b) reduce levels of ambient air pollution; and/or

(c) exclude through-traffic unnecessarily passing through local streets; and/or

(d) provide benefits for the operation of local public transport services; and/or

(e) improve the quality and physical appearance of the local environment, particularly in Conservation Areas, housing areas, local shopping centres and near tourist attractions; and/or

(f) assist in meeting the mobility needs of people with disabilities; and/or

(g) make more efficient use of available road space.

In particular, a programme of traffic-calming schemes will be implemented in a visually satisfactory manner.

NEW ROAD SCHEMES

11.43 In terms of new road building in urban areas, Government guidance, as set out in Planning Policy Guidance Note 13 (PPG13), states that it is recognised that “forecast levels of traffic growth, especially in urban areas, cannot be met in full, and that new road-building ... will in some cases be environmentally unacceptable. It is already Government policy not to build new trunk or local roads simply to facilitate commuting by car into congested urban centres.” Furthermore, development within urban areas should be promoted at locations highly accessible by means other than the private car.

11.44 The Government's White Paper “A New Deal for Transport” proposes to change the focus of road investment to reflect the needs of all road users, giving top priority to maintaining and managing the existing road networks and getting them to work better. PPG13 is also likely to be re-published.

11.45 In similar vein, Policy T9 of the Essex and Southend-on-Sea Replacement Structure Plan states that “major new highway construction and improvement schemes within urban areas will not be permitted, except where they are essential to:

- (i) facilitate major new development, comprehensive redevelopment or major urban regeneration;
- (ii) implement a package of measures to support passenger transport, cycling and pedestrians, and to improve road safety;
- (iii) support local environmental improvement schemes.

Minor improvement schemes will be implemented primarily to improve road safety, improve conditions for cyclists, pedestrians and the mobility impaired, assist passenger transport movement, and improve the environment of a town centre or residential areas.”

11.46 The Plan identifies the major road schemes to be implemented during the Plan period:

- The Northern Approaches
- Western By-Pass, Stanway

The purposes of these schemes are set out in Chapters 18 and 19, “Mile End” and “Stanway”, respectively. In addition, a scheme to link Oakwood Avenue and Colchester Road at Glebe Corner, West Mersea, has been proposed but is unfunded. When funds become available, the Council will undertake further consultation before any scheme proceeds.

11.47 The Council recognises that travellers using the main road network (A12 and A120) will expect to find roadside facilities at regular intervals, where they can rest, eat or buy essential items like petrol.

11.48 However, the Council is equally of the view that there are distinct dangers either of the over-provision of such facilities along particular stretches of the network or, alternatively, that such facilities will not integrate well in terms of their effect on the local environment and road safety. It therefore considers that proposals for roadside facilities should meet the policy criteria set out in the overall Development Control Policy (DC1).

11.49 Proposals for petrol filling stations will be judged against Policy TCS14 in Chapter 15, “Town Centre and Shopping”, and Policy DC1.

11.50 The Council feels that the optimum location for new haulage depots is near the A12/ A120 in an industrial or mixed use zone. However, rather than tightly circumscribing the areas of search for new depot sites, the Council has set down criteria that need to be met in any proposals for this kind of facility. The following policy sets out the locational requirements for such a use. Issues of road safety, the

ability of the road network to accommodate additional traffic movements arising from the proposal and the impact on local amenities are addressed in Policy DC1.

T8 Proposals for the expansion or establishment of haulage depots will be acceptable only if the proposed location is closely and effectively related to the A12/A120 road network.

CAR PARKING

11.51 The Borough Council has the following aims in respect of its strategy for parking provision outside the central area of Colchester, namely:

- (i) to encourage a gradual shift in transport mode from car to non-car, as the latter are improved and made more attractive as options for travelling about – for example, consideration is being given to a park and ride facility as part of development at Severalls Hospital/Cuckoo Farm;
- (ii) to limit parking provision for all new non-residential developments to that absolutely essential for the normal functioning of the user concerned. This involves the setting of maximum, rather than minimum, parking standards, as has been the case in the past. These standards are set out in “Vehicle Parking Standards” August 2001, adopted by the Council as SPG. In the case of employees, this relates to a definition of operational need, which would include only vehicles bringing goods to and from the development concerned, and the vehicles of personnel whose main work involves continuous use of that vehicle. In this regard, firms will be expected to consider the use of pool vehicles (as part of Travel Plans under Policy T3), obviating the need for such employees to drive to and from work each day. In the case of customer parking, it relates to the quality of service of, or provision for, non-car modes of transport in the local area;
- (iii) to look after the interests of disabled people in providing the easiest access possible to buildings from the parking place;
- (iv) to ensure that residents without space to park their own vehicles within their property curtilage are not competing with non-residential traffic for on-street parking space. Such schemes will be introduced following consultation with residents and businesses affected.

11.52 It will be essential to look at the newer concept of maximum parking standards on a county and regional basis in order to ensure consistency and fairness of approach by each LPA concerned. A zonal system for standards is favoured, which will take account of access to public transport services. Prior to introducing new standards which will cover residential development, a countywide consultation will be undertaken.

T9 A strategy for car parking provision outside the central area of Colchester will be based on the following principles:

(a) A gradual reduction in the general demand for car parking facilities based on steady, phased improvements in public transport services and levels of provision for cyclists and pedestrians;

(b) The introduction of regional and county maximum car parking standards for all non-residential forms of new development, including redevelopment of existing sites or extensions to existing establishments related, inter alia, to:

(i) in the case of employees, a maximum provision for operational needs;

(ii) in the case of visitors, the levels of accessibility by non-car modes of transport.

Applicants will be expected to agree a commuted sum of money to help meet the costs of further improvements to facilities for non-car modes of transport in the locality of the proposal site;

(c) Parking facilities for disabled people will be located within new developments so that they are the minimum distance possible from the most appropriate entry point of the site building(s);

(d) Further residents-only parking schemes will be established to resolve any remaining outstanding conflicts of interest between residents and non-

residents.

11.53 In applying that part of clause (b) of the policy relating to applications being required to pay commuted sums of money, the Authority will have regard to applicants' written commitments to produce and fully implement a Green Commuter Plan (under Policy T3). It is clear that such Plans will in themselves greatly help to assist the promotion of non-car modes of transport. Any commuted sum will need to be agreed at a level consistent with the guidance in Circular 1/97.

11.54 The Council wishes to ensure adequate provision for public off-street car parking at local shopping centres, railway stations and holiday resorts in the season in order to avoid haphazard on-street parking, which can be both injurious to visual amenity and to the interests of neighbouring land users, including particularly local residents. In this regard, the most serious problems currently exist at Tiptree shopping centre, Marks Tey railway station and, seasonally, in West Mersea. Further details on the parking issues at these sites will be gathered in transport policy work through the "Future Moves" initiative.

11.55 However, while such provision must be adequate, the Council wishes to encourage journeys to shops and to railway stations to be made by non-car modes of transport in line with Policy T9 above. In addition, the interests of disabled people must always be given careful consideration in the detailed planning of such provision in line with legislative requirements.

T10 Provision will be made for adequate public off-street car parking at:

- (a) local shopping centres (Tiptree shopping centre will be given priority);**
- (b) local railway stations (Marks Tey Railway Station will be given priority);**
- (c) West Mersea (seasonal parking).**

Special consideration will be given to the requirements of disabled people.

12. UTILITIES

Introduction

12.1 Many of the large utility service providers have now moved from the public sector to the private sector. Examples of these can be found within the electricity, gas, water and telecommunications industries. The services that they supply, however, remain as important as ever. Therefore, the Council will continue to liaise closely with the utility providers and developers to ensure that an adequate and appropriate range of facilities and services are provided to meet the needs of the Borough's population.

12.2 Technological advancements have been transforming the nature of some utility service provision, none more so than in the telecommunications industry, which now requires the siting of a new array of equipment and aerials.

Objectives

(a) To liaise with utility service providers, developers and other interested parties in order to co-ordinate the adequate provision of a range of facilities and services, without adversely affecting the local environment.

(b) To seek to reduce the environmental impact of power lines and telecommunications installations.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

12.3 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal in addition to the following detailed policy guidance.

OFF-SITE SERVICE INFRASTRUCTURE

12.4 The policy seeks to prevent or limit development until all necessary utility services associated with it, such as sewerage, sewage disposal and water supply provision, are made available.

12.5 There are unprecedented pressures being placed on existing water supplies to meet the increasing needs of residents and, amongst others, the agriculture, leisure,

business and construction industries. Therefore, land allocated for development in this Plan will require a strategy to be developed for water and/or sewerage services, and developers may be required to contribute towards the costs of this infrastructure in accordance with the statutory framework. In advance of the strategy being fully implemented, it may prove necessary to require some phasing. Any interested parties are recommended to contact Anglian Water and Tendring Hundred Water (in respect of water supplies in Dedham and Wivenhoe) as soon as possible to discuss the details of the strategy more fully prior to submitting a planning application. Before granting planning permission, it will be necessary to establish that there is an adequate available water capacity. In considering proposals, encouragement will be given to sustainable forms of drainage, such as reedbeds and swales, wherever practical and visually acceptable. Advice on best practice can be sought from the Environment Agency.

UT1 Development which increases the demand for off-site service infrastructure, such as water supply, surface water, foul drainage or sewage treatment, will not be permitted unless sufficient capacity will be provided in time to serve the development without harm to the environment. When improvements in off-site infrastructure are programmed, the commencement of development will be co-ordinated with its provision.

Encouragement will be given to use sustainable forms of drainage wherever practical and visually acceptable.

SEWAGE TREATMENT WORKS

12.6 The Plan seeks to ensure that adequate provision for sewage treatment and mains drainage systems to serve new development is made and in a timely manner. It also aims to ensure that appropriate long-term maintenance arrangements are put in place with respect to new private pumping facilities (ie those not operated by the Drainage Authority). Any development proposal will also need to be considered in accordance with the North Essex Local Environment Agency Plan (LEAP).

UT2 The Plan makes provision for the continuing improvement of the Haven Sewage Works. When developments incorporating privately

operated facilities are permitted, suitable provision for their ongoing maintenance will be required.

POWER LINES

12.7 The Local Planning Authority is consulted under the Electricity Act 1989 on proposals for overhead power lines. Normal Development Control procedures do not apply in these instances.

12.8 The Council is concerned about the obtrusive appearance of overhead power cables in areas of good quality environment in the Borough, particularly in Conservation Areas and Countryside Conservation Areas.

12.9 Liaison will occur with electricity suppliers and the National Grid to try to secure the provision of underground cables wherever possible, either in terms of power lines for general public supply or to individual buildings in the countryside.

12.10 Built development will be controlled, under or immediately adjacent to power lines and other high-voltage plant, in order to safeguard both the operational needs of the NGC and local amenity. In view of the substantial practical, technical and cost disadvantages currently being experienced, the under-grounding of high-voltage power lines (275kv and above) will be sought only in exceptional circumstances. The Borough Council will expect careful line routing to be the most appropriate way to minimise the impact of high-voltage power lines.

UT3 New overhead power lines or high-powered electrical installations should be sited away from any of the following areas on grounds of amenity:

- (a) Dedham Vale Area of Outstanding Natural Beauty, Countryside Conservation Areas or parks and gardens of historic or landscape interest;**
- (b) Sites of Special Scientific Interest or Sites of Nature Conservation Importance;**
- (c) Conservation Areas and Sites of Buildings of Historic or Architectural Interest, including listed buildings and**

Scheduled Ancient Monuments;

(d) residential development.

Provided that there is no alternative to having power lines crossing sensitive areas, they should be placed underground if this is not damaging to sites of nature conservation value or archaeological importance and there are not substantial practical, technical and cost disadvantages in doing so.

TELECOMMUNICATIONS

12.11 It is the Government's policy to facilitate the growth of telecommunications systems because of their perceived benefits – for instance, fast, reliable and cost-effective communications can help attract business to an area and help firms' competitiveness. They can also aid safety and security, reduce the need for travel and, through driver information systems technology, enable the existing roads network to be used more effectively. People will have a greater choice as to who provides their telecommunications services, and a wider range of services from which to choose. However, concerns have been raised on health issues. The Council will take into account any such concerns in determining proposals but will give particular weight to national guidance in this matter.

Types of Telecommunication Development

12.12 Telecommunications development takes a variety of forms, including buildings, towers, antennae, cable systems above or below ground level and masts. By their very nature and purpose, such installations often need to be prominently sited on the tops or sides of buildings, and there is consequently often a real danger that such development will cause a high level of visual intrusion into the local environment. However, the LPA enjoys only limited powers with which to control the location, siting and design of such development.

12.13 Therefore, much minor telecommunications development has "permitted development rights" under the Town and Country Planning (General Permitted Development) Order 1995. However, the Authority can exercise controls in such cases over detailed siting and design, if not over the principle of the proposed development itself. Even so, the Authority has to recognise the constraints on siting and appearance imposed by the nature of telecommunications technology.

Siting Telecommunications Masts and Equipment

12.14 In cases where operators require full planning permission for telecommunications development, considerations of visual appearance and design are not straightforward. For example, in certain circumstances, a higher mast may mean that fewer masts are required overall, while masts and antennae often require particular operating heights in order that signals can clear trees and other built development.

12.15 However, certain approaches to this general problem, such as mast-sharing or use of existing appropriate buildings to site new antennae, may well help the Authority to contain visual intrusion as far as possible. Furthermore, the Authority can encourage prospective developers of new housing and commercial development to consider the likely telecommunications needs of occupiers as a standard design consideration in order to reduce the future need for new telecommunications apparatus above ground, using communal or master antenna systems. In addition to visual intrusion issues, regard needs to be had for air safety. Wormingford Airfield is used by the Essex and Suffolk Gliding Club and the Council has agreed an unofficial safeguarding map for this operational aerodrome. Telecommunications development within the safeguarding area will be expected to have regard to the interests of air safety.

12.16 The siting of telecommunications masts and equipment in sensitive environmental locations has become a major cause of concern (particularly with regard to the Dedham Vale AONB). A series of notifications and applications has been received from Code System Operators, stating their intention to locate such equipment within the Borough. It is considered that the policy needs to follow a site-specific approach to such developments. Liaison and co-operation with the communications companies, and also with neighbouring Local Authorities, will be required. The compilation by the Borough Council of a register of masts and other structures to which apparatus could be attached (using planning applications and other known sources of information as a base) will hopefully help. There will be a requirement placed on the operators to remove their telecommunications equipment once it becomes redundant.

12.17 Prospective developers of other types of development will be encouraged to consider carefully the likely needs of occupiers for telecommunications facilities at the outset.

UT4 Planning permission for new telecommunications development will be permitted provided that:

(a) its impact on the surrounding environment and amenities is minimised through careful siting, design and screening;

(b) new structures are harmonised with the massing, outlines and design of any existing buildings or other installations at the proposal site;

(c) there has been thorough investigation into the possibilities for minimising the number of radio and telecommunications masts through such measures as mast-sharing and, where appropriate, the inclusion of additional structural capacity;

(d) there is regard for the interests of air safety and, where appropriate, suitable obstacle warning/avoidance measures are included.

Special protection will be given to listed and historic buildings, ancient monuments and their settings, Conservation Areas, the Dedham Vale Area of Outstanding Natural Beauty and Countryside Conservation Areas, Sites of Special Scientific Interest, Historic Parks and Gardens and other sensitive areas of scenic value.

Regard will be had to technical and operational constraints when considering proposals.

All planning consents issued will include a condition requiring the removal of the telecommunications equipment once it has become redundant.

SATELLITE DISHES

12.18 The installation of satellite dishes is often “permitted development” under the provisions of the General Permitted Development Order 1995. However, negotiations will be encouraged with householders on the positioning of satellite dishes not needing planning permission within Conservation Areas, so as to minimise any obtrusiveness of the dish in respect of the building in question and its setting.

12.19 The statutory position is complex and will always be likely to change in order to reflect new technological advancements. Anyone contemplating installing a

satellite dish would be well advised to check the up-to-date position at the appropriate time.

12.20 In the case of satellite dishes needing planning permission, the guidelines in clauses (a) , (b) and (c) of the Policy will be observed. The proliferation of satellite dishes in residential areas may be reduced or avoided by the wider use of techniques such as cable television. It is in this latter context that clause (d) of the Policy will be operated.

12.21 In order to minimise any adverse environmental impacts of satellite dish installation, careful consideration will be given to the following features of satellite dish proposals:

- (a) The proposed colour of the dish;
- (b) Its detailed siting;
- (c) The feasibility of erecting shared or communal satellite signal receiving facilities.

Policy in this area will be kept under regular review, especially in anticipation of further Central Government guidance on this issue.

UT5 Planning Permission or Listed Building Consent will be granted for the erection of a satellite dish on a residential property or other building if the proposal complies with the following criteria:

- (a) The siting and colour of the proposed dish would not harm the appearance of a listed building or its setting;**
- (b) In Conservation Areas and other defined areas of special character, the dish would not be sited in front of the main wall facing the street, or where it would be otherwise visually prominent from the street or other public area;**
- (c) Outside Conservation Areas, there would be no harmful environmental impacts on the application building itself or on neighbouring amenities;**
- (d) In the case of new development, developers would make provision for communal satellite-signal reception.**

13. HOUSING

Introduction

13.1 Chapter 2, “Local Plan Strategy”, examined the broad strategic choices for the location of new housing and other development within the Borough. Adhering to a set of key principles, it sets out a chosen development strategy. This is the essential context for the package of specific housing policies and proposals detailed in this chapter.

13.2 The Local Plan is, however, only one expression of the Council’s housing policies. Thus, this document complements a range of other housing policies, which are set down in the Council’s annually revised “Housing Strategy”. Therefore, these two documents should be read together to obtain the complete picture of housing policy.

13.3 The housing policy areas dealt with in this chapter include:

- (i) housing allocation and location strategy;
- (ii) meeting different needs;
- (iii) housing in the rural area.

13.4 Policies for residential design are to be found in Chapter 6, “Urban Environment and Archaeology”.

Objectives

13.5 These are as follows:

- (a) To provide sufficient new housing land within the Borough to meet both local needs and an agreed share of countywide needs between 1996 and 2011;
- (b) To ensure that a 5-year supply of land for house-building is always available;
- (c) To relate the location and release of new housing land closely to the numbers and locations of jobs and public transport infrastructure;
- (d) To ensure that new housing developments are conveniently related to, or served by, appropriate community, retail and indoor and outdoor leisure facilities;

- (e) To make maximum use of “brownfield” sites for new housing development in preference to “greenfield” sites. See also “Economy of Land Use”, paragraph 7.22 (b) ;
- (f) To encourage the fullest use of the existing housing stock;
- (g) To protect and enhance residential amenity;
- (h) To provide a range of sites for housing that will cater for a variety of densities, housing types and tenures to meet differing requirements within the population, including the particular needs of the elderly and disabled people;
- (i) To restrict new residential development in rural areas outside designated village envelopes;
- (j) To promote the provision of low-cost social housing at suitable locations in urban and rural areas for the benefit of those without access to the private housing market.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

13.6 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal in addition to the following detailed policy guidance.

HOUSING ALLOCATION AND LOCATION STRATEGY

13.7 The adopted Essex and Southend-on-Sea “Replacement Structure Plan” (2001) proposes that Colchester District should find additional land within its area for 11,000 new houses within the period 1996-2011. The greater part of this demand for new homes is generated by people already living within the District (8,200, or 74.5% of total demand).

13.8 In considering how to meet this figure of 11,000 dwellings, in the Second Deposit Draft the Borough Council took into account completions to date, existing commitments as identified in its Housing Land Availability Survey, the production rate for small windfall sites set out in the Structure Plan, and the outcome of the Brownfield Study (undertaken to inform the Structure Plan).

13.9 As at April 2000, this assessment identified a shortfall of 2,600 sites to be found. This “gap” is considerably smaller than that anticipated in October 1996, at the time that the Consultation Draft of the Colchester Borough Local Plan was published. This has meant that the Council has had the opportunity to locate its main housing land allocations at sites that come closest to meeting the key sustainability criteria.

13.10 In this context, the Council formulated a set of ten “organising principles” as a framework for the selection of new housing sites, and subjected all “candidate” sites to a comparative assessment of their suitability for new residential development. The details of this assessment exercise and other matters relating to housing supply and demand can be found in Technical Paper 1.

13.11 In response to the First Deposit Draft, a large number of sites for residential development were proposed by objectors. After an initial sieving process, 39 of these were subjected to a similar comparative assessment, as outlined above. Again, the relevant details are set out in Technical Paper 1.

13.12 The outcomes of these exercises are set out in Table 3 (at the end of this chapter). Broadly speaking, the Council has decided, as previously, to locate the great majority of the extra 2,600 units required at three sites: the Garrison, Turner Village and Severalls Hospital. In addition, there are now seven other sites: at Great Horkesley (land at Tile House Farm), West Mersea (north of East Road), Messing (School Road) and Salcott (Rose Lane), Stanway (Winstree Road), Great Wigborough (School Lane) and Tiptree (Newbridge Road).

13.13 In order that Table 3 can be “read” in the correct way, it needs to be explained that:

- (a) sites 1, 2 and 17 can be described as “roll forward” sites in the sense that they are sites that were allocated for new residential development in the Adopted Plan (1/95) but have since all received planning permission;
- (b) site 3 is similar to those above, except that work has commenced on Phase 1;
- (c) The product of housing allocations, identified in Table 3 on previously developed land and/or urban extensions at sites 4, 5, 6, 7, 8, 16, 18, and 19 would comfortably exceed the shortfall of 2,600 sites identified at paragraph 13.9 above.

13.14 The Council feels that concentration of new allocation sites in Colchester itself makes good sense in terms of the principles of sustainability and the sequential

approach outlined in PPG3 (March 2000). For example, all the three major newly allocated sites (4, 5 and 6) can reasonably be described as “brownfield”, which fits in well with the Government’s aim to maximise the amount of new house building on such sites. In fact the Council is already seeking to achieve 60% minimum target. Also, the three sites are all closely located to the densest part of the public transport network.

13.15 This will not mean, however, that undue reliance is placed on achieving (Phase 1) capacities at these three sites by the end of the Plan period. As can clearly be seen from Table 3, there is a broad distribution of proposed sites for new housing around the District (see also Technical Paper 1).

13.16 It can be argued that there are uncertainties attached to the timely coming forward of either “brownfield study” or “windfall” sites during the Plan period. The major sites phased over two plan periods could also produce a greater number of units by 2011. On the other hand, the largest single allocation – Phase 1 of the Garrison – is unlikely to contribute much towards its projected capacity of 1,600 units by the end of this Local Plan’s lifetime during the middle part of the Plan period. In line with the plan, monitor and manage principle set down in PPG3 (March 2000), the overall picture of housing land supply will therefore be continuously and rigorously monitored, and will be subject to a first major review in 2006. If certain key sites do not seem to be coming on stream at an appropriate rate, it will then be necessary for the Council to consider whether to make further allocations. The current Urban Capacity Study will also assist in this monitoring-and-managing process. The Plan, in any case, makes firm provision for a 5-year supply, as required by PPG3.

13.17 The Council commissioned an Urban Capacity Study to assist in its monitoring and managing of the Local Plan’s housing land supply. Although commenced in advance of the former DETRs good practice guide “Tapping The Potential”, it is considered that the study complies generally with that guidance.

13.18 The study has identified a significant additional potential in Colchester and Stanway, Tiptree, West Mersea and Wivenhoe. The Council published the study on receipt in June 2001 without endorsing or rejecting any of the individual sites or their estimated capacities.

13.19 If the total capacity was to come forward, the Council estimate that the consultants have identified a net potential supply of dwellings of 20,300 (although this does include the second phases of the Garrison, Severalls Hospital and Turner Village referred to in Table 3, and anticipated in the period to 2011).

13.20 It is the Council’s preliminary view that not all the sites identified by the consultants will or should be released in the Plan period, particularly when account is

taken of current average annual building rates and policies elsewhere in the Local Plan, with which any unallocated windfall would have to comply.

13.21 What appears to be clear, however, is that the study, along with completions to date and allocations in Table 3, has identified sufficient provision to meet the Structure Plan requirements. The Council proposes to continue monitoring housing land releases to ensure that the Structure Plan target will be met.

13.22 In considering whether to release sites identified in the study and not allocated in Table 3, the Council will operate the following principles:

a) None of the major sites identified by the UCS will be released unless they can provide adequate infrastructure and services in the widest sense to meet their own needs and do not exacerbate any deficiencies in the locality;

b) None of the major sites identified will be released if they harm features of importance or where the site is at risk of flooding, create a road safety hazard or similarly be unacceptable to the surrounding area or the potential occupiers of new dwellings (as described in the Local Plan). This will be subject to monitoring and review in light of the build rate and any possible shortfall in relation to the Structure Plan housing target. If a shortfall appears likely, the Council will need to review whether they release sites they currently find unacceptable within the urban areas or whether they will propose (probably through a formal alteration to the Plan) to allow for full public debate and release new “greenfield” sites.

c) The capacity of the major sites will be determined by having regard in particular to access to services and their availability of public transport (as set out in Policy H13). Whilst not strictly a phasing point, this will influence capacity and hence influence the need for the Council to be pro-active in bringing other sites forward to meet Structure Plan targets.

d) The Council will encourage the early release of sites that support the regeneration policies in the Local Plan. It will do so in particular through the preparation of planning briefs working with a range of partners. As a last resort it may consider invoking compulsory purchase powers. It is likely to use such powers only in the following circumstances:

- Where a site whose development would achieve regeneration objectives cannot proceed because land is needed to provide access or other easement;
- Where a comprehensive scheme cannot proceed because of land- assembly

- problems, especially if the owners of key parcels cannot be traced;
- Where a site consists of a multiplicity of ownerships and Compulsory Purchase Order resolution is seen as a way of encouraging co-operation;
 - Where it is necessary that a site's development be brought forward more quickly than an owner wishes in order to achieve wider regeneration benefits or in order to meet Structure Plan targets.

H1 The Plan makes provision for building 11,000 houses within the District during the Plan period to 2011 in part by housing allocations set out in Table 3.

MEETING DIFFERENT NEEDS

Specialist Sheltered Accommodation

13.23 The Council recognises that there is a continuing requirement for specialist sheltered accommodation for various vulnerable groups in the community, including the mentally ill, people with disabilities, the elderly and young, single, homeless people. Although a lot more emphasis is nowadays placed on caring for people in the community, such specialist accommodation caters for those in emergency need, those requiring a "halfway house" or those who can live only in the safe and secure environment of a hostel or residential home.

13.24 Such accommodation needs to be well located in relation to a wide range of social, educational, retail and recreational facilities, either placed in close proximity or readily accessible by public transport. In addition, for those of working age, there is a further need for quick access by non-car transport modes to a reasonable range of job opportunities.

13.25 Furthermore, the Council will expect that all proposals for this type of development, whether for new build, building extensions and/or refurbishments, will provide for harmonious integration with surrounding development and comply with the Council's design, amenity and parking standards.

H2 Proposals for the provision of specialist residential accommodation for vulnerable groups in the community, such as the

mentally ill, disabled people, the elderly and young, single, homeless people, will be granted planning permission, provided that:

(a) there is sufficient amenity open space within the curtilage of the accommodation unit;

(b) there is a reasonable range of shops, community, leisure and primary healthcare facilities in close proximity to the proposal site, or readily accessible by public transport;

(c) in the case of residents of working age, there is a range of job opportunities reasonably accessible by non-car modes of transport.

Conversion to Flats/Bedsitting Rooms

13.26 The Council recognises that certain needs within the housing market can be best met in the form of the smallest units of accommodation, such as flats and bedsitters. This applies, for example, to single people, young couples on modest incomes and people seeking temporary accommodation. However, the Council is equally conscious that conversion of premises into flats and bedsitters should not:

(a) reduce the stock of smaller houses (below 110 sq m gross), which are an important source of accommodation for first-time buyers and small households, a segment of the housing market expected to increase in size;

(b) prejudice the amenities of adjoining or neighbouring households;

(c) mean a low standard of amenity for those living in flats or bedsitters themselves (eg inadequate size of rooms or amount of natural light);

(d) spoil the character of the buildings which are subject to conversion and alteration.

H3 Proposals for the conversion of premises into flats or bedsitting rooms will be granted planning permission provided that:

(a) the proposals, either in isolation or because of the cumulative impact, would not be detrimental to the

character and amenity of the street or neighbourhood in which they are located;

(b) the proposals are not for the conversion of properties of less than 110 sq m gross;

(c) the conversion will not be detrimental to the appearance of the building by reason of unsympathetic alterations and additions;

(d) dustbin and clothes drying areas will be provided in such a way as to be screened from public view;

(e) where appropriate, an area of private garden will be provided and maintained;

(f) wherever possible, some on-site car parking provision will be made in a visually satisfactory manner, but it will not be provided, or it will be severely restricted, where this would involve the loss of existing trees or significant on-site features.

Affordable housing

13.27 The Council's Housing Needs Surveys, carried out in 1995 and 2002, have clearly demonstrated a substantial level of severe housing need in the Borough. The 2002 survey was undertaken in accordance with the Department of Transport, Local Government and the Regions (DTLR) publication "Local Housing Needs Assessment: A Guide to Good Practice" (July 2000). The survey identified a backlog of 1,358 households in housing need and some 1,504 households falling into housing need each year. These households cannot afford to purchase or rent suitable properties on the open market.

13.28 In addition, on the supply side, the stock of subsidised housing (Local Authority and Housing Association) has been steadily and markedly reduced owing to the workings of the 1980 and 1996 Housing Acts. Under the former, Local Authority and Housing Association "secure" tenants were given the "right to buy" their properties. Under the latter Act, Housing Association "assured" tenants were given a similar "right to acquire".

13.29 As an illustration of this trend, Council housing stock has fallen by 382 homes between 1999 and 2001. Meanwhile, housing association stock has increased by

just 230 homes in the same time period. Against this background of continuing severe housing needs and the loss of affordable housing, it is clear that there is a major challenge to be faced in providing homes for those households on lower-incomes shut out of the open market. To reduce the backlog of existing housing need by 20% each year and take into account the projected supply of affordable housing, the Housing Needs Survey projects a net affordable housing requirement of 551 units each year.

13.30 The Council accordingly feels that it is fully justified in seeking a significant proportion of “affordable housing” from private-sector housing schemes over certain threshold sizes. The following definitions will apply:

(a) “Affordable housing”: – Defined as housing of an adequate standard that is cheaper than that which is generally available in the local housing market. This can comprise a combination of subsidised rented housing or subsidised low-cost home ownership, including shared ownership and, in some market situations, cheap housing for sale. At the time of adoption of the Plan, affordable housing most certainly does not include cheap housing for sale. However, policy and the market situation will be kept under review either by SPG or updates of the Local Development Framework.

(b) Proportion of affordable housing: – In the circumstances, a proportion of 25% of all housing units in a scheme will be sought.

(c) Minimum sizes of schemes requiring affordable housing: – In line with Circular 6/ 98, the thresholds will be, irrespective of settlement size:

- schemes involving 25 or more houses; or
- sites covering more than 1ha.

13.31 In this context, the Council will wish to conclude S106 Agreements with house-builders or, in certain limited circumstances, impose conditions that will prescribe the mechanisms for providing the affordable housing, and for ensuring such housing remains permanently available in the lower-income groups in the housing market. Full details of current housing needs in Colchester, suitable tenure, location and the delivery of affordable housing is set out in Supplementary Planning Guidance.

13.32 Furthermore, in line with Government advice in PPG3 (March 2000), the Council will also expect that:

- (i) any requirement for affordable housing should be implemented at the proposal site rather than at any other site in the Borough;

(ii) within larger new residential developments, affordable housing will not be segregated into discrete areas separated from the market housing element;

(iii) private specialised housing schemes for elderly and disabled people will include the necessary element for affordable housing, except where the economics of provision indicate otherwise.

H4 With all housing schemes over the thresholds set out in paragraph 13.30 (c) above, the Council will seek the agreement of house-builders for 25% of the agreed total number of units on site to be in the form of affordable housing. The Council will wish to secure such an element of affordable housing, and its continuing availability to people on lower-incomes, normally through a Section 106 Legal Agreement.

13.33 The Council is aware that there are also considerable numbers of people in the rural parts of the Borough who are barred from buying their own home because of the level of house prices. The Council is anxious to address this issue, and the 5 key aims behind its policy are:

- (a) to ensure that there is a genuine local need for low-cost social housing within the relevant parish or adjoining parishes;
- (b) to ensure that the housing so provided is affordable to local people on low incomes, with a view to retaining such people in their villages;
- (c) to obtain a guarantee that such social housing will remain permanently accessible to those on lower-incomes. It is recognised, however, that social housing attracting public grant is now covered by the “right to acquire” – ie tenants can purchase their properties;
- (d) to make sure that the normal design and other standards applied inside village envelopes to new or replacement housing are respected (as per the “Essex Design Guide” 1997);
- (e) to safeguard nature conservation and other rural resource interests.

13.34 In addition to normal development control procedures, the above aims will be achieved by two mechanisms:

(a) The scheme proponents, including the Parish Council, will be expected to demonstrate, through a survey and to the satisfaction of the Council that a proven local need for low-cost rural housing exists;

(b) The scheme proponents will be expected to conclude a S106 Agreement with the Council, which will prescribe the means for providing the social housing and ensure that such housing remains permanently available for those in the housing market on lower-incomes.

13.35 The implementation of this policy will not be allowed as a means of generally undermining the broad policy aim of severely restricting new housing development in the countryside outside existing development limits. Policy H5 is accordingly founded on the principle of “special exceptions”, whereby only proposals for a genuine form of social housing will be accepted for consideration by the Council on sites outside village envelopes.

H5 The Borough Council will grant planning permission for low-cost rural housing outside village envelopes if:

(a) there is a proven local need and demand for the type of housing proposed;

(b) the proponents of the scheme are willing to enter into a Section 106 Agreement with the Council so as to secure the permanent availability of the social housing so provided to people on lower-incomes;

(c) the proposed site is contiguous with the existing village envelope, and otherwise generally acceptable in planning terms;

(d) the housing design is of an appropriate and satisfactory quality and character in order to reinforce local identity and a sense of place.

Gypsy Caravan Sites

13.36 Accommodation for gypsies is a very significant issue within Essex, as is evidenced by the number of unauthorised encampments, which is one of the highest

counts in the country. Equally, Colchester has one of the highest counts in Essex.

13.37 In the national context, the Government repealed the statutory duty of local authorities to provide accommodation in the form of caravan sites for gypsies residing in, or resorting to, their areas under the 1994 Criminal Justice and Public Order Act. However, local authorities continue to have discretionary powers to provide sites under the Caravan Sites and Control of Development Act 1960, although the 1994 Act repealed Government powers to pay grant to authorities for this purpose.

13.38 In general planning terms, Circular 1/94 recognises that suitable sites for gypsies may often be found outside built-up areas, but nevertheless emphasises that sites should not be so located as to damage rural environments and economic resources or to undermine countryside policies – for example, the exclusion of sites in Areas of Outstanding Natural Beauty or in Sites of Special Scientific Interest. Furthermore, the Circular advises that authorities should take into account that gypsies often prefer to run their businesses from where they are living, and therefore either sites should be suitable for mixed residential and business uses or separate sites for either type of use should be identified in close proximity to each other.

13.39 The Circular refers to three different types of site for gypsies: sites for settled occupation; temporary stopping places; and transit sites. It advises that private sites for settled occupation are generally small, accommodating pitches for individual or extended families without on-site business activities. Temporary stopping places and transit sites may also – although not always – be small.

13.40 The Structure Plan advises that there is an urgent need for additional gypsy sites in the County in respect of all three types of site as well as areas for business activities. In terms of suitable locations for gypsy sites, the Structure Plan essentially follows Government guidance.

13.41 In order to meet the accommodation needs of gypsies in the Borough the Council is currently seeking to identify a suitable site to accommodate travelling families. There are additionally a number of small private sites occupied by gypsies in the District. As the need for further gypsy accommodation in the County and within individual Districts requires more consultation among authorities and with gypsy organisations, the policy below outlines criteria for considering proposals for gypsy accommodation in Colchester District.

H6 Proposals for the provision of gypsy caravan sites will be
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resisted if they would:

- (a) be located in the Dedham Vale Area of Outstanding Natural Beauty, at important sites for nature conservation, in Countryside Conservation Areas, at or near sites of archaeological interest, or where they would obstruct significant vistas in historically important designed landscape;**
- (b) otherwise be prominent in the open countryside;**
- (c) not allow reasonable access to appropriate retail and community facilities, particularly schools, by a variety of transport modes;**
- (d) be harmful to residential amenity;**
- (e) not allow for an adequate level of site screening in a manner in keeping with the character of the surrounding area.**

In addition, the following requirements will apply:

- (i) The applicants must be gypsies as defined in the Caravan Sites and Control of Development Act 1960 (as amended by Section 80 of the Criminal Justice and Public Order Act 1994);**
- (ii) There is a demonstrated need in the locality for a caravan site and for the number of pitches proposed;**
- (iii) Commercial, industrial or storage uses on the site may be permitted provided that no harm is caused to the amenities of any residents of adjoining or nearby sites and adequate screening, in character with the surroundings, is provided. Conditions may be imposed to limit the scale of commercial activities on the site in order to minimise the visual impact of non-residential usage; reduce noise, smell or other pollutants; and prevent on-site business activity during anti-social periods of the day, week and year.**

RURAL HOUSING

13.42 The Council is determined to follow a very strict policy of resisting further residential development on sites outside the approved development limits of the main urban areas and the villages. This is to safeguard rural resources and the open appearance of the countryside between existing settlements (see also relevant Policies in Chapter 5, “Countryside”). Proposals for residential development on all sites outside of village envelopes will be judged against these and other relevant policies elsewhere in the Plan. The Council will countenance three main types of exception to this general policy guideline:

- (i) Where there is a need for affordable housing to meet the requirements of lower- income residents unable to find suitable accommodation within the commercial housing market. This aspect is covered by Policy H5 above;
- (ii) Dwellings clearly essential for the purposes of agriculture or forestry. This aspect is further covered under Policy H10 below;
- (iii) As a use of “last resort” in the conversion of listed agricultural buildings. This aspect is dealt with in Chapter 6 “Urban Environment and Archaeology” under Policy UEA6.

13.43 In this context, the village envelopes indicate a firm outer boundary for housing development. They have been defined on the basis of the following principles:

- (i) To safeguard the form and character of the village;
- (ii) To define the main nucleus of the settlement;
- (iii) To exclude ribbons or loose scatters of housing which it would be undesirable to consolidate.

Development Within Village Envelopes

13.44 It is clearly acceptable in principle to develop land for housing within village envelopes, but proposals for individual schemes must integrate well into the existing built and natural environments. The criteria in the following Policy address themselves to the most important aspects of this integration process:

- (i) Clause (a) relates to a situation where development would lead to the loss of an important gap in the village – for example, one created

by a well-treed garden or an old orchard – or would result in the loss of important natural or built features – for instance, a meadow or small block of woodland.

(ii) “Sense of place” in clause (c) means that new development should reinforce the character of a village that derives from the style of existing buildings, and the arrangement of existing buildings and spaces.

H7 Proposals for residential development, including replacement dwellings and extensions to existing dwellings, within village envelopes will be permitted provided that development:

(a) will not result in the development of a gap, where this would lead to the loss of important natural or built features in the street scene;

(b) will not adversely affect the existing pattern and character of development;

(c) harmonises with, and reinforces, local distinctiveness and sense of place.

Extensions to Dwellings in the Countryside

13.45 The Council recognises that householders living in the countryside will wish to extend their properties for reasons such as increases in family size, the need to care for elderly parents, to improve internal layouts and space standards and to provide basic amenities. However, in appraising proposals for such extensions, the Council must have regard to the overriding importance of protecting the countryside from inappropriate development, in particular:

(a) to ensure harmonisation of extensions with the existing building and its rural setting;

(b) to avoid the creation of further separate units of accommodation.

In addition to (b) , the Council wishes to retain a balanced mix of dwelling sizes within the stock of existing housing in the countryside and, in particular, to safeguard the smaller types of dwelling for the benefit of lower-income residents.

13.46 Bearing this aim in mind, the Council will seek to limit the size of extensions in the countryside. Generally, extensions should not lead to an increase in internal floorspace, as existing at 4 November 1993, of more than 33⅓%, unless an extension since that date was solely for the provision of basic amenities. Calculations for the purpose of the policy shall apply as follows:

(a) Floorspace shall be measured internally and shall apply only to the dwelling itself, including extensions. It will not include separate garages, carports, outbuildings or any other structure within the curtilage;

(b) Basic amenities are defined as bathroom, toilet or kitchen where no such facility previously existed.

The criteria in the Policy would also encompass extensions intended for elderly relatives to live with the family, but with a degree of independence.

H8 An extension to a dwelling in the countryside will be permitted only where:

(a) it is appropriate in scale, form and detailed design in itself in relation to the existing property and in relation to the surrounding area; and

(b) it would have no adverse impact on the rural character of the open countryside by not leading to either an apparent increase in the bulk of the present dwelling when viewed from a public place in relation to the present property or an increase in the height of the present property; and

(c) it would not constitute a separate unit of residential accommodation.

Replacement Dwellings in the Countryside

13.47 The Council's general view is that the main emphasis should be on housing improvement rather than on replacement of existing houses in the countryside. This is particularly so where:

(a) the existing dwelling is of architectural or historic value or otherwise makes a positive contribution to local settlement or countryside character; and

(b) the existing dwelling is capable of renovation and extension.

13.48 Following on from this, the main aims of the policy are to:

(a) limit the amount of new replacement residential build to the minimum possible;

(b) ensure that any replacement dwelling would not be out of scale with the existing dwelling in terms of footprint, floorspace volume or visual massing;

(c) make sure that the replacement dwelling would fit well into its rural setting;

(d) ensure a range of sizes of dwelling for social and visual reasons;

(e) confirm that the building to be demolished has been, and is, a habitable permanent dwelling – eg that it is in a reasonable state of repair and is currently, or was very recently, occupied.

13.49 The Council may require a planning condition that would remove permitted development rights, which would otherwise allow additional habitable floorspace (including the roofspace) or further outbuildings to be built.

The definitions of floorspace and basic amenities set out in paragraph 13.46 will also apply in respect of this policy.

H9 The replacement of a habitable permanent dwelling in the countryside will be permitted, provided that:

(a) the proposed replacement is acceptable in its setting by virtue of its scale, form, design, siting and materials, and it reinforces the local vernacular style and sense of place;

(b) it would, when compared to that of the existing dwelling, have no greater adverse impact on the rural

character of the open countryside.

Agricultural/Forestry Workers' Dwellings

13.50 As stated in paragraph 13.42 above, one main reason for the Council to countenance residential development outside village envelopes in the countryside relates to the need for dwellings essential to agricultural or forestry operations. "Agriculture" is defined in S336 (1), Town and Country Planning Act, 1990. "Forestry" is similarly defined in S1 and S9, Forestry Act, 1967. (Applications for houses in the countryside associated with stables and similar development are dealt with in Chapter 5, "Countryside" – see Policies CO12-CO13.) However, given that the Council wishes to maintain tight controls on new housing in the countryside, it will be vital to scrutinise all applications for planning permission for new agricultural or forestry dwellings in order to establish that:

- (i) stated intentions to engage in farming or forestry are genuine;
- (ii) these intentions are reasonably likely to materialise;
- (iii) they are capable of being sustained for a reasonable period of time;
- (iv) the needs of the intended enterprise require one or more of the people engaged in it to live nearby.

13.51 New permanent dwellings will be allowed to support existing agricultural/forestry operations only where:

- (a) there is a clearly established existing functional need (eg where animals require essential care at short notice);
- (b) this need can be fulfilled only by a full-time worker;
- (c) the enterprise concerned has been established for at least three years, has been profitable for at least one year, is currently financially sound, and has a clear prospect of remaining so – ie the financial test of economic viability;
- (d) the functional need could not be fulfilled by another suitable and available dwelling at or near the enterprise;
- (e) other normal planning requirements – for example, on detailed siting and building design – are met.

13.52 Any dwellings permitted in this regard must be of a size commensurate with the identified functional need. It is the requirements of the enterprise rather than of the occupier that are relevant to determining the size of the dwelling. Furthermore, the proposed siting, design and access to the dwelling must be satisfactory. For example, such a dwelling should be closely related to any existing farm or forestry buildings.

13.53 If a new dwelling is essential to support a new farming/forestry enterprise, whether on a newly created or established holding, the Council will normally permit only some form of temporary accommodation (eg a caravan) during the first 3 years of operation. The criteria to be satisfied in this case will be:

- (a) clear evidence of a firm intention and ability to develop the enterprise (eg significant investment in new farm buildings);
- (b) the functional and financial tests mentioned in paragraph 13.51 above;
- (c) that the functional need cannot be fulfilled by another suitable and available dwelling on or near the holding;
- (d) the satisfaction of other normal planning requirements.

13.54 Finally, if the Council accepts the need for a new dwelling to enable farm or forestry workers to live at their workplace, it will want to ensure that such dwellings are kept available only for this purpose. Therefore, any planning permission will be subject to a standard occupancy condition. The Council may also feel it is appropriate in certain cases to impose an occupancy condition on existing dwellings within the same planning unit so that the need for new dwellings is absolutely minimised.

H10 Permission for a new agricultural or forestry worker dwelling in the countryside will be granted only where:

- (a) there is a proven longer-term need, in terms of both a “functional” and “financial” test, for one or more full-time workers to reside at the site of the enterprise concerned;**
- (b) there is no suitable existing available accommodation**

for such workers at or in close proximity to the holding;

(c) the proposed dwelling will be in harmony with its rural setting and in its relationship to other existing farm buildings;

(d) the size of the proposed dwelling is closely related to the essential requirements of the agricultural enterprise.

Where the enterprise is new or there is inconclusive evidence to support an application for a permanent dwelling, permission will be given for the establishment of a mobile home for a temporary period only.

In all cases where such a residential use is permitted, a standard occupancy condition will be attached to the planning permission.

Removal of Occupancy Conditions

13.55 Changes in the scale and character of the farming and forestry industries may well affect the longer-term requirement for dwellings in the countryside where these were made subject to an “agricultural worker occupancy” condition at the time of granting planning permission. In such cases, the Council recognises that it would be wrong to keep such dwellings vacant, or that existing occupiers should be obliged to remain in occupation simply by virtue of a planning condition that has outlived its usefulness. Nevertheless, the Council will expect applicants wishing for the removal of the occupancy condition to demonstrate convincingly that the original need for the dwelling no longer exists.

13.56 Furthermore, the Council will also bear in mind that such dwellings could well be used by agricultural and forestry workers seeking accommodation within the wider surrounding area. In this regard, it will need to be properly assured that the availability of a dwelling tied to an occupancy condition has been effectively marketed to likely interested parties in the area concerned, and that no real interest has been shown regarding purchase or occupation of the dwelling by the local agricultural community.

13.57 In addition, Policy H11 will be applied to applications for removal of occupancy conditions from dwellings associated with stables or similar developments (see also Policy CO13).

H11 A proposal for removing a restrictive “agricultural worker occupancy” condition on a dwelling in the countryside will be permitted only if there is:

(a) proof that the original need for the dwelling no longer exists;

(b) proper evidence that the availability of the property has been publicised to other relevant interests in the area at a price to reflect the occupancy condition, and confirmation of a lack of interest.

The condition will not be removed within 10 years of the completion of the dwelling.

Extensions to Gardens in the Countryside

13.58 The Council strives to avoid all unnecessary development in any part of the countryside. However, it recognises that some residents do wish to extend their existing gardens on the edge of the built-up area.

13.59 The Council is willing to consider such garden extensions only if the particular proposal concerned meets the stringent criteria set out in the policy statement below. The optimum kind of proposal would be where, for example, the extension:

(a) would be appropriately screened from the surrounding countryside by tree-planting or other measures;

(b) the extension land would be used as a paddock or for general conservation purposes rather than occupied by sheds and other normal garden structures and fixtures.

13.60 If the Council was minded to grant permission, it would require the applicant to sign a legal agreement to relinquish his/her permitted development rights within the new area of garden to prevent it from being covered by garden structures and fixtures such as sheds and fences.

H12 A proposal for extension of a domestic garden into the open

countryside will be permitted only if:

(a) there is no material adverse impact on the surrounding countryside;

(b) it would not mean the material loss of good agricultural land, or otherwise seriously interfere with a neighbouring agricultural enterprise;

(c) it would not set a precedent for unacceptable extensions to gardens at one or more neighbouring properties.

Applicants will be expected to relinquish their Permitted Development Rights over the new area of garden. It is intended that more detailed advice will be contained within Supplementary Planning Guidance.

HOUSING DENSITY POLICY

13.61 The latest government advice on provision of new land for housing includes two fundamental aims: firstly, the most economic use of land by the general raising of average housing densities; secondly, the highest use of “brownfield” land – a national target of at least 60% of total new capacity – as opposed to use of “greenfield” land (see Glossary). These two objectives are clearly closely intertwined, since the creation of greater capacity on “brownfield” sites through higher densities should logically take development pressure off “greenfield” sites.

13.62 As regards housing density, the Government is concerned that the average for new development in England is currently 25 dwellings per hectare, and that more than half of this is being built at less than 20 units per hectare. It would wish to see average densities raised to between 30 and 50 dwellings per hectare.

13.63 The Council would generally support this range of density for new housing development, but recognises that there needs to be some degree of flexibility, such as:

(a) On larger sites, there could be a greater range of densities to suit different consumer requirements, but where the average would be at least 30 units per hectare;

(b) Where it is more appropriate for the site to be developed at a lower

density. This may be on account of landscape considerations (eg the need to conserve sections of woodland) or where any new development should fit in well with existing development (eg on smaller “infill” sites).

13.64 The Council would be supportive of housing schemes proposing densities above the target range (30-50 units per ha) in such circumstances as:

- (a) where the proposal site is located close to major public transport modes (including railway stations) or a main public transport corridor, such as a principal radial road;
- (b) in an exclusively or partially car-free housing development (see Policy T4);
- (c) within the Town Centre.

H13 New housing developments should achieve an average density across the site of between 30 and 50 units per hectare. Lower densities will be accepted only in the kinds of circumstances set out in paragraph 13.63 above. Densities higher than 50 units per hectare will be encouraged in the kinds of circumstances set out in paragraph 13.64 above.

Table 2: Settlement Classification	
<p>Class A: Sub Regional Centre</p> <p>A1 Colchester</p> <p>Class B: Local Urban Centres</p> <p>B1 Stanway B2 Tiptree B3 West Mersea B4 Wivenhoe</p> <p>Class C: Principal Villages</p>	<p>Class D continued:</p> <p>D7 Chappel and Wakes Colne D8 Chappel – Swan Street D9 Copford – London Road D10 Copford Green D11 Dedham Heath D12 Dedham – Lamb Corner D13 Dedham – Bargate Lane/Long Road D14 East Mersea D15 Easthorpe D16 Fingringhoe – Abberton Rd</p>

C1 Abberton – Langenhoe C2 Dedham C3A Eight Ash Green – Choats Corner C3B Eight Ash Green – Fordham Heath C4A/B Great Horkesley – Horkesley Heath C5 Layer de la Haye – Malting Green C6A Marks Tey - Coggeshall Road C6B Marks Tey - London Road C7 Rowhedge C8 West Bergholt Class D: Small Villages D1 Aldham D2 Aldham – Ford Street D3 Birch D4 Birch – Hardy’s Green D5 Boxted Cross D6 Boxted – Workhouse Hill	D17 Fingringhoe – High Park Corner D18 Fordham D19 Great Tey D20 Great Wigborough D21 Langham – St Margaret’s Cross D22 Langham – Langham Moor D23 Layer Breton D24 Layer Marney – Smythes Green, D25 Little Horkesley D26 Little Tey D27 Messing D28 Mount Bures D29 Peldon D30 Salcott and Virley D31 A/B Wakes Colne/ Middle Green D32 Wormingford
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Class A: Sub-Regional Centres

Sub-Regional Centres are towns of sub-regional importance for employment, professional services, shopping, recreation and education. Their spheres of influence as service centres are usually dominant over at least a 10 to 15 mile radius.

Class B: Local Urban Centres

Local Urban Centres are small towns and “urbanised villages” providing a reasonable range and choice of facilities for shopping and recreation, some professional services, and at least primary and sometimes secondary education facilities. They offer significant local employment opportunities in addition to service industry and agriculture. Their spheres of influence as service centres may extend for several miles.

Class C: Principal Villages

Principal Villages are key villages with facilities for shopping, recreation, primary education and some local employment opportunities in addition to service industry and agriculture. They are generally strategically located on or near main lines of communication to urban centres and well placed to serve neighbouring villages. Their sphere of influence as rural service centres may extend a few miles into the

surrounding countryside.

Class D: Small Villages

The majority of small villages have only limited facilities for shopping and recreation, but are sometimes centres for primary education. Local employment opportunities are usually limited to service industry and agriculture for the smallest villages and hamlets, and such opportunities are almost entirely confined to agriculture. Their spheres of influence as rural service centres are usually confined to the immediate vicinity, but extend further afield if the village has a primary school.

Table 3: Proposed Housing Sites

Colchester/Stanway			
"Roll" Forward (These are brought forward from the Adopted Plan 1995)			
Site Address	Area (HA)	Estimated Capacity	Requirements
1. Myland Hospital and land adjoining	13.15	400	1. Contribution to Northern Approaches transport infrastructure (ref Policy ME1). 2. 10% open space requirement (ref Policy L5) to be "transferred" to High Woods Country Park Extension (ref Policy ME2).
2. West of District General Hospital and south of Tall Trees	11.8	300	1. Contribution to Northern Approaches transport infrastructure (ref Policy ME1). 2. 0.4ha of open space to be provided on site; 0.8ha to be "transferred" to High Woods County Park Extension (ref Policy ME2).

			3. Gross density to be 30 dwellings per hectare.
3. Church Lane, Tollgate, Stanway	29.5	300 (Phase 2)	<p>1. Phase 1 of 200 units has planning permission and is under construction.</p> <p>2. Contribution to Stanway Western Bypass scheme (ref Policy STA2). Access ultimately to be from Bypass.</p> <p>3. Average density of 25 dwellings per ha.</p> <p>4. Area of open space to be provided with detailed boundaries to be agreed.</p>

Major New Allocations

Site Address	Area (HA)	Estimated Capacity	Requirements
4. Garrison		1,600 (Phase 1) (see para 17.9 (h))	<p>1. A comprehensive master plan to be produced by prospective developer and agreed with CBC after consultation, before development proceeds.</p> <p>2. The master plan would need to:</p> <p>i). Allow for adequate community</p>

			<p>provision, an appropriate level of educational provision (see Policy CF7) and an appropriate level of primary health provision (see Policy CF9);</p> <p>ii. Provide for any necessary improvements to road infrastructure and non-car transport systems;</p> <p>iii. Safeguard the character, setting and present use of Abbeyfiel</p>
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			<p>ds;</p> <p>iv. Ensure an appropriate contribution to the town's greenlinks network;</p> <p>v. Allow for extension of St John's Green Conservation Area;</p> <p>vi. Indicate the overall phasing of development, especially residential.</p>
5. Turner Village	13.08	200 (Phase 1)	<p>1. Contribution to Northern Approaches transport infrastructure (ref Policy ME1).</p> <p>2. Land for Phase 2 (200 units) not to be released until after</p>

			<p>2011.</p> <p>3. Transfer of 50% of standard open space requirement (see Policy L5) to Country Park Extension (see Policy ME2).</p> <p>4. Provide an appropriate level of educational facilities (see Policy CF7).</p> <p>5. Provide an appropriate level of primary healthcare (see Policy CF9).</p>
6. Severalls Hospital	63.03	600 (Phase 1)	<p>1. Contribution to Northern Approaches transport infrastructure (ref Policy ME1).</p> <p>2. Land for Phase 2 (550 units) not to be released until after 2011.</p> <p>3. Master plan required to be produced by prospective developer and agreed with CBC, ECC and other relevant agencies after public consultation before development proceeds.</p> <p>4. The master plan would need to:</p> <p>i. Conserve</p>

			<p>the fine existing landscap e of protected woodland and more open parkland;</p> <p>ii. Make the maximum re-use of existing hospital buildings for new housing;</p> <p>iii. Allow for necessar y communit y uses, including retention of existing important buildings in this use;</p> <p>iv. Take account of the residual need for buildings and land of the</p>
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			<p>relevant health bodies;</p> <p>v. Include an element of employment uses (offices);</p> <p>vi. Provide an appropriate level of educational facilities (see Policy CF7);</p> <p>vii. Provide an appropriate level of primary healthcare (see Policy CF9);</p> <p>viii. Provide a site free of charge and full construction costs for</p>
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			primary healthcar e facilities.
7. Royal London Sports buildings and field (part) and land adjoining	6.02	259	1. The indoor sports facility and playing fields that would be lost as a result of development would be replaced by facilities of equivalent or better quality and in a location at least as accessible for past and potential new users.
8. Land east of Winstree Road, Stanway	6.8	200	<p>1. The provision of an adequate east/west greenlink in accordance with Policy UEA14.</p> <p>2. Improvements to local education or community facilities will</p>

			outweigh the potential loss of the land's amenity value under the terms of Policy CF5.
Minor New Allocations			
9. r/o Magdalen Street	2.35	70	Urban Capacity Study site
10. Bypass Nursery site	3.15	95	Urban Capacity Study site
11. BT site off Cowdray Avenue	1.44	43	Urban Capacity Study site
12. Clarendon Way	3.01	90	Urban Capacity Study site
13. North Station Road	0.37	11	Urban Capacity Study site
14. St. Peter's Street	1.26	38	Urban Capacity Study site
15. Middle Mill	0.13	4	Urban Capacity Study site
16. Boxted Road, Cowies site	0.705	25	

Outside Colchester/Stanway			
Site Address	Area (HA)	Estimated Capacity	Requirements
17. Tiptree, Grove Road	18.62	400	<p>1. "Roll Forward" site.</p> <p>2. 4.05ha of open space to be provided on site.</p> <p>3. Provision of village hall and associated car and cycle parking provision within the site (or equivalent financing for same facilities at another site in Tiptree)</p>

			<p>as agreed with CBC and Tiptree Parish Council).</p> <p>4. Extension to Cemetery.</p> <p>5. Provision of through link road and off-site highway improvements.</p>
18. Tiptree, Newbridge Road, Gaffney's		15	<p>1. Provision of 4ha of public open space on adjoining site.</p> <p>2. Relocation of existing employment use, preferably in Tiptree.</p>
19. West Mersea, Land north of East Road	9.2	65	<p>1. 9.2ha to be regarded as gross area to be split into:</p> <p>(a) 2.9ha housing (in southern part of site);</p> <p>(b) 6.3ha public open space (in northern part of site) as extension of existing playing fields (to be secured by legal/management agreement between developer, CBC and West Mersea Town Council).</p> <p>2. Arrangement of pedestrian and vehicular accesses to and from the housing allocation and the broad pattern of residential development are to be the subject of a development brief to be drawn up jointly by the Borough and Town Councils, and</p>

			representatives of local residents and the proposed developer.
Minor New Allocations			
Site Address	Area (HA)	Estimated Capacity	Requirements
20. Messing, School Road	0.74	12	<p>1. Development should not harm either the setting of Bouchiers Hall, the church or the Conservation Area generally.</p> <p>2. Site scheme to include provision for a village green.</p>
21. Salcott, Rose Lane	0.68	1	
22. Great Horkesley, Land at Tile House Farm	8.9	90	<p>1. Extension to Primary School, if required.</p> <p>2. Contribution to village hall.</p> <p>3. 4.54ha of open space including site for village hall and car park.</p> <p>4. Provision of land for car parking for St John's Church.</p> <p>5. Arrangement of land uses on site to be the subject of a development brief drawn up by the Borough and Parish Council's local residents and the proposed developer.</p>
23. Great Wigborough, School Lane	0.14	1	<p>1. Provision of lay-by to allow traffic to pass.</p>

The requirements set out for sites 1 and 2 in respect of transport infrastructure and open space are as contained in the S106 Agreement for application COL/97/0220 and COL/97/0221.

EMPLOYMENT

Introduction

14.1 Creating and keeping jobs is a major concern of everyone. A continued change to the structure of employment away from traditional manufacturing to service industries and part-time working has placed stress on Colchester's job market. The Borough is therefore keen to encourage a wide range of jobs and employment opportunities.

14.2 At the same time, concerns about promoting sustainable development in the future mean that the recent trends of decentralisation of employment land need to be re- assessed.

14.3 The Plan's main role, therefore, is to identify new land which may be needed and also to set out criteria for controlling job-creating development within the rest of the Borough.

Objectives

14.4 The Plan's objectives with regard to employment are as follows:

- (a) To maintain and promote the Borough's existing broad economic base and its role as a major employment centre in so far as this is compatible with the strategic objectives of the Local Plan;
- (b) To balance the requirements of economic development and job creation with the need to ensure that the Borough's environment and historic character are safeguarded and enhanced;
- (c) To improve job opportunities by encouraging some growth of appropriate types of employment in suitable locations in local urban centres;
- (d) To diversify rural job opportunities by considering appropriate types of employment in suitable rural locations compatible with the other objectives of the Local Plan;
- (e) To locate new employment in locations convenient to main residential areas so as to promote the use of non-car modes of transport;
- (f) To maximise the potential for alternative means of transport for

goods and services when considering employment development;

(g) To promote the highest possible standards of environmental quality for new developments and to improve the environment of existing employment areas wherever possible.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

14.5 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal in addition to the following detailed policy guidance.

GENERAL – EMPLOYMENT ZONE DISTRIBUTION AND PROVISION

14.6 This policy proposes a strengthening of Colchester's role as a sub-regional employment centre, both to provide jobs for the Borough's growing population and for those in neighbouring areas who look to Colchester for work, and in order to reduce out- commuting. The majority of jobs will be located in the main urban areas of Colchester and Stanway.

14.7 The Council considers that locating the majority of new employment in those areas exploits the maximum use of the existing patterns of transport and other infrastructure and supporting services. Thus, the Plan designates Employment Zones (EZs) within the Colchester Central Colchester Inset and at Severalls Park, Cuckoo Farm (south of A12), Hythe/Whitehall Road, Peartree Road, Tollgate, Tiptree and West Mersea. (Details of these sites are set out in Table 5.) Provision is also made in Policy L17 for the development of the community stadium site at Cuckoo Farm for Employment Zone uses should the development not proceed.

14.8 In addition to these EZs, the designation of Regeneration Areas (RAs) within the Colchester Central Colchester Inset, Colchester Garrison and The Hythe should also assist in increasing available jobs, as will the significant amount of shopping, leisure and other service uses to be found in the Central Colchester Inset and other locations.

14.9 The low take-up rate for employment land during the last Plan period has meant a large surplus in land availability. Even if the average rate for new development was to increase significantly above recent historically high levels (around 2ha per annum), it is unlikely that all the land designated in the previous Adopted Plan would be used.

14.10 In addition, land within the RAs needs to be taken into account. The total amount of undeveloped land designated as Employment Zone, both carried forward and “new” sites, is some 98ha, which is considered more than sufficient to cater for likely demand within the Plan period. Existing developed EZs will also make a contribution from redevelopment and changes of use. The size and distribution of sites, some already developed, will allow for a wide range of new developments and uses throughout the urban areas of the Borough.

14.11 The Council recognises that the Plan’s provision is marginally below the Structure Plan allocation. However, given past take-up rates, this is considered unlikely to hinder economic development of the Borough. Nevertheless, the Council will monitor the situation carefully and will bring forward additional land where required.

Types of Employment Within Employment Zones

14.12 It is anticipated that the service and high technology sectors are likely to continue to provide a growing proportion of new jobs. However, it is considered important that an adequate mix of jobs from all sectors of the economy, both service and manufacturing, is maintained in order to provide for a properly balanced local economy, avoid over- dependence on one sector and provide job opportunities for the whole population of working age.

14.13 To this end it is considered necessary to control those uses that often represent higher value development, and it is considered important not to allow such uses to take up a disproportionate amount of employment land and thus displace or prevent the establishment of possibly lower value uses that will constitute an important part of the local economy.

14.14 It is also considered important to provide a variety of sizes and types of business units that can cater for small and growing businesses. These are recognised as having an important part to play in the local job market and economy. Whilst such units can sometimes be accommodated outside EZs within urban areas, they can cause amenity, traffic and design difficulties. In order to promote the provision of these small units, agreement will be sought within EZs of over 5ha for 10% of the area to be set aside for units that have a maximum floor area of 100 sq m. Their location within EZs will generally be preferable as their impact will already have been taken into account by the land allocation.

14.15 In order, therefore, to achieve a satisfactory balance of uses within EZs for the reasons set out above, the following guidelines will be applied (note – separate policies will apply to Regeneration Areas):

- (a) 50% of each Zone should provide for light industry (within B1) and

for B2 and/or B8 uses (as defined by the Use Classes Order 1987);

(b) the sale of vehicle parts will generally be limited in range to bulkier items such as exhausts, tyres and batteries;

(c) indoor leisure uses are those such as roller-skating, ice-skating and indoor cricket which require to be housed in wide-span warehouse-style buildings and which could not be located in the Town Centre. In considering proposals for indoor leisure development and conference and exhibition centres in EZs, regard will need to be given to the availability of sites on the edge of the Town Centre that could accommodate such uses. These uses should occupy no more than 10ha in total of the proposed allocation;

(d) a limited retail element of up to 10% of the total unit floorspace may be permitted where:

(i) the retail goods are manufactured on the same premises;

(ii) the sale of goods is to trade customers with business such as builders' merchants.

(e) services clearly directed at businesses and workers in an employment zone, such as banks, restaurants and crèches, may be permitted.

14.16 The Council wishes to keep to these guidelines in order to:

(a) maximise the number of job opportunities in the Employment Zones;

(b) ensure that a proper balance is maintained between industrial and other commercial uses;

(c) safeguard the role of Colchester Town Centre as the prime location for offices, indoor leisure and cultural facilities;

(d) avoid the need to develop "greenfield" sites other than those allocated in the Plan.

14.17 In seeking to achieve the aims of this policy, the Council does not wish to foster any but the highest appropriate standards of design and layout in the area of new economic activity. It is equally concerned to safeguard the amenities of existing users and uses, as in the case, for example, of disturbance from increased traffic flows.

Employment Land Provision and Appropriate Uses

EMP1 Provision is made for 98ha of new land for employment uses to be developed between 1996 and 2011. This provision will be mainly within the Employment Zones, as defined on the Proposals Map, where the following uses will be considered appropriate:

- (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.**

Additional provision is made outside Employment Zones, as set out in Policies EMP2, EMP4, EMP5 and EMP6.

DEVELOPMENT OUTSIDE EMPLOYMENT ZONES

14.18 It is recognised that locally based employment within the urban areas of Colchester and the other main settlements of Wivenhoe, West Mersea and Tiptree contributes much to the economic well-being of these areas and to the Borough as a whole.

14.19 Many local businesses are long established and are an important part of the community, as well as providers of local jobs. The continuation of local employment is also useful in promoting sustainable development. Problems can arise, however, when companies wish to expand or new sites are proposed. Many businesses are within residential areas and traffic (especially heavy goods vehicles) can cause significant local problems. In considering proposals, the Council will explore how and if mitigating measures could be implemented to solve existing or anticipated

problems.

14.20 Nevertheless, the Plan seeks, where possible, to encourage small-scale businesses that fit into the local environment and make a positive contribution to local jobs. (See Table 4.)

Development Outside Employment Zones Within the Main Urban Areas

EMP2 Outside designated Employment Zones, small-scale development to serve local employment needs within the urban areas of Colchester (including the Town Centre), Tiptree, Wivenhoe and West Mersea will be permitted provided that it is in accord with the scale and character of the local area.

FINGRINGHOE BALLAST QUAY

14.21 The Council has decided to start the process of closing the Harbour to commercial shipping, which will ultimately allow redevelopment/regeneration of the various commercial quays as necessary. This process is unlikely to be complete until 2002. Fingringhoe Ballast Quay is the only remaining operative quay in the Borough. It is less constrained in that it lies downstream of the Barrier. It is, however, used solely to serve the nearby sand and gravel pit.

14.22 It is expected that the commercial use of Fingringhoe Quay will continue after closure of the remainder of the commercial harbour. Whilst the Council welcomes this use, it is also important, given the area within which the Quay is located and the road access to it, that expansion for more general port activity does not take place. In this context, the Council is promoting both a wide-ranging management plan for the Colne Estuary and a regeneration initiative for East Colchester, both of which will assist in deciding on the long-term future of the river.

EMP3 The intensification or expansion of Fingringhoe Ballast Quay to include goods not associated with the working of sand and gravel from the existing pit, or its expansion under any subsequent planning permission or associated industrial and warehousing

development, will not be permitted.

EMPLOYMENT USES IN THE COUNTRYSIDE

14.23 The provision of local jobs to service the rural area can be of great value to the economy and in terms of sustainability.

14.24 Traditional agricultural employment has dramatically reduced but in recent years rural diversification from farming has led to greater job opportunities for country dwellers. Many rural businesses also employ people living in town who effectively “commute”, thus to some extent reversing the centralisation of jobs to the urban areas. The large tracts of high quality protected countryside and agricultural land within the Borough, together with an often inadequate road network, are significant factors in controlling the provision of employment in the rural areas.

14.25 Commercial development in the countryside has to some extent been polarised to both ends of the quality spectrum.

14.26 The growth in leisure/tourism and IT has led to pressure for uses within the countryside which benefit from its environment or require such a location – such as extensive sports facilities, country clubs and hotels – or from uses which are not location-sensitive – such as those based on IT and small businesses run from home. Many of these uses can fit well into the villages or existing farm complexes (Policy CO10 gives specific guidance on agricultural diversification), but some can cause significant harm from traffic or large-scale new buildings in the landscape despite the inherent quality of the development. This will be particularly true within the extensive areas of protected countryside.

14.27 The opposite end of the commercial development spectrum includes the many small industrial uses, such as engineering, haulage and storage, which have developed over the years, mainly within isolated buildings or on former airfield sites. These tend to be smaller scale individually, but their impact on the immediately surrounding areas is often significant. Unacceptable levels of heavy vehicle traffic are often linked to these uses, causing particular problems on rural roads. Conversely, these uses can offer valuable services to local communities. Policy EMP4 gives general guidance with specific criteria for employment development within the countryside.

14.28 It is proposed that new sites should be concentrated within village envelopes. Outside village envelopes and the rural business sites (EMP5), development will be limited to appropriate changes of use or small-scale extension of existing complexes of buildings or replacement buildings within such complexes. The use and scale of

any development will be compatible with the local area. The Policy allows the change of use of individual buildings where this would ensure the retention of an isolated building that meets the criteria in PPG 7. This is likely to be a particularly important issue in sensitive locations or where there is likely to be a significant environmental impact.

14.29 There are several existing commercial complexes accommodating authorised but limited industrial and commercial uses. They have been identified to ensure a reservoir of sites to provide rural employment and are listed in Policy EMP5 and are shown on the Proposals Map. It is proposed that these complexes be recognised and defined as rural business sites where expansion of existing uses or new development could be accommodated, subject to adequate controls. The type of use, scale, location and quality of any buildings and traffic impact will need to be acceptable before any consent will be granted.

14.30 There are other areas of the Borough where more isolated businesses have grown up in an ad-hoc manner but where consolidation or expansion is not considered desirable. A particular problem area is Bosted Straight Road, where a number of commercial uses have become established. Several of these have the benefit from temporary planning permissions and/or personal permissions. Some rationalisation could be of benefit to the area's environment. There are continuing pressures for the establishment of further commercial uses and, if unchecked, this could lead to the loss of any remaining rural character in the area. Policy EMP6 sets out criteria for controlling development in this area.

14.31 The plan seeks to protect existing employment sites in the countryside. These are often under pressure for alternative more profitable uses, but their loss will reduce the pool of employment opportunities in the countryside.

14.32 One of the major factors in assessing employment proposals will be the number of local jobs likely to be created or preserved by the development. The Council will seek information of this issue when considering planning applications and will wish to be satisfied that the proposal is justified in terms of local job creation and/or retention. The submission of a business plan, along similar lines to an agricultural appraisal for a farm worker's dwelling, may be requested.

14.33 In granting planning permission, conditions may be imposed in accordance with Circular 11/95, limiting the permission to the use applied for on a personal basis or on a time- limited basis. All proposals will be determined taking account of the provisions of Policy DC1.

Employment Uses in the Countryside (General)

14.34 There may be occasions when a group of farm buildings on the very edge of a

village envelope and Conservation Area containing several listed buildings detract from the setting of the high quality environment by virtue of their scale or design. In such circumstances, the overall appearance of the Conservation Area may be enhanced if those buildings were to be improved through a change of use or possibly through the replacement of some buildings. The change of use or development of such sites is seen as an additional opportunity to provide rural employment only, in a location where the otherwise strict application of the village envelope and countryside policies would not permit development. Any new buildings will not exceed the footprint of the original building and must reflect the design and character of the surrounding area. The Council is of the view that such sites are likely to be few in number because of their nature.

EMP4 Industrial and commercial development will be located in accordance with the principles set out in the Employment Hierarchy (Table 4).

(a) Development of new sites will be located only within the village envelopes (see Table 2) and will comply with the principles set out in the Employment Hierarchy (Table 4).

(b) Development anywhere else in the countryside (other than those sites listed in Policy EMP5 but including complexes on the periphery of village envelopes, as set out in Table 2) will be limited to appropriate changes of use or small- scale extension within the existing site of existing complexes of buildings, as follows:

(i) Within such complexes, replacement buildings will be allowed only where there would be a benefit to the appearance of the area or site; and

(ii) Replacements will be no larger than existing structures. Revised siting will be permitted only where this would be of environmental benefit; and

(iii) New buildings within these complexes,

either to replace existing buildings or to accommodate expansion of enterprises, may also be acceptable provided that they satisfy sustainable development objectives and are of a design and scale appropriate to their rural surroundings.

(c) Changes of use of isolated individual buildings will be allowed only where this would ensure the retention and preservation of a heritage building or a building of a permanent or substantial construction and which has a form, bulk and design in keeping with its surroundings. Replacement of such buildings will not be allowed.

Proposals for development under clauses (a) , (b) and (c) above will be granted planning permission only if the following criteria are met:

(d) The proposed development can be shown to be creating or keeping local employment opportunities;

(e) The use(s) and/or development are compatible with the character and scale of the settlement concerned and, where appropriate, the surrounding rural areas.

Proposals within the Boxted Straight Road Special Policy Area will be dealt with under Policy EMP6.

EMP5 Development on Existing Free-standing Rural Business Sites. Any expansion and consolidation of appropriate existing authorised uses, and any new uses as may be approved on the Rural Business Sites listed below, will:

(a) only be within the areas defined on the inset maps:

(i) Hill Farm, Boxted;

(ii) Langham Airfield;

(iii) Anderson site, Marks Tey;

(iv) Newbridge Road, Tiptree (currently

occupied by Alexander Cleghorn Ltd);

(v) Tey Brook Centre, Great Tey;

(vi) Tiptree Basketworks Site;

(vii) Waldegraves Farm, West Mersea;

(viii) Wormingford Airfield.

(b) The use(s) and/or development shall be compatible with the character and scale of any nearby settlement and the surrounding rural areas.

Boxted Straight Road – Special Policy Area

EMP6 Within the area around Boxted Straight Road, as defined on the Proposals Map, the following principles will apply:

(a) Renewal of temporary permission will be granted subject to:

- any consent being made personal to the applicant;
- there being no current or likely future planning problems;
- environmental benefits being secured.

(b) Temporary permissions will not be renewed where unacceptable problems exist and where these cannot be overcome by condition and/or planning agreements;

(c) No further permission on new sites or the expansion/consolidation on existing ones will be granted.

Employment Sites in the Countryside

EMP 7 Development of existing employment sites within the countryside for a non- employment use will not be permitted.

Table 4: Hierarchy of Employment locations

LOCATION	TYPE OF DEVELOPMENT
URBAN AREAS	
Main urban areas of Colchester and Stanway within EZs.	All uses acceptable within Employment Zones.
Main urban areas of Colchester and Stanway outside Employment Zones.	Small-scale development subject to criteria set out in Policy EMP2.
Wivenhoe, West Mersea, Tiptree, within Employment Zones.	Within designated areas – all uses acceptable within Employment Zones subject to compatibility with the settlement and location.
Wivenhoe, West Mersea, Tiptree, outside Employment Zones.	Small-scale development subject to criteria set out in Policy EMP2.
RURAL AREAS	
Principal villages, including Rowhedge, and small villages.	In principal villages, small-scale development within village envelopes providing local employment. In small villages, changes of use of existing buildings only. In both cases, development should be compatible with scale and character of settlement and with acceptable location.
Existing rural business sites (as listed in Policy EMP5) with authorised uses.	Small-scale development providing local employment and compatible with rural location. Utilises existing buildings or new buildings as like for like replacements. Minor expansion/intensification within defined site boundaries if appropriate.
Other complexes in non-commercial use.	Small-scale development providing local employment and compatible with rural location. Utilises existing buildings. No new buildings unless “like for like” replacement buildings of a similar size where these would create environmental benefits.
Isolated buildings in non-commercial use.	Suitable changes of use to heritage buildings only to ensure their preservation or to buildings of a permanent or substantial construction which has a form, bulk and general design in keeping with its surroundings.
Boxted, Straight Road.	<ul style="list-style-type: none"> May be renewed if no current problems

	subject to environmental gains. <ul style="list-style-type: none"> • Will not be renewed if current use is unacceptable. • No new permissions to be granted.
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Table 5: Employment Zone Land Availability (as at December 1999)

BROUGHT FORWARD FROM ADOPTED PLAN		NEW ALLOCATIONS	
SITE/LOCATION	Hectares	SITE/LOCATION	Hectares
Hythe/Whitehall Road	8.406	Land developed between April 1996 and December 1999	10.609
Severalls Park	8.572		
Cuckoo Farm (south of the A12)	31.345		
Tollgate/Westside Centre, Stanway	18.087		
University Research Park	6.440		
Other small sites in Colchester	6.640		
Tiptree – Kelvedon Road	7.480		
West Mersea – Kingsland Road	0.395		
TOTAL:	87.365	TOTAL:	97.974

Note: 1. University Research Park area excludes land west of Boundary Road, which is likely to be used largely for Employment Zone uses.

Note: 2. Cuckoo Farm (south of the A12) excludes the site of the proposed community stadium.

TOWN CENTRE & SHOPPING

Introduction

15.1 Colchester Town Centre is defined in the Structure Plan as a Sub-Regional Centre, and its importance as the focus of the Borough has long been recognised by the Council in its planning policies. This importance is reinforced by Central Government planning policy (PPG6 June 1996), which seeks actively to promote town centres and the wide range of activities and services that they provide.

15.2 The Council's planning policies on their own cannot achieve all the objectives for the Town Centre, but they do lay a solid foundation for securing its future vitality and viability whilst protecting its historic environment.

15.3 One of the main functions of the Town Centre is that of shopping, and the Local Plan can now seek, in conjunction with Central Government policies, to protect and enhance this role by means of its shopping policies for the Borough as a whole.

15.4 The Town Centre is, however, much more than a shopping centre. Leisure, employment and cultural activity are also crucial to its attractiveness and, hence, its future vitality. Colchester is also fortunate in having an unusually large amount of housing in and around the Town Centre, which also contributes significantly to its overall character. All these activities are important to a balanced social and economic community, and the Council's planning policies are aimed at maintaining and enhancing this variety and viability.

15.5 These policies are, however, only a part of the Council's overall objectives for the Town Centre which it is carrying forward in the context of a range of other initiatives. These include the Council's own Strategic Plan, the Local Strategic Partnership's "Community Strategy", specific partnerships to promote Town Centre Management and a new Transportation Strategy.

15.6 The planning policies are aimed at operating within this broad context, but it is intended that they will form the basis of decisions on Town Centre development and other environmental and management initiatives.

Strategy and Objectives

15.7 The overall strategy for the future planning of the Town Centre is: To maintain the pivotal role of the Town Centre as a major economic centre and the social and cultural focus for the Borough, by safeguarding its predominantly retailing core whilst at the same time allowing for a variety of complementary facilities and services compatible with its historic character and overall environment.

15.8 Objectives in respect of the environment, employment and housing are as follows:

- (a) To protect, preserve and enhance the historic environment of the Town Centre, in particular its Ancient Monuments, listed buildings and open spaces;
- (b) To ensure that all new development respects and enhances the historic character and built environment of the Town Centre and the Town Centre Conservation Area;
- (c) To retain the existing range of uses appropriate to the character of Mixed Use Areas and to allow opportunities for small-scale change and improvements whilst resisting large-scale development;
- (d) To promote living in the Town Centre by the sensitive redevelopment of appropriate sites and changes of use to appropriate buildings;
- (e) To maintain and, if possible, enhance the job opportunities in the Town Centre by promoting as wide a range of job-creating uses and developments as are compatible with its historic character and the other objectives for the central area;

15.9 Objectives in respect of transportation and access are as follows:

- (a) To promote public transport, cycling and walking ahead of private transport within the Town Centre;
- (b) To minimise unnecessary access by private cars into the historic core of the Town Centre;
- (c) To promote traffic and access management schemes within the Town Centre that are compatible with the preservation of its historic environment.

15.10 Objectives in respect of shopping are:

- To safeguard and promote the vitality and viability of Colchester Town Centre as a sub-regional shopping centre and to provide for new shopping development within or on the edge of the Town Centre.

SHOPPING ELSEWHERE

15.11 Elsewhere in the Borough, there are no district shopping centres as defined by

PPG6. However, within both the urban and rural areas there are a series of local shopping centres, as shown on the Proposals Map. Three of these centres, Tiptree, West Mersea and Wivenhoe, have been designated as “Rural District Centres” because, in light of the geography of the Borough, they serve larger catchment areas, even though their general function is of a local nature.

15.12 Objectives for shopping development elsewhere are as follows:

- To safeguard and enhance shopping facilities in the local centres at Colchester and Stanway and the rural district centres at Tiptree, West Mersea and Wivenhoe, together with those in the villages and residential areas that serve local needs.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

15.13 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal in addition to the following detailed policy guidance.

15.14 All proposals for new retail development will also be determined in accordance with Policy TCS1, in order to focus new provision in Colchester Town Centre and the local centres, as well as other relevant policies of this chapter. Bulky goods comparison retailing, which is difficult to accommodate in the Town Centre, may be permitted elsewhere.

TOWN CENTRE VITALITY AND RETAILING DISTRIBUTION

15.15 One of the primary objectives of the Plan is to maintain and promote the vitality and viability of Colchester Town Centre, thus securing its role as a major sub-regional shopping centre and the prime focus for shopping in the Borough. The main focus of shopping will continue to be the Town Centre. Retail warehouse parks, rural district and local shopping centres, mixed use areas and individual shops including food superstores, in appropriate locations, will complement this. Table 7 lists the main areas allocated for retailing in the Borough, and these are shown on the Proposals Map.

15.16 A comprehensive retail study (dated April 2000) sets out proposals for the provision of new floorspace in the Borough to meet future needs for non-bulky and bulky comparison retailing up to 2011. The study also identifies a range of sites where this floorspace is to be located. Specific criteria for development in Local

Shopping Centres and in the rural area are set out in TCS9, 11, 12 and 13. No new major food retailing floorspace is proposed, but small-scale “local” food stores are supported (Policy TCS3). Provision is also made for local shopping provision in the new Garrison development (Policy G1). These locations are referred to in Policies TCS2 and TCS11.

15.17 Longer-term provision up to 2011 has also been assessed and guideline floorspace figures suggested. However, no firm additional allocations for the period after 2006 have been made, as these will be subject to further study and monitoring.

15.18 The Town Centre will remain the primary location for comparison shopping and the Plan allocates the major new floorspace provision within it up to 2011 (Policy TCS2). However “bulky goods” retailing sometimes benefits from specialist types of buildings and sites which cannot be easily accommodated in the historic Town Centre. Sites for bulky goods are therefore identified elsewhere (Policy TCS11), although some may be provided in the Town Centre. Food retailing in Colchester will be concentrated in existing superstores as well as being provided by smaller stores in the urban area. In the rural area (outside Colchester), food retailing will be in rural district and local centres to serve the local catchments of the various small towns and villages.

15.19 The wide range of other uses in the Town Centre complements its primary shopping role as well as supporting sustainable living. It is important to ensure that, as far as possible and practicable, these continue to be located there. The policy therefore aims to secure a Town Centre or, where appropriate, an edge-of-centre location for uses that would achieve this aim. Specific criteria for controlling leisure uses in the town centre are set out in Policies TCS10, TCS22, and TCS23.

15.20 The application of the sequential approach is set out in Government advice in PPG6 (paragraph 1.11), which states that first preference should be for town centre sites, followed by edge-of-centre sites, district and local centres and only then out-of-centre locations which are accessible by a choice of means of transport. The sequential approach will be a central determining factor in deciding on proposals for all types of development that should have a Town Centre location.

15.21 For the purposes of applying this policy, the boundary of the Town Centre is defined on the Proposals Map (Central Colchester Inset).

TCS1 New retail development shall be located on sites allocated on the Proposals Map and set out in Policies TCS2 and TCS11 or in the

Town Centre in accordance with the sequential approach. Retail development to serve the needs of a neighbourhood or village will also be permitted in rural district and local shopping centres or in villages.

Retail developments outside the Town Centre will be approved only if the designated retail sites have been developed for retail purposes or are otherwise unavailable, unviable or unsuitable, and:

(a) there is satisfactory evidence of quantitative and qualitative need;

(b) the proposal accords with the principles set out in the sequential approach;

(c) there is satisfactory accessibility by means of transport in addition to the private car;

(d) the proposal, either by itself or cumulatively with other recent or committed developments, would not prejudice the vitality and viability of the Town Centre or the rural district or local centres.

TOWN CENTRE – PROVISION OF NEW COMPARISON SHOPPING FLOORSPEACE (EXCLUDING BULKY GOODS)

15.22 The retail study identified potential for comparison floorspace up to 2006 in the region of 13,600 sq m (146,200 sq ft) gross, which it is proposed will be located in the Town Centre. It also suggests a total capacity for the Town Centre up to 2011 in the region of 28,800 sq m (310,300 sq ft) gross. The historic character of the town will be a prime factor in deciding the location and ultimate scale of development. The Plan identifies the Queen Street Bus Station site and surrounding area (Regeneration Area 4) as the primary location for the future retailing floorspace, as set out in the policy below. Specific guidance is given in Table 6. It should be noted that, in view of its major strategic importance, the identified floorspace figure for Queen Street exceeds the projected capacity figure in view of its major strategic importance.

15.23 It is emphasised that all the figures given are guidelines only and NOT targets. The actual floorspace to be provided will depend ultimately on the acceptability of any scheme in this sensitive location in the Conservation Area. Other areas in the

Town Centre will be suitable for smaller-scale retail/mixed use developments and the Plan continues to support a minimum retail content in the Town Centre shopping streets. The non- achievement of these figures will not therefore be considered as a reason for allowing additional out-of-Town Centre retail development.

TCS2

(a) New comparison floorspace will be permitted in the Town Centre. For the period up to 2006, there is capacity in the region of 13,600 sq m (146,200 sq ft) gross floorspace, with scope for a further 15,200 sq m (164,100 sq ft) gross by 2011.

(b) The Queen Street Regeneration Area is allocated for this purpose. A strategic, longer-term view will be taken with regard to the amount of retail floorspace to be permitted on the Queen Street development site.

(c) A mix of complementary commercial, leisure and community uses will be sought within any primarily retail development which would contribute towards the overall vitality, viability and attractiveness of the Town Centre.

FOOD SHOPPING IN THE URBAN AREA

15.24 The provision of a high quality and efficient food shopping sector is important both economically and socially. Controlling the type, amount and distribution of facilities is the primary method for the planning authority of achieving this. Most food shopping is now based on superstores, but smaller shops in the Town Centre and rural district, local and village centres also provide important elements of a sustainable network of outlets.

15.25 Care must be taken to prevent future over-provision of major new food floorspace, as this could cause problems for the viability of existing centres, thus threatening sustainability, as well as potentially causing traffic difficulties. The shopping study considered the need for further food floorspace throughout the Borough and concluded that no major expansion of provision is required until at least 2006. No new floorspace is therefore proposed and no new sites allocated (apart from the Garrison development mentioned below or in the Town Centre).

It is recognised, however, that some improvements to existing major stores may be desirable to improve the qualitative rather than quantitative floorspace provision. Such stores are identified on the Proposals Map.

15.26 In recent years the range of goods and services provided by large food stores has grown. These goods and services can include the sale of clothes, books and other comparison goods, together with the provision of such services as post offices, pharmacies and dry-cleaning establishments. Whilst such facilities are useful to the individual shopper, they can have a significant adverse impact on established local centres and even on the Town Centre. This problem is recognised in Government guidance. The Plan therefore seeks to restrict the provision of these types of additional services in major food stores.

15.27 Small stores, serving local catchments only, may also provide useful additions to sustainable food shopping provision across the Borough, especially to those without access to cars. Access to public transport will therefore be a factor in deciding on such proposals. In urban areas the catchment of such establishments will be about 800m walking distance; in rural areas a larger catchment may be appropriate and this size will be used to guide to determine whether proposals have “local” catchments.

15.28 Discount food stores which sell a relatively small number of lines compared to traditional food stores, and have a large car-dominated catchment, will not be treated as “local” food provision. The Garrison development will, however, offer a major opportunity to promote the provision of new local food shopping, and such provision will therefore be provided as part of that development.

15.29 Provision of food floorspace throughout the Borough from 2006 will be subject to monitoring and review, and will need to have specific regard to provision in the Garrison.

TCS3 Major food stores are defined on the Proposals Map. No sites for new major food stores are allocated. Any proposed new store or extensions in edge-of-centre or out-of-centre locations will be assessed against criteria (a) - (d) of Policy TCS1.

Proposals to increase the amount of floorspace in existing major food stores in edge-of-centre or out-of-centre locations to be used for comparison goods, or for such facilities as post offices, pharmacies and dry-cleaning establishments which can be

accommodated in the town, rural district or local centre are of particular concern. They will need special justification in terms of their affect on the vitality and viability of existing centres.

Smaller stores that primarily serve local walk-in catchment areas will be permitted in the Garrison Regeneration Area and elsewhere where they are widely accessible to the local catchment population and would not prejudice the vitality and viability of a defined shopping centre.

Provision is made for local shopping to serve the Garrison Regeneration Area (see Chapter 17, “Colchester Garrison”).

TOWN CENTRE – DISTRIBUTION AND MIX OF USES IN EXISTING STREETS

15.30 Within the Town Centre, areas can be identified which reflect the general mix of uses and the relative importance of shopping within them. The Inner and Outer Cores have the highest number of retail premises and contain all the major individual shops and the two modern precinct developments. They offer the primary retail attraction in the town to both visitors and the retailing market.

15.31 Outside these areas, the streets are generally more mixed in character with a much broader range of uses. They do, however, offer a significant shopping attraction with many smaller specialist shops and complement the main shopping areas of the Inner and Outer Cores. Many other services can, however, be located in these mixed areas, provided that a balance with shopping is retained.

Changes of Use in Core and Mixed Use Streets

15.32 In the Town Centre Core (as defined on the Proposals Map), shopping (as defined in Class A1 of the Use Classes Order) will remain the dominant land use. However, the Council will support proposals for a range of appropriate and complementary activities (subject to the criteria set out in the policy) in order to promote and improve the general diversity and attractiveness of the Town Centre.

15.33 Such uses will generally be restricted to those financial/professional services, food and drink and assembly/leisure uses as defined in Classes A2, A3 and D of the 1987 Use Classes Order (or its subsequent re-enactments). Specific criteria for the control of these uses is set out in Policies TCS4 and TCS10. Proposals for other uses which may be considered as being of a similar nature but not within these specified use classes will also be determined in accordance with the criteria set out

in these policies.

15.34 The main factors that will be taken into account when deciding on the suitability of any use will be:

(a) the contribution which the use can make to the Town Centre including its ability to attract/cater for large numbers of visitors. Uses that cater for the general public such as shops, leisure/cultural uses and cafes/restaurants will be considered suitable in principle;

(b) the likely cumulative impact of non-retail uses on the overall retail attraction of the Town Centre or particular streets. These uses are desirable and indeed necessary in the Town Centre. However, too many overall or an over-concentration in one area could reduce the central attraction and role of the Town Centre as the Borough's main shopping centre. The policies seek therefore to allow for these uses but in a controlled manner;

(c) any impact the proposal will have on the character of the Conservation Area, Town Wall or listed buildings. Preserving the historic character of the Town Centre is of major importance and is recognised as being a significant factor in attracting visitors and, hence, business to the town.

Any proposals must not harm this character and should seek to enhance it where at all possible. This could be done by, for instance, improvements to buildings or to shopfronts. New shopfronts of an appropriate character can help to reinforce the retail appearance of streets and hence the shopping role of the Town Centre as a whole.

15.35 In order to secure the overall level of shopping provision in the individual Town Centre streets, minimum limits of A1 retail content are specified for most frontages. The limits have been set to provide adequate provision for shopping whilst allowing for other acceptable uses throughout the Town Centre area. These limits are set out in Policies TCS4, TCS5 and TCS9. Policies TCS6-TCS8 deal with the other mixed use streets and TCS9 with local shopping centres in the Town Centre.

15.36 This policy is based on a calculation of the length of shop frontage expressed as a percentage of the entire length of the street frontage. The calculation takes into account both the existing non-retail occupiers and any unimplemented consents for changes of use from A1 to non-retail. Excluded from this measurement will be roadways, private pedestrian walkways (with or without first a floor overhead), public-footway access, private access to rear of buildings and doorways which lead exclusively to upper floors.

15.37 In respect of corner properties that have shopfronts on two streets, each frontage will be measured and included in the calculation for the frontage in which it occurs. This should ensure a consistency of approach in measurement and calculations. In the event that a corner property satisfies the criteria for change of use within its principal street frontage (that is, the street known to be the shop's postal address) but not in the other street then such cases will be judged on their merits, taking into consideration the effect on the character, viability and vitality of both streets.

15.38 It is recognised that, in practice, it would be unlikely that any street frontage would achieve an exact A1 content of 90% or 70%. Some degree of flexibility in implementation is therefore necessary. In the case of a change of use which will result in the A1 percentage falling below the 90% or 70% threshold (as relevant) by a maximum of 3% (that is, to 87% or 67%), the Council will grant permission where the loss of retail content is outweighed by other material policy considerations, such as significant improvements to the shopfront, enhancement of a listed building and bringing previously or partly used upper floors into residential use.

15.39 Should at any time the A1 content of an Inner Core street reach 90% or an Outer Core street reach 70% or less, any further changes of use from Use Class A1 will be refused by the Council.

15.40 A schedule of all the street frontages and their A1 content current at the time of the adoption of the Local Plan is contained in Supplementary Planning Guidance. This schedule will be updated as required during the Plan period. Any proposals will be assessed using the schedule current at that time.

TCS4 Changes of use from retail within the ground floor frontages of the Town Centre Inner and Outer Core streets will be permitted provided that:

(a) they safeguard and promote the overall attractiveness, economic viability and vitality of the Town Centre;

(b) they do not detract from the dominant retail appearance of street frontages and promote high standards of design appropriate to the Conservation Area;

(c) they need to be located in the Town Centre Inner and Outer Cores;

(d) they do not result in a continuous frontage of more than two non-A1 uses;

(e) where appropriate, positive measures to enhance or restore the character of the building concerned and its retail appearance are secured.

A minimum of 90% A1 retail content will be retained within the individual Inner Core frontages, as defined on the Proposals Map.

A minimum of 70% of A1 retail content will be retained within individual Outer Core frontages, as defined on the Proposals Map.

Proposals will be refused which would either:

(i) reduce the retail content to less than the minimum; or

(ii) further reduce the retail content of frontages which have less than the defined minimum.

MIXED USE AREAS

15.41 Around the commercial core and along the main streets leading out of the Town Centre are to be found a mix of residential, shopping, office and service industry uses which function as mixed use areas and as neighbourhood centres for adjacent residential areas. This range of land uses gives variety to the Town Centre and contributes to its success. It is considered essential that planning policies reflect the complexity and role of these areas by providing a flexible framework allowing for the continuation of mixed uses whilst rejecting those uses not acceptable in a particular location or within the Central Area.

15.42 Servicing and parking requirements will comply with the Borough Council's current standards. However, consideration will be given to the acceptance of a reduced level of standards where it can be shown that these requirements cannot be achieved and a planning refusal would lead to long-term vacancy or deterioration of property. The Plan identifies 14 such areas, which are shown on the Proposals Map. Here it is intended that:

(a) the existing mix of uses and character of these areas will be

retained;

(b) small-scale change will be allowed;

(c) large-scale redevelopment will be resisted.

The following mixed use area policies set down specific criteria to be applied in their respective areas.

MIXED USE AREAS A

15.43

- (i) Head Street (west side) and Church Walk
- (ii) Head Street (east side – part)
- (iii) High Street (north side)
- (iv) St John's Street (both sides)
- (v) Osborne Street (south side)
- (vi) St Botolph's Circus (north side)
- (vii) Crouch Street (south side – east of Balcerne Hill)
- (viii) Crouch Street (south side – west of Balcerne Hill)
- (ix) Vineyard Street (north side)
- (x) Queen Street (west side)
- (xi) St Botolph's Street (west side – part)
- (xii) Museum Street
- (xiii) St John's Walk
- (xiv) North Hill (west side of – part)
- (xv) Church Street

These are important fringe streets in the Town Centre lying around the core area. They do not offer prime shopping, but they do provide for many of the smaller specialist shops and services that make the Town Centre attractive and important for

residents and visitors. The streets themselves form a substantial part of the Town Centre and contribute much to its character and economic success. High Street and Head Street are particularly important in this respect.

15.44 However, the balance of uses has changed over the years and service or leisure uses now predominate in many streets. This makes it important to keep a substantial number of shop units in these streets to provide for the specialist and/or smaller retailers which find it difficult to locate in the Core areas.

15.45 The Policy therefore seeks to keep a balance between shopping and other uses in these important areas. Although included within the group of streets, the maintenance of this balance is not considered critical on the south side of Crouch Street, west of Balcerne Hill, or on the north side of St Botolph's Circus, and therefore criterion (a) below will not apply.

TCS5 Within Mixed Use Area (A) streets a range of uses considered complementary to the adjacent Town Centre Core – including shopping, financial and appropriate business uses and leisure/entertainment and tourism facilities – will be permitted. The following specific criteria will apply:

(a) Proposals that would result in less than 50% of retail frontage in any one defined street frontage will be refused;

(b) Where appropriate, positive measures to enhance or restore the character of the building concerned and its retail attractiveness will be secured.

MIXED USE AREAS B

15.46

- (i) North Hill;
- (ii) East Hill/East Bay/East Street;
- (iii) Trinity Street.

Lying within and adjacent to the Town Centre, these streets are the province of

specialist shops, small-scale leisure uses, professional offices and pockets of residential units, both houses and flats over commercial premises. The Plan will take account of preserving the amenity of existing residential properties when considering proposals for commercial development. The attractive, small-scale nature of these streets containing many listed buildings and lying within the Town Centre Conservation Area complement the range of uses they contain. The Plan advocates a strategy of pursuing residential use, small-scale specialist shops, offices and leisure uses such as small restaurants and museums appropriate to the special character and fabric of these areas. Other leisure uses will not be acceptable.

15.47 The area around East Street presents particular difficulties. Many of the listed buildings in the area have deteriorated over the years. Refurbishment will be complex and expensive, but the area is unlikely to attract significant private-sector investment unless its environment can be substantially improved by the reduction in the amount of through traffic. Any alternative uses will need to be both acceptable in planning terms, especially in relation to the preservation of the listed buildings, and economically viable.

15.48 In order to promote the upgrading and regeneration of this specific area, the Council will be as flexible as possible in its consideration of development proposals, within the overall context of the Policy. The Council will also be looking to address the traffic issues affecting the area through its Transportation Strategy Review.

TCS6 In North Hill, East Hill, East Bay, East Street and Trinity Street:

(a) there will be a presumption in favour of residential, shopping, office and appropriate leisure uses in these areas;

(b) development that would adversely affect the character and function of these streets will not be permitted;

(c) alterations to the front elevation will be permitted only if they are in character with the building itself and the street scene;

(d) the design of rear extensions and advertising will be strictly controlled.

MIXED USE AREAS C

15.49

- (i) North Station Road (part);
- (ii) Manor Road (south-east side).

North Station Road is one of the main routes leading into the town, running between older, predominantly Victorian residential areas. The Manor Road area acts as a buffer between the shopping/office area of Crouch Street to the south and St Mary's residential area to the north.

15.50 Both these areas include a large range of uses, including housing, offices, shops, light industry and some leisure uses. They form an important part of the commercial area of the central area and provide premises for local businesses. The policies are aimed at preserving this mix but protecting the amenity of residents where necessary. Some of the premises in North Station Road act as local shopping facilities for adjoining residential areas.

TCS7 Within these parts of North Station Road and Manor Road defined as Mixed Use Areas:

- (a) shops, offices, residential and small-scale service trades will be permitted provided the amenity of existing residential properties is not prejudiced;**
- (b) industrial uses will be confined to Class B1 of the Town and Country Planning (Uses Classes) Order 1987;**
- (c) development will be compatible with the scale and character of the surrounding area;**
- (d) where appropriate, positive measures to enhance or restore the character of the building concerned or the general street scene will be secured.**

MIXED USE AREAS D

High Street (East)

15.51 Imposing and elegant 18th- and 19th-century houses and their grounds form the basis of this area. The bulk of these are listed and together create an important part of the historic character and attractiveness of the Town Centre. Today it is occupied predominantly by museums, Local Government offices and an adult education centre.

15.52 This balance of uses and historic character is important and the Policy seeks to preserve it whilst recognising that some limited development potential exists. The scale and historic character of the area will, however, prevent large-scale redevelopment schemes. In particular, the promotion of suitable tourism-related development would be appropriate, given the close proximity of the Castle, Priory, museums and bus station. Such development must reflect this historic area and seek to enhance it. Housing use may be acceptable where this would be compatible with the other main uses.

15.53 Policies to preserve the grounds and gardens, which are an intrinsic part of the character of the area, are put forward and, as part of the overall traffic management strategy of the Town Centre, it is intended that eventually unnecessary traffic will be removed.

15.54 Any future redevelopment of the adjacent Queen Street Regeneration Area must also complement and enhance this area. (Table 6 sets out more detailed guidance for the area.)

TCS8 In the area of High Street (east), as shown on the Proposals Map, allocated for community services/cultural uses, the following policies will apply:

(a) There will be a presumption in favour of community services and cultural and tourism uses. Residential use will also be supported, particularly on the upper floors of buildings;

(b) The open spaces, gardens and trees which contribute to the character of this area will be protected from development;

(c) Any new development will be of a scale and character

to complement and enhance the historic character of the area and Town Centre as a whole. Large- scale redevelopment will not be permitted.

COLCHESTER TOWN CENTRE – LOCAL CENTRES

15.55

- (i) Crouch Street (north side);
- (ii) St Botolph's Street.

Both of these streets have important functions as local shopping centres for the large number of people who live nearby. They offer a range of small, specialist shops and local services which it is considered important to retain. These also contribute to the vitality of the Town Centre as a whole. The streets also act as an important reservoir of small, relatively cheap shop units, where small retail businesses can establish and grow. This important function could be lost if changes to other uses were allowed or premises were amalgamated into fewer, larger units.

15.56 At the western end of Crouch Street especially, further loss of retail units would seriously affect the local shopping function.

15.57 In order to preserve the local shopping centre role, changes to other uses need to be strictly controlled. A limit is therefore placed on the level of shopping to be kept in these frontages.

TCS9

(a) Within St Botolph's Street and on the north side of Crouch Street, defined as local shopping centres on the Proposals Map, proposals that would result in the loss of an important service or facility and/or the introduction of a use detrimental to the local shopping centre role will be resisted.

(b) Development involving the amalgamation of small

units will not be permitted.

(c) A minimum A1 retail content will be maintained in each street frontage as follows:

(i) St Botolph's Street (both sides) – 60%;

(ii) Crouch Street (east of Balcerne Hill) – 70%;

(iii) In Crouch Street (west of Balcerne Hill) – no further loss of A1 retail content will be allowed.

(d) Proposals will not result in continuous frontage of more than 2 non-A1 uses.

LEISURE, ENTERTAINMENT, FOOD AND DRINK

15.58 All these types of use contribute to the overall vitality and viability of the Town Centre and are acceptable in principle. However, Colchester Town Centre is unusual in having a relatively large resident population. Some types of use, such as clubs, pubs and cinemas, can cause problems for residents, especially if open late at night, operating sessional times or causing much on-street activity.

15.59 A balance needs to be struck, therefore, between these legitimate Town Centre uses and the amenity of its many residents. Of particular concern are the main residential areas of the Dutch Quarter, Priory Street, Abbeygate Street, Balcerne Gardens, Roman Road, and Castle Road and St Mary's (Rawstorn Road area). Uses which are proposed within or close to these areas and which would adversely affect them will be refused or controlled by the imposition of conditions on – for example – hours of opening, sound attenuation and odour control. In considering proposals, regard will be had to the cumulative impact on the Town Centre and residential amenity. Where it is considered the cumulative impact is sufficiently severe, applications will be refused.

General criteria relating to the change of use from retail to this use are set out in Policy TCS4.

TCS10 The following specific criteria will be applied throughout the Town Centre Inset Area to proposals for leisure, entertainment, food and drink use:

(a) Entertainment uses, including amusement centres and other similar establishments, will not be permitted where they would have an unacceptable impact on residential properties, schools, churches, hospitals and hotels by reason of noise or disturbance;

(b) Activities involving sessional usage, such as bingo, cinemas, pubs and clubs, will not be permitted in locations where, as a result of peaks in pedestrian and vehicular movements, they are likely to be unacceptable for reasons of highway safety, noise, or disturbance.

BULKY GOODS RETAILING

15.60 In recent years, shopping in out-of-town locations has become increasingly popular and now accounts for a significant element of overall shopping provision both in Colchester and nationally. Originally such schemes concentrated on large items requiring large amounts of level floorspace for display. However, product ranges have increased and now virtually all types of goods can be bought in out-of-town stores. Despite this change, the form of shopping is still commonly referred to as “retail warehousing”, and this reflects the expansive nature of the premises rather than the range of goods sold.

15.61 Whilst this form of shopping is popular and convenient, it is now recognised, especially in Government policy, that further expansions can be undesirable for a number of reasons. The two main concerns are:

- a) The impact on the traditional shopping patterns and, especially, town centres;
- b) An almost total reliance on access by private car to such sites.

15.62 Both these concerns present problems of sustainability, especially in transport, and can be socially divisive by denying access to shopping provision and services to substantial sectors of the population who have limited or no access to a car and therefore rely on public transport. Government guidance and hence planning policies at all levels are now clearly aimed at severely constraining further out-of-town

shopping, especially for smaller consumer goods such as clothes, toys, books, jewellery and small electrical goods. These goods can and should be retailed from town centres or local centres within easy walking distance of homes.

15.63 It is recognised however, that some types of products, usually defined as “bulky goods”, would be difficult to retail in traditional town centres due to limitations on floorspace or the size of the products themselves. DIY goods and so called “white goods” fall into these categories, as do such items as furniture and carpets. Such specialist products such as cars and boats also clearly require extensive floorspace for display. To help ensure that bulky goods, which require extensive floorspace, are sold from these developments, it is important to control the size of individual units. Setting a minimum floorspace size for new units and preventing sub-division of existing ones will discourage retailing of goods which should be sold from the Town Centre.

15.64 One retail warehouse park with no “bulky goods” restrictions has been granted consent on appeal and subsequently developed. The Colchester Retail Park, adjacent to Colchester Institute, was allowed specifically on the basis of its proximity to the Town Centre in accord with PPG6. It will not, therefore, be used to justify further, similar developments elsewhere.

15.65 The Shopping Study has indicated a total capacity for new bulky goods floorspace of 23,690 sq m (255,000 sq ft) up to 2011, if it is located out of the Town Centre. No suitable sites within or on the edge of the Town Centre have been identified.

15.66 The Plan consequently identifies two new out-of-centre locations for bulky goods retailing, accommodating total floorspace in the region of 9,300 sq m (100,000 sq ft) gross. These are Regeneration Area 3 (Sheepen Road Car Park), subject to the relocation of the Lorry Park, and Regeneration Area 7 (Cowdray Centre). These sites would be suitable for floorspace in the region of 3,000 sq m (32,500 sq ft) gross and 6,700 sq m (72,300 sq ft) gross respectively. More detailed guidance on the development of these two sites is given in Table 6. It is stressed that these figures are guidelines and not targets and that the actual floorspace allowed will depend upon the nature of the individual scheme and the constraints of the site. Further bulky goods retail development will be subject to Policy TCS1 and will be considered through the monitoring and review of the Plan. These identified sites are in addition to the existing retail parks at Tollgate (Stanway), Turner Rise, Colne View Retail Park (Cowdray Avenue), St Andrew’s Avenue (currently occupied by Glyn Webb) and Clarendon Way (Wickes DIY). These remain appropriate locations for retail warehousing, where existing planning consents may allow for a somewhat wider range of goods than would now be allowed under the current policy. Any extensions to stores within these existing developments would, however, be subject to the criteria set out in the policy.

15.67 Should bulky goods floorspace be developed in the Town Centre, the guideline figures set out above will need to be reassessed. Monitoring and a further review of demand/ capacity will indicate if such an increase should be allowed. All the capacity assessments, and hence floorspace figures, assume that the current commitments as set out in the Study are implemented.

15.68 The location of these developments is also important. Unless sites are generally acceptable to the retailer they may remain undeveloped and can put pressure on other areas. However, they must also satisfy general planning criteria, particularly in terms of access by a variety of means of transport, impact on local residents, appearance of the development and traffic generation. Their location must also be chosen following the application of the sequential approach.

15.69 Other types of use, such as restaurants, crèches and banks, are often found in retail parks to provide services to customers. Most of these are acceptable in principle, provided that they are ancillary to the main use and do not adversely impact on the Town Centre or local centres. Many retail parks have, however, attracted high numbers of drive-through A3 uses, which, whilst being provided ostensibly to serve the shopping public, are often seen and used as destinations in their own right. They can lead to unacceptable traffic generation and make large developments serious competitors to the Town Centre. This is a particular problem if several units are provided in a single location. The plan therefore seeks to minimise the numbers of such uses on retail parks.

TCS11

(a) The Plan defines bulky goods retailing locations at Tollgate (Stanway), Turner Rise, Colne View Retail Park (Cowdray Avenue), St Andrew's Avenue (currently occupied by Glyn Webb), and Regeneration Areas 3 (Sheepen Road), Clarendon Way (Wickes DIY) and 7 Cowdray Centre (Cowdray Avenue).

New bulky goods retailing floorspace in the region of 23,690 sq m (255,000 sq ft) gross to be developed in the period 2000-2011, subject to monitoring and review.

(b) In addition to the criteria in Policy TCS1, in all new bulky goods retailing developments the following principles will be applied:

- (i) The range of retail products will be limited to bulky goods;**
- (ii) Non-retail uses will only be permitted where:**
 - 1. they are ancillary in use and scale to the primary bulky goods retailing designation;**
 - 2. they would not, by themselves or as part of other development, prejudice the vitality and viability of the Town Centre;**
- (iii) Car-based A3 uses will only be allowed on retail parks or similar development sites where they would not generate significant or unacceptable increases in traffic and/or impacts on the Town Centre.**
- (iv) Retail units shall be a minimum of 920 sq m (10,000 sq ft) gross.**

LOCAL SHOPPING CENTRES INCLUDING RURAL DISTRICT CENTRES OUTSIDE COLCHESTER TOWN CENTRE

15.70 Local shopping facilities in both town and country serve an important function, primarily for convenience shopping. In urban locations, these local facilities are usually in the form of small “parades” of up to around 10 small units, perhaps with one or two isolated shops nearby. The range of other services is usually small, and they have restricted but often high density catchments. They can also perform a very limited comparison-shopping role.

15.71 However, this function is far more important in Tiptree, West Mersea and Wivenhoe, which can be described as “rural district centres”. They are isolated from the main urban area and hence have a far wider geographical catchment than the urban local centres. (It should be noted that these rural district centres do NOT equate with the definition as included in PPG6. There are no centres of that type within Colchester District.) These rural district centres are also of a more mixed character than the local centres, with more variety of other service uses, such as restaurants, launderettes, estate agents, banks etc. This variety reflects their larger rural catchments, and can indeed be beneficial by encouraging locally based services.

15.72 It is important, however, to try to protect the shopping role in both types of centre from development that does not need to be there. Local shops also tend to operate on the margins of viability and are particularly vulnerable to changes of use to higher value uses, such as residential.

15.73 The policies seek to support the main shopping function of local centres whilst allowing some flexibility for other compatible uses. The policy will control the amount of change from retail (A1) use to other uses and also the location of such uses within each centre.

TCS12

(a) Rural district and local shopping centres – additional shopping provision:

(i) The provision and/or expansion of shopping facilities outside Colchester Town Centre will be located in the rural district or local centres, as defined on the Proposals Map.

(ii) Shopping developments in other locations will be allowed only where they would not prejudice existing centres or the Plan's overall strategy.

(b) Other uses within rural district and local shopping centres:

(i) Within these centres, other uses which would complement their primary retail role will be allowed;

(ii) Proposals which would either reduce the number of A1 retail units in any centre below 50% or further reduce those centres already below this minimum will be refused;

(iii) A continuous frontage of no more than two non-retail uses will not be permitted.

OTHER SHOPPING IN VILLAGES AND THE COUNTRYSIDE

15.74 Individual village shops and the few isolated outlets in the countryside are important in providing for day-to-day shopping, especially for those without access to private cars. The Plan seeks to retain local shops where loss would cause hardship to the community – eg if it is the only shop in the area. It is not possible to prevent closure of local shops caused solely by economic pressures, but changes of use to other, potentially more valuable uses can be resisted. This may encourage such businesses to continue where otherwise they may close.

15.75 The provision of new shops is generally to be encouraged, but care is needed over locations and the types of business proposed. Premises often become available outside the village envelope, where such uses would not comply with overall rural policies. Consent may, however, be granted for changes of use or extensions for shops provided that adequate footpath access from the main part of the village can be satisfactorily provided and the distance is not so great or dangerous as to discourage walking. This distance should be no greater than 300m. Consequently, to encourage access by walking and reduce reliance on the car, car parking provision will be kept to a minimum. The type of goods sold must relate to the needs of the village to avoid encouraging excessive car travel and to promote viability. New buildings should be located within village envelopes. New shops will not be acceptable in minor villages or hamlets without village envelopes, as they are unlikely to be viable without attracting custom from a wide catchment. All proposals permitted will be of a scale to serve the local village catchment only.

15.76 Outlets outside villages generally relate to farms, garden centres and petrol stations. These can be useful local facilities but can grow to unacceptable levels and cause traffic problems, especially when they have large catchments. Farm shops can contribute to local economies, provide additional useful outlets for local produce, and can therefore be generally supported. However, like other types of outlets, they can cause problems if they are badly located, become too large or have an unacceptable visual impact. They can also affect existing local shops if large amounts of imported goods are sold and can generate unacceptable levels of traffic, especially on poor rural roads. It will therefore be necessary, when granting any permission, to apply conditions limiting the range of goods sold. Small nurseries selling primarily their own grown plants are acceptable in the rural area.

15.77 It is unnecessary for large garden centres to have rural locations, as they are often attached to other bulky goods retail outlets or sell a range of brought-in products such as garden buildings, leisure goods and landscaping products. They are better located within or on the edge of major towns, where accessibility is better and their visual impact is generally less. They will therefore be treated essentially as bulky goods retailing under Policy TCS11.

TCS13 Shopping in Villages and the Countryside

(a) New Shops or Extensions

A change of use to a new village shop or an extension of an existing

shop will be permitted provided that:

- (i) it is located within a village envelope, or within safe walking distance of it;**
- (ii) it has, or can be provided with, satisfactory pedestrian access along any classified road;**
- (iii) it is of a size and type to serve only that village within which it is located and any other settlements that look to that village as a local centre.**

New buildings for retail use will be allowed only within village envelopes. Car parking provision will be kept to a minimum.

(b) Changes of Use from Shops

Proposals for changes of use of existing village shops and garages to other uses will be resisted unless at least one other viable alternative outlet exists within the local community or within easy and safe walking distance of it.

(c) Farm shops

Proposals for the retail or wholesale of goods from farm shops will not be permitted where:

- (i) they would have a serious adverse impact on the viability of existing village shops; and**
- (ii) more than 1/3 of the turnover of the goods sold in any one year are imported, unless the proposal itself would function as a village shop and is located within the village envelope or within convenient and safe walking distance of it.**

PETROL FILLING STATIONS

15.78 The Council accepts that petrol filling stations can often be integrated into a mixture of land use areas, including residential. However, it is concerned about three main issues:

- (a) The balance between the primary retail purpose of the facility (selling petrol and

associated products) and any secondary retail function (the development of mini-supermarkets/car washes). This is a particular concern in the rural area, where it is important to avoid the loss of village shopping facilities;

(b) The impact of a new or expanded facility on the immediate and wider environment and the corresponding land use interests. This relates particularly to disturbances from hours of opening and light pollution, and conditions will be imposed to protect residential and other amenities;

(c) The safety of more vulnerable road users, including pedestrians and cyclists, in relation to the regular flows of vehicles into and out of station forecourts.

Policy TCS14 deals with criterion (a) . The other issues are dealt with by the general Development Control Policy (DC1).

TCS14 A proposal for the retail sale of goods from a petrol station:

(a) in the urban area will be refused where it would have an unacceptable impact on the viability of local shopping centres;

(b) in the rural area will be limited to a scale necessary to serve the local area only and will be refused where it would have an unacceptable impact on the viability of existing village shops unless the proposal itself would function as a village shop and is located within the village envelope or within convenient and safe walking distance of it.

TRANSPORT AND ACCESS

Traffic Reduction and Management

15.79 The Town Centre will continue to be the main focus for shopping, leisure and services in the Borough. It also has a significant resident population and attracts many tourists. All this activity generates high levels of traffic, much caused by private cars. This high level of car access is convenient for many people but causes considerable problems of congestion and pollution. It also makes the provision of efficient public transport difficult and adds danger to pedestrians. As a result, large sections of the population are disadvantaged in accessing the Town Centre.

15.80 Future development in and around the Town Centre will add to these

problems unless action is taken to reduce the impact of the car whilst at the same time promoting and improving public transport. Restricting unnecessary access to the Inner Core of the Town Centre by motor vehicles, and particularly by car, has been a long-standing objective of the Council and some measures have already been introduced. It is still necessary, however, to cater for service vehicles, buses, emergency vehicles, taxis and the disabled. More extensive pedestrianisation is therefore unlikely to be feasible.

15.81 Further traffic management initiatives – such as better public transport, improved facilities for cyclists, a safer environment for pedestrians – can, however, be introduced. These measures will help shift the balance away from private-car usage and should also reduce other unnecessary traffic in the Town Centre.

15.82 It is important, however, that any changes do not detract from the historic character and quality of the Town Centre, which is one of its main attractions to both residents and visitors. Special care will therefore be needed in putting schemes into place to ensure that this quality and character is not compromised.

15.83 The Council, in conjunction with the County Council, has produced and adopted as Council policy in July 2001 “Colchester’s New Transport Strategy”. This is a detailed strategy recognising the need to contain traffic growth but promoting alternatives to the car. In addition, the Council has adopted the County’s “Vehicle Parking Standards”, August 2001, produced by the County in conjunction with other Essex authorities.

15.84 The Council has also begun to undertake work to improve the environment of the Town Centre, which includes all aspects of traffic management and movement, through its work on the Historic Core Zone.

Access, Parking and Servicing Provision for Town Centre Developments

15.85 As at 2000 there were around 8,000 off-street parking spaces in and around the Town Centre. These are divided roughly equally between “Private Non-Residential” (PNR) and public parking. The provision of public car parking is of greater overall benefit to the town and should be encouraged in locations where it does not compromise safety or cause congestion. Private parking, whilst valuable and convenient to individuals, is of considerably less overall benefit. Preventing the growth of PNR parking, and even reducing it, can have advantages to the town environment and traffic situation.

15.86 Policies are aimed therefore at securing further public car parking for the Town Centre to be principally limited to future retailing and other development and preventing the expansion of, or ideally reducing, the amount of PNR parking within the Town Centre.

Definition of Essential Operational PNR Parking

15.87 It is intended that “essential operational parking” in future developments within the area on the Central Colchester Inset Map shall be defined as provision for servicing (loading/ unloading of commercial vehicles) and/or taxis, with minimum provision for the dropping off and picking up of passengers by car.

Provision of Public Car Parking Within New Developments

15.88 It is recognised that direct on-site public parking provision may not be feasible for new development within the historic Town Centre. Alternative provision in the form of improvements to the public transport infrastructure of the town or expansion or improvements of existing public car parks will therefore be sought. Improvements to cycle access provision and pedestrian access will also be promoted.

15.89 All these aims may be achieved by means of legal agreement, and/or the provision of commuted payments, on grant of planning permission, subject to the tests of reasonableness set out in Circular 1/97. More detailed reference to developer contributions is set out in the Council’s adopted “Vehicle Parking Standards”.

Servicing Provision for Developments

15.90 In addition to parking, providing servicing arrangements can cause considerable difficulties within the Town Centre. The historic streets are unsuited to modern heavy goods vehicles, particularly those servicing large shop units. The Central Core of the Town Centre is already subject to timed servicing arrangements and the two main precincts have the benefit of underground servicing. It is highly unlikely that such arrangements will be practicable for future developments.

15.91 Whilst accepting that adequate servicing arrangements must be provided for new developments, the Council is keen to manage and reduce the impact of such as far as possible on both traffic and the environment. This will be achieved by seeking agreement on further timed servicing arrangements, vehicle routing or limitations on the size of service vehicles, as appropriate.

Cycle, Pedestrian and Disabled Access

15.92 In addition to parking and servicing arrangements, the promotion of access by cycles, pedestrians and the disabled is of prime importance. The Council wishes to redress the balance within the Town Centre in favour of these groups and has already initiated schemes to achieve this objective.

15.93 All new development schemes must provide a pleasant and safe environment

for pedestrians, including the disabled, and should wherever possible provide on-site cycle parking to the adopted standards. Where schemes cannot do so, contributions towards provision elsewhere in the Town Centre on the same basis as for parking and public transport will be sought.

Parking Standards for Housing

15.94 Housing development within the Town Centre is a significant traffic generator. Many older housing areas have little or no on-site parking and provision of parking in new developments to normal standards is often difficult or impossible to achieve. Conversely, the promotion of Town Centre housing is recognised as being socially desirable and also promotes a sustainable environment.

15.95 The Town Centre is an ideal location to reduce parking standards on new developments, and indeed some sites and developments may be suitable for car-free schemes. A number of small schemes have already been approved and developed with reduced standards. Reduction of parking standards will enable better use of land and buildings (where changes of use are involved), make higher-quality schemes more compatible with the historic townscape and promote sustainable travel. Standards to be applied for housing within the Central Area will therefore, in general, be less than the current general standard and are set out in SPG.

TCS15 The elimination of unnecessary motor vehicle movements into and through the Town Centre will be sought whilst maintaining and, where possible, enhancing provision for visitor car parking.

Traffic management measures will be introduced within the Town Centre which seek to:

- **promote pedestrian safety;**
- **provide better access for public transport and cycles;**
- **maintain access for people with disabilities;**
- **maintain adequate provision for servicing access to existing commercial at retail premises;**
- **preserve or enhance the distinctive character and historic quality of the Town Centre Conservation Area.**

TCS16 Dedicated “Private Non-Residential” (PNR) parking for all commercial development within the Central Colchester Inset Map shall be kept to essential operational requirements only (as defined in paragraph 15.87 above).

The redevelopment of existing PNR parking sites will be encouraged.

Commercial development schemes (including changes of use to retail, office and leisure uses) will be required to contribute proportionately towards the provision of measures to assist public transport, cycling and walking and/or public car parking to serve the Town Centre.

In addition, such schemes will make provision for cycle parking and disabled parking to the adopted standards.

TCS17 Servicing arrangements, which minimise the impact of heavy goods traffic on the Town Centre environment, will be sought when permission is granted for retail or commercial schemes.

TCS18 Residential development in the Town Centre will be required to provide minimum off-street car parking but full cycle parking, in accordance with the adopted standards.

HOUSING

15.96 The Central Area contains large areas of residential development around the periphery of the commercial core. Here is some of the oldest housing in the Borough, with large areas of pre-1914 terraces, pockets of inter-war semi-detached

housing and the more recent estates of Castle Gardens and the former Nicholsons Nursery off Priory Street. The Dutch Quarter in the Town Centre provides a unique area for urban living.

15.97 There is now a greater interest in Town Centre living; housing is being improved and new dwellings are being built. Such a location offers the advantages of an attractive historic environment, proximity to Town Centre facilities, employment and public transport. However, land suitable for housing within the Central Area is limited, both by environmental conditions and for financial reasons. Competition for sites from the many other Town Centre functions can make residential development too costly a proposition. In recent years, however, reduction in demand for uses such as offices has meant that sites are becoming available for either redevelopment or changes of use.

15.98 The Plan supports and encourages these recent trends, especially such initiatives as “living over the shop”, the redevelopment of long-vacant office space and other outdated commercial areas. It is also considered important to support residential use by retaining existing housing whenever possible.

15.99 The historic character of the Town Centre places severe constraints on housing layouts, especially in relation to car parking provision and garden space. It is recognised that normal standards may need to be relaxed in developing Town Centre sites and indeed that it may be desirable to achieve suitable densities and quality in the historic core of Colchester.

TCS19 Residential development will be encouraged within the Town Centre on appropriate sites. In particular, specific allocations are shown on the Proposal Map (Central Colchester Inset) and in Table 3.

Changes of use from residential to other uses and the redevelopment of existing residential properties will be resisted.

BUILT ENVIRONMENT/CONSERVATION

15.100 The main historic feature of the Town Centre that is likely to be affected by development is the Town Wall (Roman Wall). Several major development sites, such as Queen Street Bus Station and the Vineyard Regeneration Area, are directly affected by it and many other properties may impact on it. The Town Wall is a Scheduled Ancient Monument and Policy UEA7 in Chapter 6, “Urban Environment

and Archaeology”, sets out a presumption in favour of protecting and preserving such monuments.

15.101 It is vitally important that this unique ancient monument is protected and, whenever possible, enhanced by future development. It is also crucial to protect the setting of the Town Wall, as this forms a major element in its importance to the historic character of the Town Centre.

TCS20 The Town Wall and its setting will be protected and its setting improved. Any development that would adversely affect it will be refused.

COMMUNITY AND LEISURE DEVELOPMENT

15.102 Town centres are now recognised as the proper focus for a wide range of community and leisure uses. They contribute much to its community’s vitality and viability and are accessible to the population as a whole, especially those without cars.

15.103 Improvements to existing leisure and cultural facilities are proposed in the Plan. As an example of this approach, the former Post Office building in Head Street has recently been redeveloped as a multi-screen cinema. Although it is unlikely that demand will be high for any further cinema development, it is still important to ensure that the current policy guidance is maintained. Any future cinema development should accord with the requirements of PPG6 and the sequential test. Detailed criteria are set out in the Adopted SPG and cover the following matters:

- Relationship to Town Centre;
- Car parking;
- Design;
- Public transport access;
- Residential amenity.

15.104 Some types of development requiring very large sites or buildings, such as sports facilities, will be unable to be located in the Town Centre. Most will, however, be able to be accommodated subject to careful siting, design and being of a suitable scale for their surroundings. Care will also be needed to protect the amenities of the town’s many residents.

15.105 A Visual, Music and Arts Centre is no longer to be provided in Trinity Street.

The Council will be investigating alternative proposals elsewhere in the Town Centre and will bring these forward for consideration.

TCS21 Development will be refused where it would prejudice the importance of the Town Centre as the main leisure, tourism and cultural centre for the Borough.

TCS22 The Plan identifies the following proposals for leisure, culture and tourism development in the Town Centre:

- **A multiplex cinema;**
- **Expansion of Mercury Theatre complex;**
- **Improvements to Colchester Arts Centre;**
- **Redevelopment of former Nursery site (Castle Park).**

All schemes will be required to provide the highest architectural standards and, where appropriate, make positive contributions to the character of the Conservation Area.

TCS23 In considering proposals for cinema development, a location which accords with the sequential approach will be required, where maximum benefit would be provided for the future vitality and viability of the Town Centre and a high level of public transport access would be secured.

REGENERATION AREAS

15.106 Within the Central Area there are a number of extensive sites and areas which present complex environmental problems and/or opportunities for major

change. The regeneration of these areas will also be an important element in achieving some of the objectives set out in the Council's Town Centre Vision Strategy. These areas fall broadly into 3 categories:

- (a) Sites surplus to current or future requirements, such as the British Telecom site off West Stockwell Street and St Mary's Hospital.
- (b) Areas with a large proportion of vacant and under-used land and buildings – for example, land off Westway.
- (c) Currently developed sites, which would benefit from regeneration and therefore make a significant contribution to the attraction and development potential of the Central Area. Such areas include Queen Street (Bus Station and surrounding area) and the Vineyard area.

15.107 It is considered that these areas will require a comprehensive approach to their future development. A combination of improvements, conversions and redevelopment is likely to be the long-term solution with a wide range of potential uses. Some of the Regeneration Areas fall within the Town Centre Conservation Area whilst in others there may be important archaeological remains. In such cases, policies in Chapter 6, "Urban Environment and Archaeology", will be relevant, in particular Policy UEA3.

15.108 The Central Area contains seven Regeneration Areas. The Schedule sets out the current situation in each area, together with a list of uses likely to be acceptable in principle. Important site planning criteria are also set out. In addition, for ease of reference, St Andrew's Avenue (Sainsbury's Homebase) is also included here. The Council may wish to define further Regeneration Areas, either as formal alterations to the plan or through SPG.

15.109 Development briefs will be prepared, where appropriate, to give greater guidance on the planning requirements for the areas concerned.

TCS24 The following Regeneration Areas are defined on the Proposals Map:

- 1. St Mary's Hospital**
- 2. Westway**
- 3. Sheepen Road (car park)**

4. Queen Street

5. Vineyard

6. St Andrew's Avenue

7. Cowdray Centre

Within these areas, as defined on the Proposals Map, redevelopment will be promoted so as to:

- **make the best use of the land and property resources of the Central Area;**
- **significantly improve the environment and the overall vitality and viability of the Town Centre.**

15.110 There are three further Regeneration Areas: those at Wivenhoe and Rowhedge, set out in Chapter 4, Policy CE8; and the Garrison Regeneration Area set out in Chapter 17, Policy G1.

Table 6: Schedule of Regeneration Areas

No.	Location and Size (HA)	Current Status	Proposals - main land-use and site development criteria
Group 1. Buildings vacant and/or surplus to requirements			
1.	(a) St Mary's Hospital off Balcerne Hill 3.2Ha	St. Mary's Site - large former hospital with substantial buildings on edge of town centre. Terraced levels sloping steeply to north. Existing access of Balcerne Hill. Substantial Edwardian housing to north of site. Planning Consent for shopping and housing redevelopment (not yet commenced)	St Mary's site - should the current scheme not proceed, the site should be redeveloped for mainly housing use. Other compatible uses will be considered as minor elements of a housing scheme. Detailed requirements for access and design matters will be set out in the revised Supplementary Planning Guidance
Group 2. Vacant/Under-used Sites			
2.	Land of	Largely vacant site partly	Large flat site close to edge of town

	<p>Westway 2.59Ha</p>	<p>occupied by temporary car park and office building.</p> <p>Double frontage to River Colne and Westway.</p>	<p>centre. Important "gateway" to town centre and to setting of River Colne. Vehicle access could be provided via Sheepen Place or Westway depending on use and site layout. This site could be suitable for a number of different uses or a mix of uses.</p> <p>Preferred Uses are:- Residential Offices (R & D), Company HQ, etc) Large scale leisure - such as cinema [in accordance with the sequential approach of Policy TCS1(ii)], health/fitness and/or hotel A3 uses are only acceptable provided they are ancillary in both scale and form to the main uses within any scheme and relate well in terms of design to the riverside location</p> <p>Unacceptable uses are:- A1 retail (including retail warehousing) Industry</p> <p>Development Criteria A Transport Impact Assessment will be required. Alternative forms of public transport must be provided as part of any commercial redevelopment and a financial contribution to assist in the provision of alternative transport provision will be sought in accordance with Circular 1/97. Particular care will be needed in relation to scale and design of buildings to both the River Colne and Westway frontages. Public footway access to the riverside will be provided in any</p>
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			scheme.
Group 3. Sites for Regeneration			
3.	Car park site off Sheepen Road / Westway, 0.70Ha	Open surface public car and HGV Park	<p>Important "Gateway" site to the town centre.</p> <p>Land Uses The site is allocated for bulky goods retailing. Uses such as petrol station and drive-thru not be acceptable, on traffic grounds.</p> <p>Development Criteria Develop for retail warehousing is subject to the provision of a high quality design suitable for this prominent site. A standard design approach is unlikely to be acceptable. Future development dependent upon relocation of HGV park. Transport Impact Assessment will be required.</p>
4.	Queen Street Bus Station and land/property adjacent between East Hill, Queen Street and Priory Street, 3.93Ha	Town Bus Station - boarded by office/retail development, the Town wall, many listed buildings and private open space. Area also has important archaeological remains	<p>A substantial and complex town centre area, this site presents the best opportunity for major town centre development in Colchester. Comparison retail will be the dominant use, but other compatible uses will be required to provide for an overall mix.</p> <p>Main planning objectives Development of comparison retail floorspace in the region of 41800 sq.m gross incorporating a mix of other compatible ancillary uses. (e.g. leisure, restaurant, creche, office suites). It should be noted that this site is considered the major strategic retail location for the borough, and, given the strategic nature of shopping centre developments, it is appropriate to</p>

			<p>have regard to the longer term. The projected floorspace is therefore intended to cover the whole plan period, and to facilitate the provision of a large anchor department store.</p> <ul style="list-style-type: none"> • Provision of an enhanced bus station • Regeneration/redevelopment of Queen Street frontage buildings • Retention/enhancement of Listed Buildings and Town Wall • Enhancement of Conservation Area by scale and design of new development • Minimisation of traffic generation and on-site parking provision • Preservation and/or recording of Archaeological remains <p>Note 1: Detailed criteria for this site are set out in Revised SPG.</p> <p>Note 2: Floorspace figures are guidelines, not targets, and will be subject to site constraints and the other planning objectives.</p>
5.	Vineyard car park/Market site and property adjacent off Osborne Street, 1.24Ha	<p>Open surface public car park and market with a mix of small scale retail/service uses adjacent.</p> <p>Abuts Town Wall and main retail area of town centre with pedestrian access via lift</p>	<p>The redevelopment/upgrading of this area would be a significant contribution to this sector of the town centre.</p> <p>The market area would benefit from an additional attraction to complement that use either on the market site itself or to include adjacent property.</p>

			<p>The treatment of any development in relation to the town wall will be a significant element of any scheme. Development must be small scale and complement the setting of the Town Wall and Conservation Area.</p> <p>Uses should be a mix to complement the town centre and the enhanced market, to include small scale retail (as identified in the shopping study), leisure, restaurants/cafes, offices and community facilities. Disabled parking and access should be included in any scheme.</p> <p>Note: Detailed criteria on the development of this area will be given in a revised development brief to be adopted as Supplementary Planning Guidance.</p>
6.	Sainsbury's Homebase, St Andrew's Avenue, 1.12Ha	Existing DIY store which is likely to become vacant within the plan period.	<p>This is a substantial modern retail warehouse development within the suburbs of Colchester. Would continue to provide high quality bulky goods floorspace even if existing occupier relocates.</p> <p>Site should be retained for bulky goods provision, therefore non-bulky retail use will not be allowed.</p>
7.	Cowdray Centre site off Cowdray Avenue, 10.22Ha	Former factory site, converted in early 1980's to small business units with new buildings for a range of commercial, industrial, service and retail uses. Existing retail warehouse (DIY) use to be relocated to Hythe.	<p>Site would benefit from redevelopment/ upgrading to bring up to modern development standards, and provide the opportunity for alternative uses.</p> <p>Land Uses Site proposed for major contribution to provision of new bulky goods retailing floorspace. Estimated capacity up to 6700 sq.m (72300 sq.ft.) gross. All retail proposals will</p>

			<p>be judged against policy TCS10. Redevelopment will include substantial provision of small to medium sized business units. Leisure uses will only be allowed where they comply with policy EMP1 and TCS21. Cinema developments will not be allowed.</p> <p>Development Criteria A master plan will be required to be submitted with any application, setting out how the proposed redevelopment will deal with;</p> <ul style="list-style-type: none"> • Transport and access arrangements and overall transport impact, including specifically enhanced public transport provision, and access to and impact on, Cowdray Ave. • The provision of the proposed retail floorspace • The provision of business units • Other proposed uses • Any phasing requirements • The impact proposals on residential amenity • Design and townscape matters <p>Any consents granted will be based upon the provisions of the Master Plan.</p>
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Table 7: Shopping Allocations

DESIGNATION	LOCATION
Sub-Regional Centre	Colchester Town Centre
Rural and District Centres	Tiptree; Wivenhoe; West Mersea

Local Centres	As shown on Proposals Map
Free-standing Food Superstores	As shown on Proposals Map
Retail Warehousing (bulky goods)	Tollgate, Turner Rise, Colne View (Cowdray Avenue), Sheepen Road (Regeneration Area 3), St Andrew's Avenue (Glynn Webb).
Retail Warehousing (bulky goods, as part of Regeneration Area 7 – see Table 6)	Cowdray Centre (Cowdray Avenue)
Retail Warehousing (comparison goods)	Colchester Retail Park (Sheepen Road)

16. EAST COLCHESTER AND THE HYTHE

Introduction

16.1 This area of Colchester has experienced considerable changes in recent years. In the Hythe area, the commercial port quays have effectively ceased trading (although some associated businesses remain in operation), Phase 1 of the Eastern Approaches Road has been constructed from Greenstead roundabout to Hythe Hill and the remainder of this scheme has been abandoned. A new large Tesco supermarket has also been built.

16.2 Outline planning consent to redevelop the large site of the former Moler Works for a mixed use scheme has been granted. Other developments, mainly residential, have been built, are under construction or have been granted consent.

16.3 Elsewhere redevelopment has taken place in Magdalen Street and a dry waste processing plant is to be constructed at the extreme southern end of the Hythe Quays.

16.4 Despite all this activity, much remains to be done in this area. The commercial harbour will be closed and the future use of the river is uncertain. Many former industrial sites still lie dormant and there are problems of pollution and environmental decay at the Hythe. Through traffic levels remain high and alternative transport options and traffic management measures need to be introduced following the demise of Phase 2 of the Eastern Approaches Road, particularly to help with improving public transport. In this context, the dereliction and under-use of Hythe Station and generally poor bus services need to be addressed.

16.5 The area is also relatively poorly served by local facilities and has significant levels of social deprivation. Local job opportunities are reducing as traditional industries close or move away. There will be a need to ensure a sound future for existing businesses, either within the area or elsewhere in the Borough, and local employment opportunities.

A COMPREHENSIVE PARTNERSHIP STRATEGY

16.6 The Council is determined to promote a comprehensive approach to tackling the issues which cut across most services it provides, involving the wider community.

16.7 A long-term initiative has therefore been commenced, to promote a regeneration strategy for the area in a manner which will be of most benefit both to the local area and the rest of Colchester. A major element of this initiative is a Single

Regeneration Budget (SRB) programme. The programme includes community and health facilities, environmental enhancements and economic initiatives. It is anticipated that a further bid will be made to take the initiative onto the later part of the plan period. A bid has been made under the Urban II programme.

16.8 Another important part of the partnership approach was the adoption of “The Colne Harbour Design Framework” as SPG. This was prepared in conjunction with a wide range of commercial and community interests.

16.9 A much wider initiative, aimed at setting out a future development and management strategy for the whole of the Colne Estuary, is also under way, in conjunction with Tendring District Council and English Nature. An important part of that strategy will be to consider the future potential of the river as a whole for leisure activities, following the closure of the commercial harbour. The results of this study will also help to inform and guide proposals in this Regeneration Area (RA) linked to the SPG and SRB programmes.

16.10 The successful implementation of all these initiatives in a comprehensive and integrated manner is also likely to depend upon the involvement of a range of other external organisations and funding sources, in both the public and private sectors. These could include agencies such as English Partnerships, the East of England Development Agency, English Heritage, English Nature and the Environment Agency, and funding sources such as European programmes and the Heritage Lottery Fund.

16.11 The Council is investigating the potential for, and where appropriate will pursue, such initiatives as joint ventures and development trusts. If necessary, and in the interests of the proper planning of the area, the Council will consider using its compulsory purchase powers to bring development schemes forward to achieve the policy objectives for the area in a comprehensive and integrated manner.

16.12 The main elements of the comprehensive partnership strategy are as follows:

- Continuing to work with the local community, business interests and appropriate outside bodies to achieve common goals;
- An overall regeneration strategy with development options;
- Using the river as a major catalyst for the regeneration strategy;
- Controlling development so as to maximise benefits and deliver the strategy.

16.13 The Local Plan proposals and policies form the main decision making framework of this approach. Indeed they are essential to it, and will be used as the basis of achieving the objectives of the strategy. However, the Design Framework SPG will be particularly valuable in helping to meet the environmental objectives of both the comprehensive strategy and the Local Plan policies and proposals. Detailed

guidance on such matters as design, layout, sustainable development and how community facilities should be provided are included in the SPG.

16.14 The Council recognises that several schemes for important sites have already been granted planning permission. Where detailed schemes have yet to be granted planning permission, or where revised proposals are put forward, the SPG will be used to secure the highest possible standard of development. In addition the Council will seek to secure the community benefits specified in the SPG and SRB Programme as appropriate for such site development by means of legal agreements before any permissions are granted.

16.15 Where it is considered that proposals would or could prejudice the overall strategy, the Local Plan and/or the SPG, these will be refused as being prejudicial to the proper planning of the area.

Objectives

16.16 The Plan's objectives with regard to East Colchester and the Hythe are as follows:

- (a) To ensure that all development in the area contributes positively to the social, economic and environmental regeneration of East Colchester;
- (b) To create a balanced and harmonious mix of uses and environment so as to maximise benefits in the area and Colchester as a whole;
- (c) To make the river and adjoining sites, from East Bridge downwards, the focus for regeneration and environmental enhancement;
- (d) To improve the overall environment of the area by:
 - (i) removing or reducing sources of pollution and contamination;
 - (ii) protecting and enhancing the natural environment;
 - (iii) upgrading the built environment and protecting the historic heritage;
 - (iv) promoting high standards for new development;
 - (v) improving public transport links and reducing traffic congestion where possible;

(vi) promoting regeneration through working and creating partnerships with developers, residents and outside bodies.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

16.17 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal in addition to the following detailed policy guidance.

RIVER COLNE REGENERATION AREA (RA)

- Background

16.18 This area is defined on the Proposals Map to include the larger vacant industrial redevelopment area along the Hythe riverside together with the former commercial quays and part of Distillery Pond Conservation Area. Although it is not included in it, the future redevelopment of the University land north-east of the railway will have a significant impact on the RA. Development within the University (west of Boundary Road) will be expected to contribute to the regeneration of the Hythe (see Chapter 9, “University of Essex and Colchester Institute”).

- Issues, Constraints and Opportunities

16.19 The construction of Phase 1 of the Eastern Approaches Road has improved access to the industrial areas and helped reduce traffic problems in the Conservation Area. It has also helped to improve the appearance of the area near the river. The line of the now- abandoned Phase 2 of the road includes some vacant industrial sites near the railway line. The railway line itself is under-used as a transport link to and from the area, with Hythe Station having become run-down, although the branch to Colchester Town has great scope as a link to the Town Centre.

16.20 The two major development sites are the vacant former Moler Works and gasworks site. Both sites were contaminated by industrial pollutants but the Moler Works has now been cleared. The Gas Board site remains polluted. There are also a number of vacant or run-down sites alongside King Edward Quay and near the Conservation Area. The prospective closure of the port presents both problems and opportunities for the Quay areas and the river itself. Alternative uses, which fit the objectives of the RA, must be found for these sites for economic and environmental reasons. The redevelopment of these “brownfield” sites will also be useful in

reducing development pressure on “greenfield” sites elsewhere.

16.21 The Hythe area has long been the location for traditional industries, many associated with the former port operations. Whilst these uses remain valuable, especially for local employment, they are unlikely to attract the necessary economic and environmental benefits required for the regeneration initiative. Proposals for such types of industry or redevelopment sites are therefore unlikely to be acceptable within the RA.

16.22 The two Conservation Areas provide very contrasting historic environments but both contribute significantly to the overall character of the RA. The Hythe Conservation Area is essentially based on the quality and importance of its historic buildings and townscape. The Distillery Pond Conservation Area has a far more natural character and is also designated as a SINC.

- Planning Agreements

16.23 An essential part of the mechanism for achieving the objectives for the RA will be by legal agreement linked to the granting of planning permission. Permissions granted within the RA will in appropriate circumstances be subject to a legal agreement requiring a proportionate contribution towards the provision of infrastructure and environmental enhancements. The principal areas towards which a contribution may be sought are set out below (paragraphs 16.24-16.29).

16.24 Works to enhance the river environment and create full public access to riverside areas. This will involve the provision of public pedestrian rights of way within development sites fronting the river and would, subject to environmental and feasibility considerations, involve the provision of a structure to retain permanent high water.

16.25 Various methods of achieving permanent high water at the Hythe are being investigated and these may include a half-tide sill or other similar structure. Any structure will be expensive but the overall environmental and economic benefits to the area could be considerable. However, there will be a need for an environmental and feasibility assessment before the project can proceed. Funding would need to be from public/ private partnerships, and it is likely that the bulk would have to be realised from the contributions of development sites within the RA.

16.26 The provision of public access to the riverside has been a long-standing objective of the Council for this area. Schemes will be required to be designed to provide such access in attractive environments with the aim of creating a continuous footpath and cycleway as well as an attractive area for sitting. Agreements will be sought to ensure access in perpetuity.

16.27 Provision of community/social/education facilities in East Colchester will be based on the SRB programme and identified requirements of service providers. The level of contribution will be assessed on a proposal-by-proposal and site-by-site basis. Contributions may be via the provision of contribution to specific facilities “on site” or by contributions towards facilities elsewhere in the area. In particular, given the likely scale of housing provision, a new primary school will be required, funded from development.

16.28 Provision of necessary improvements to transport within and through the area, particularly in relation to improvement to public transport – Schemes or contributions will be based on policies and proposals arising from transportation studies currently being undertaken by the Highway Authority and the Borough Council.

16.29 Environmental enhancements within the RA and adjacent Conservation Areas. These are to be in the form of urban improvements, nature conservation and landscape measures. In particular, measures to enhance the environment of the Hythe and Distillery Pond Conservation Areas and to improve “greenlinks” through the area will be sought. Detailed guidance is set out in the SPG in relation both to individual sites and to the RA as a whole.

- Levels and types of contribution

16.30 It is recognised that levels and types of contribution, whether financial or by direct provision, will vary according to the nature of the development. When assessing the level and type of contribution which will be required from a development, account will be taken of the scale and nature of the proposal, the potential benefits to the strategic objectives, and any additional development costs required from remedial works – such as decontamination – before development can commence. More detailed guidance is set out in the Area Policies (ECH2-ECH6) and the adopted SPG (the Colne Harbour Design Framework). A further document with additional information is available from the Council, elaborating on the planning gain expectations set out in Appendix 2 of the SPG.

DEVELOPMENT IN THE RA – GENERAL

16.31 Mixed-use development– The creation of a suitable balance and mix of appropriate uses in all developments is one of the prime objectives of the policies for the RA, although it is accepted that individual sites may be more suitable for some uses than others. It is not possible nor desirable to specify precisely how each site or area is to be developed. However, it is important to ensure that schemes are truly of mixed use and are not essentially single-use schemes with very minor elements of one or two other uses.

16.32 The plan therefore sets out provisions for achieving a satisfactory overall

balance of uses by limiting the percentage of floorspace of the dominant uses within any scheme, and seeking a balanced range of other suitable uses for the remaining parts of the development. This balance and mix could be provided by developing different parts of the site for different uses, or by using buildings for a range of uses. Detailed guidance on achieving mixes of use within developments is contained in the adopted SPG.

16.33 As part of this requirement to promote mixed use schemes, the following types of development will be required or promoted in the area, subject to the detailed criteria set out in the area Policies ECH2-ECH6 and the adopted SPG:

- Housing– A mix of type, size and tenure;
- Commercial, industrial and offices– A range of size and type of units to provide for both short- and long-term commercial development opportunities. For environmental reasons, Special Industrial uses are not considered compatible with the regeneration objectives for the area;
- Leisure– This range of uses could make major contributions to the regeneration objectives for the RA. Sports-based leisure development – to provide for such facilities as indoor tennis, cricket, and football – requiring large buildings may be suitable on large sites within substantial mixed developments, subject to design/townscape requirements.

Small-scale community-based facilities could complement mixed use schemes throughout the RA. Uses such as cafés, restaurants, galleries and clubs would also complement the objectives of the RA, especially along the riverside. Care will be taken, however, that the overall leisure provision does not prejudice the Town Centre as the main leisure focus of the Borough.

The river itself will provide a major opportunity for leisure use and associated development, which it is intended to promote as far as practicable and environmentally desirable. Developments which, abut the river, will be expected to include provision for such development or indicate how they will contribute towards the promotion of river- based recreation.

- Retail– Planning permission has been granted for a major DIY store on the Moler Works site. To support the Design Framework and to be compatible with the Plans shopping policies, it is proposed that no further major retailing be located on this site or within the RA within the plan period, or unless “need” can be established in the context of government guidance and the main retail policies in the plan. “Major retailing” is defined as that which is likely to have more than local impact, or as defined elsewhere in the Plan.

Local, small-scale shopping facilities would benefit the area and will be encouraged. However, these should be aimed at local shopping trips or linked to water recreation

proposals, with only limited, if any, dedicated car parking provided.

- Community uses– These types of uses will be an important element in achieving the objectives of the RA, particularly with regard to the creation of a balanced community. They will include uses such as community halls, crèches, health centres, education and similar facilities to serve the local area. The SRB programme is pursuing detailed proposals for the provision of these facilities. Development proposals will be expected to show how they would provide or make satisfactory contribution towards them.

16.34 Transport facilities– Improvements to public transport provision and the minimisation of car use are integral elements of the RA objectives. Schemes will be judged on how well these are met. All applications will need to provide a suitably detailed TIA (transport impact assessment) unless a statement is submitted to show, to the satisfaction of the Council, why such an assessment is not required.

The TIA will be required to set out clearly what measures are proposed to deal with the transport impacts of the proposal, and will also be used to assess the type and level of contributions as well as the acceptability of the proposed parking provision.

Specific improvements to public transport facilities may include the provision of a new station either at the University or the present Hythe halt. The provision of an associated park-and-ride facility is also being investigated. In addition, contributions to bus priority measures and towards bus shelters and real-time bus information may be sought. Further proposals and requirements will arise from the East Colchester Corridor Study. Development on the University's Research Park site and adjoining site will be required to contribute towards the provision of the rail halt.

16.35 Car-parking provision– As part of the overall transportation objectives for the area, and to complement the proposed public transport enhancements, the level of car parking provision to developments needs to be kept to a minimum. Within the RA therefore the Council will be seeking a maximum car parking provision at a level consistent with PPG13, below current adopted standards. See Vehicle Parking Standards – August 2001 adopted as SPG.

In this context, this area is considered potentially suitable for car-free housing developments, and these will be encouraged, wherever considered feasible on appropriate sites, or as a smaller part of a comprehensive scheme.

16.36 Urban design– All development within the RA will be expected to be of a good standard of design, paying particular attention to the Hythe and Distillery Pond Conservation Areas and the riverside setting. Further details on urban design, including design codes, are set out in the SPG. Applicants will be expected to submit sufficient information with their proposals to illustrate the design principles adopted

and how these relate to the SPG. These proposals should also show the wider context of the site (as advised in PPG1, Annex A).

ECH1 Development within the RA will be permitted provided it complies with all the relevant key criteria, as set out below:

(a) All developments shall provide for a balanced and integrated mix of uses that are compatible with the comprehensive regeneration objectives for the Hythe and East Colchester as set out in paragraph 16.16. The dominant use on any site or within any comprehensive scheme shall occupy no more than 60% of the proposed floorspace. The remaining floorspace shall provide for a balanced range of uses compatible with the overall objectives of the RA and as set out in the individual area policies.

(b) The proposed uses shall be compatible with the mix of uses set out for each area, or with schemes already granted planning permission or under construction on adjacent or nearby sites.

(c) All developments will be required to be in accord with the criteria set out in the adopted Urban Design SPG.

(d) On sites over 0.5ha, where full details are not submitted with initial applications, site appraisals will be required to show clearly how the proposals will fit with, and contribute towards, the strategic objectives and the criteria set out in the SPG. All subsequent detailed proposals will be required to comply with the approved master plan.

(e) Development of sites fronting the river will be expected to include uses which attract a significant number of people as visitors, residents or workers. Public access to the riverside should be provided so as to create a continuous riverside walkway and cycleway.

(f) Contributions, which should reasonably and fairly relate to the proposed development, will be required from all developments towards the provision of the infrastructure and/or environmental improvements as mentioned above and set out in Table 8. However, these should take into account extraordinary development costs (eg works to decontaminate the site) that might arise from the development. Where contributions have already been made in respect of a particular site, the size and type of those contributions will be taken into account in determining what additional contributions, if any, are required in connection with further phases of development. These contributions will be secured by means of appropriate legal agreements.

(g) All applications for development will be required to include, where appropriate, the following specific information:

(i) Transport Impact Assessment;

(ii) Retail Impact Assessment;

(iii) Environmental Impact Assessment;

(iv) Proposals to provide and/or enhance infrastructure for the community or the environment;

(v) Site analysis and statement of design principles, including how the urban- design codes set out in the SPG will be applied;

(vi) Proposed decontamination measures.

(h) Proposals which it is considered would not support, or would prejudice, the objectives of the RA will be refused.

KEY AREAS WITHIN THE RA

16.37 Within the RA, certain key areas are defined which will make major contributions to its future development. The following policies set out to make clear specific requirements for these areas, particularly with regard to land uses, transport and enhancement measures.

Area 1 – The Former Moler Works Site

16.38 Outline planning consent has been granted for a substantial mixed development on this large (9.5ha) site and detailed consent for a DIY retail warehouse to be occupied by B&Q. The site's development provides the best opportunity within the RA for a scheme of sufficient scale to act as an economic, social and environmental catalyst for the RA and beyond.

The plan is seeking in particular to secure a varied mix and balance of uses, to include housing, business/commercial, specific types of retail (see paragraph 16.33), leisure/ tourist, community and cultural facilities. Retail and leisure uses will be required to comply with the main policies covering these aspects in the Plan (Policies TCS1, TCS2, TCS11 and TCS21).

The plan is seeking to maximise the significant opportunities for environmental enhancements afforded by the riverside location. Uses will therefore be located, and the overall development designed, so as to make the fullest use of this important feature. In particular, the plan seeks to promote uses, which would generate high pedestrian flows along the river frontage, and allow for buildings, which front the river with interesting facades and provide principal pedestrian entrances to the riverside.

The provision of a structure to allow for the retention of water, and thus produce an enhanced visual and commercial environment, will be a major element in the overall upgrading of the Hythe. It would also offer a major attraction for visitors to this specific area, with consequent commercial benefits. The provision of this facility will be subject to further feasibility and environmental impact assessment. This site will be expected to make a substantial contribution to this facility or to other riverside enhancements should the water-retention structure not be either feasible or otherwise acceptable.

This site will also be expected to make contributions to the provision of transport infrastructure improvements for the east Colchester area, as set out in Table 8. In this context, the level of car parking will be kept to a minimum.

The scale and location of this site will make high standards of townscape, landscaping and building design of vital importance. All planning applications will therefore be either fully detailed or will be accompanied by a "master plan" of sufficient detail to allow proper consideration having regard to the requirements of Policies ECH1 and ECH2.

Further specific guidance on environmental and transport criteria/requirements will be set out in the adopted Design Framework SPG and in the East Colchester Corridor Study.

ECH2 Within Area 1, development will be required to provide for a broad and balanced mix of uses, including residential, commercial, industrial, office, leisure and some retail uses. Any development will be required to make a contribution to infrastructure provisions and environmental enhancements as set out in paragraph 16.38.

Area 2: Former gasworks site, Hythe Quay

16.39 This important site links the historic core of the Hythe to the former port area. Development will be required to provide for a mix of uses to include housing, together with small-scale commercial and community facilities to serve local needs, and shall have regard to the character of the site and its setting of the Hythe. Any development would be expected to contribute towards infrastructure and environmental enhancements as set out in paragraphs 16.22-16.29.

ECH3 Within Area 2, development will be required to provide for a mix of uses to include housing, small-scale commercial and community uses, having regard to the character and context of the site, together with a contribution to infrastructure provision and environmental enhancements as set out in para. 16.39.

Area 3: Albany laundry site and adjacent land off Haven Road

16.40 Much of this area is either vacant or underused land or buildings. It is, however, particularly sensitive in that it links the industrial areas off Haven Road with the secluded, natural environment around the Distillery Pond Conservation Area, which is also a SINCE.

The Plan's primary objectives for this area are to:

- optimise the potential for suitable forms of commercial development in the Haven Road area;
- promote the sympathetic re-use of the vacant laundry complex. Uses could

include; residential, offices, community, restaurant, commercial, subject to the main criteria set out below;

- create improved greenlinks around the Distillery Pond Conservation Area;
- enhance the setting and character of the Distillery Pond Conservation Area and the SINC.

Suggested treatment of the area is set out in more detail in the Urban Design SPG.

The main criteria for considering proposals will be:

- to ensure any new uses or buildings on the laundry site enhance and are compatible with the conservation importance of the area;
- to minimise traffic generation, especially to the laundry site, which has poor access;
- to ensure that any commercial development off Haven Road relates in an acceptable way to the conservation/SINC areas;
- to enhance public access on foot and by bike.

Development in this area will be expected to contribute proportionately towards infrastructure provision and environmental enhancements as set out in paragraphs 16.22- 16.29.

ECH4 Within Area 3, development will be required to include a balanced mix of uses subject to the criteria set out in paragraph 16.40 and having regard to the different characteristics and context of the site. Development will be required to make a contribution to infrastructure provision and environmental enhancements, as set out in paragraph 16.40 and to include improved greenlinks around Distillery Pond Conservation Area.

Area 4: the Hythe Conservation Area

16.41 Historically the core of the Hythe Port, this mixed commercial and residential area has been significantly repaired in recent years. A number of the oldest buildings have been repaired and new housing within and nearby has strengthened its residential character. The construction of the new Maudlyn Street as part of the Eastern Approaches Road has also reduced through traffic and enhanced the historic environment; a number of small businesses still operate and contribute both to its character and to the local economy. However, some commercial sites, particularly along the riverside area, would benefit from redevelopment or upgrading,

together with a broader range of environmental enhancements. A Conservation Area appraisal is currently being undertaken.

Generally, the limited development potential within the area will mean that contributions to overall RA objectives will not be feasible. Schemes affecting the riverside will however be expected to provide for the environmental/access benefits as set out in the SPG. In addition, all developments will be expected to comply with the overall SPG objectives in relation to design and townscape as well as the other relevant conservation policies in the plan.

ECH5 Within Area 4, development will be encouraged which will protect or enhance the quality and character of the Conservation Area. Any development must respect the overall character and amenities of the area and comply with the requirements of both the SPG and the relevant conservation policies in the plan.

Area 5: King Edward Quay and adjacent sites

16.42 This area formed the old core of Colchester Port, but commercial use of the quays has now ceased. The surrounding area is a mix of largely small traditional industrial uses but a number of sites are vacant, derelict, or contain unsightly uses which would need to be redeveloped or relocated to promote the overall regeneration objectives. Several sites, such as the former grain silos and warehouses, were directly linked to the port operation and will provide distinct problems or opportunities to be addressed. Particular encouragement will be given to schemes which would ensure the retention and beneficial use of the former grain silos.

Of particular importance will be the relationship of development to the river both in visual and use terms. Small-scale leisure, business and community uses will be preferred, although residential and small-scale retail/service uses (to serve the local area only) may also be acceptable. At present, the quay itself remains public highway. It is likely that its status would need to change to facilitate development along the river frontage, although a public right of way on foot and on bike, at least, would need to be retained.

Redevelopment may be promoted on individual sites, on groups of sites or in a more comprehensive way, but the ultimate result for the whole area must be a mix of uses and character of development compatible with the overall regeneration objectives of the RA.

Developments in this area will be expected to contribute proportionately towards infrastructure and environmental enhancements as set out in paragraphs 16.22-16.29 and in particular towards the Barrage structure or to other riverside enhancements, should the structure not be either feasible or otherwise acceptable.

ECH6 Within Area 5, development will be required to provide for a mix of small-scale leisure, business and community uses, subject to the criteria set out in paragraph 16.42 and a contribution to infrastructure provision and environmental enhancements as set out in paragraph 16.42. Residential and small-scale retail/ service uses can also be provided.

TRANSPORT AND ACCESS

16.43 In addition to complex movement patterns within the area from a wide range of land uses and high-density housing, it also acts as the main through route from the eastern side of Colchester and the Tendring Peninsula into the Town Centre.

16.44 The Eastern Approaches Road Scheme attempted to solve the problem of congestion and delay that this volume of traffic causes. The construction of Phase 1 of the Eastern Approaches Road Scheme resolved the major problem of congestion and delay at the Hythe. The abandonment of Phase 2 means that the still growing traffic from Hythe Hill to St Botolph's needs to be addressed.

16.45 The Council are currently addressing these issues through their East Colchester Corridor Study and will be working closely with the County Council as Highways Authority on this. In addition, studies are being carried out investigating the provision of park-and-ride facility on a town-wide basis and the feasibility of a new station at the Hythe. It is anticipated that this work will identify additional transport improvements that are required. These are likely to include bus priority measures and better footpath and cycle links. Contributions will be sought from private development towards these (see Policy ECH1). A cycle path is currently proposed to link Rowhedge into Colchester following the river. This will complement the existing Wivenhoe Trail.

ECH7 It is proposed that a comprehensive package of public

transport improvements will be provided from St Botolph's to the Hythe to include appropriate traffic management measures in order to facilitate improvements to bus services through the area, to improve conditions for cyclists and pedestrians and to benefit the local environment.

PROTECTING AND ENHANCING THE NATURAL ENVIRONMENT

16.46 Although East Colchester is largely urban, there are important greenlinks providing attractive spaces and wildlife corridors along the upper River Colne. The Upper Colne is also designated as a SINCS and, as such, is protected by Policy CO5. Downstream from the Hythe, the estuary broadens into salt marshes which are designated as a Countryside Conservation Area (Policy CO3), Site of Special Scientific Interest (Policy CO5) and are within the Structure Plan Coastal Protection Belt (Policy CE1). That part of the Hythe marshes owned by the Borough Council will form a part of the proposed Colne Estuary Local Nature Reserve.

16.47 The level of protection effectively precludes virtually all development on the marshes and would have a significant influence on proposals to alter the regime of the river. These areas (especially the SSSI) are particularly valuable for their nationally scarce and otherwise diverse plants. They also support varieties of invertebrates together with breeding and wintering birds. The value of these areas and policies relating to them are set out in detail in Chapter 4, "Coast and Estuaries", and Chapter 10, "Leisure, Recreation and Tourism".

MAGDALEN STREET SPECIAL POLICY AREA

16.48 The various proposals for the Eastern Approaches Road blighted this area for many years. A number of recent developments, such as housing and the Foyer Project, together with the abandonment of the road, have begun the process of regeneration.

16.49 The Plan seeks to continue these initiatives by consolidating and extending the residential area to the north of Magdalen Street and retaining the mix of small-scale commercial and local service uses elsewhere. The area is relatively poorly served by local shops, although the Town Centre is fairly convenient. New shopping of a type and scale to serve the local area would therefore be beneficial, although care will need to be exercised to minimise traffic generation. This could include food retailing, but within a local "walking distance" catchment only.

16.50 One of the main issues in this area is the high volume of through traffic, which is likely to continue to grow in the future. Measures are being investigated, as part of

the overall Eastern Corridor Transport Study, to reduce car traffic and promote public transport and walking and cycling through the area. This is important in both transport and environmental terms, especially as the amount of housing in the area grows. New developments should therefore produce the minimum amount of car traffic and maximise the potential for public transport use, cycling and walking.

16.51 A development brief has been adopted as SPG, which sets out in more detail the locational, design, townscape and transport criteria, which will be applied to proposals.

ECH8 To the north of Magdalen Street, housing areas will be extended and consolidated, but other small-scale uses will be permitted provided they are compatible with the overall housing proposals.

Development shall be in accord with the more detailed criteria set out in the adopted SPG.

ECH9 New development on the south side of Magdalen Street shall continue the existing mix of commercial, industrial, service and retail uses. Proposals must not adversely affect the amenity of neighbouring housing areas.

ECH10 Any retail development proposed within Special Policy Area C shall:

(a) be of a scale to serve the local area only;

(b) not prejudice other nearby local shopping centres at St Botolph's, Military Road and Barrack Street.

WILSON MARRIAGE CENTRE AND PAXMAN'S SOCIAL CLUB

16.52 Both these premises have contributed to community provision in the area, although Paxmans' Social Club's more limited role in this regard has now ceased. Housing is regarded as an acceptable use for that site, but in view of its past role, prospective developers should be reminded that they would be expected to contribute towards community facilities to accord at the very least with the requirements of Policy CF1. The precise level of this contribution would be a matter for the parties concerned. The Wilson Marriage Centre should be retained in community use; the old School Board buildings of the Centre are listed and are of local historic value.

ECH11 The Wilson Marriage Centre shall remain in community use unless it can be demonstrated that the premises have to be put to an alternative use as a means of preserving the fabric or integrity of the listed building on the site. The change of use or redevelopment of Paxman's Social Club to residential use will be permitted subject to the provision of contributions towards the provision of community facilities within the Regeneration Area being made at least equivalent to those set out in Policy CF1.

Table 8: East Colchester Regeneration

Infrastructure

Transport

- University station
- Bus Priority measures
- Bus stops with linked real-time bus information
- Provision for cycling and pedestrians, including 3 river crossings
- Other measures identified by East Colchester Corridor Study

River Enhancement

- Water-retention structure
- Repairs to river walls
- Dredging and cleaning

- Riverside walk and cycleway

Environmental Enhancements

- Undergrounding electricity cables
- Improvements to physical environment
- Public art

Social Infrastructure

- Affordable housing
- Primary school
- Children's nursery

Maritime History

- Essex Estuaries Centre

Leisure

- Open space and children's play equipment within housing areas
- Additional moorings and mooring basin

General

- Project Information Office

Note: The projects set out above form part of the comprehensive regeneration scheme. In a number of instances, further feasibility work is required. In addition, current studies may identify further projects.

17. COLCHESTER GARRISON

Introduction

17.1 The Ministry of Defence owns substantial areas of land within Colchester Borough. The Garrison area extends from virtually the Town Centre down to the coast and the training areas at Fingringhoe and Friday Woods. There are also the ranges at Middlewick. The MoD's presence within the Borough is a substantial benefit to the local economy. Because large tracts of land are used for training but otherwise left undisturbed, there are also significant benefits in terms of nature conservation, landscape and informal recreation.

17.2 There has been substantial re-provisioning within the Garrison area in recent years, in part in response to an exercise called "Options For Change". As a result the MoD is pursuing a Private Finance Initiative (PFI) scheme, which will involve major redevelopment of the Garrison area.

17.3 This major scheme will involve the development of a new garrison south of Abbey Fields thus releasing a substantial area of land for re-development. The effect will be a restructuring of a major part of the urban fabric of south Colchester and will have impacts across the Borough.

Objectives

17.4 The Plan's objectives for the Colchester Garrison are:

- (a) To work with the Ministry of Defence to ensure that the Garrison makes the maximum contribution to the area's economy, whilst safeguarding landscape, nature conservation, archaeological and historical heritage interests.
- (b) To provide continuous greenlinks from Berechurch Hall Road through to Abbey Fields and east-west from Layer Road toward the cemetery (see Policy UEA 14).
- (c) To make optimum use of land declared surplus for Ministry of Defence purposes, bearing in mind other policies in the Local Plan.
- (d) To support the remodelling of the Garrison area for defence purposes, subject to suitable safeguards.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

17.5 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal, in addition to the following detailed policy guidance.

GARRISON REGENERATION AREA (RA)

17.6 The area affected by the PFI is shown as an RA on the Proposals Map. The Plan provides for major redevelopment of the Garrison area to include new military facilities with significant land released for other development. Because of the time over which redevelopment will take place and the nature and timing of the PFI process, it is acknowledged that there needs to be some flexibility over the manner and type of development.

17.7 However, it is important that the plan gives as much certainty as possible in order to provide a clear framework to guide development. It is also important that the local community is aware of what is proposed and has an adequate opportunity to comment.

17.8 Five broad development areas are identified on the Proposals Map within the RA, as follows:

(a) Hyderabad and Meanee Barracks

This area is proposed for predominantly residential development. Being close to the services and jobs within the Town Centre, the opportunity exists to explore less car-dependent forms of development, including possibly car-free development.

(b) Flagstaff House and Land Adjoining

The Scheduled Ancient Monument based on St John's Abbey has been extended to include part of this area. There are a number of attractive buildings on the site, which should be retained. Scope exists for conversion/new development for a mix of residential, offices or workshops. It is proposed to extend the St John's Conservation Area to encompass this area. However, conversion for workshop use will be appropriate only where this does not lead to the loss of the historic character of the buildings themselves or their setting.

(c) Cavalry and Le Cateau Barracks

This is proposed for predominantly residential development. As with Hyderabad and Meanee Barracks, the site is close to services and jobs within the Town Centre and again the opportunity exists to explore less car-dependent forms of development. Six of the existing Victorian Garrison buildings have been listed and imaginative conversions to new uses will be required. It is proposed to designate a Conservation Area based on these buildings.

(d) Central Section West of Berechurch Road and South of Abbey Fields

It is anticipated this will be redeveloped for predominantly Garrison purposes. However, if there is surplus land then residential development would be acceptable.

(e) Southern Section East of Berechurch Road

It is anticipated that this area will be redeveloped/developed for a combination of Garrison and predominantly residential development. Some scope exists for employment development in this area which is furthest from the Town Centre. It is proposed that the wedge of open land immediately to the east of Berechurch Road should remain as predominantly open land uses, which could include recreational use. The existing cemetery will require an extension within the plan period, with the precise site defined in the master plan (see also Policy CF10). The extension is not proposed as part of the Garrison development itself but is required to serve the needs of the Borough.

17.9 In addition to the above development areas, two other areas need to be mentioned:

(f) Garrison Church

The building is to be retained but it is inevitable that a new use will have to be found. This will have to be appropriate to its listed status and the surrounding residential neighbourhoods.

(g) Abbey Fields

This is an extremely important and attractive landscaped open area, which, it is proposed, should remain so. It also forms an important element of the north-south greenlink through the Garrison. In the redeveloped Garrison area, whether it is military or civilian development immediately to the south, Abbey Fields will be an

important focal point for the new development and a recreational asset for the wider area.

(h) Although most of the new development is envisaged as being for residential purposes, it will be important to ensure that other uses are provided to create proper neighbourhoods, including the provision of local shopping facilities. The final residential capacity of the RA has not been determined. At this time, the planning authority envisage that 1600 units will be built in the period to 2011. However, it is recognised that there is a need – in accordance with the “plan, monitor and manage” approach – to keep this under review. The Council will liaise with the PFI consortium or their successors as the site is developed, as part of the Council’s annual monitoring of housing development, and will agree to an increase in numbers before 2011, should this be required, in particular to achieve Structure Plan housing provision.

Because of the complexity of the development, the release of any land will be conditional on the prior agreement of a master plan between the Council and the MoD’s chosen consortium. The master plan will form part of a S106 Agreement.

G1 The Garrison Regeneration Area is defined on the Proposals Map. Development will proceed in accordance with an agreed master plan, to be secured via a Section 106 Agreement, and will include the following:

(a) An overall concept for the development which takes on board the principles of sustainable development, including giving priority to non-car modes of transport, setting out the design principles;

(b) An indication of the areas for development and the types of development proposed, expected to be broadly as set out in paragraphs (a) to (g) above, including an indicative layout for the RA;

(c) Phasing in respect of development, particularly residential development;

(d) Identification of community and transport

infrastructure that will be required to support the development both on-site and off-site in full and which the developer will be expected to provide. The provision of infrastructure and the release of land for development will be linked to ensure that services are available as soon as possible for when they are required. The development will be expected to provide for all its costs in line with the principles in Circular 1/97;

(e) The identification of a north-south greenlink (incorporating Abbey Fields and the land to the east of Berechurch Road) and east-west link from Layer Road towards Colchester Cemetery. These are indicated in diagrammatic form on the Proposals Map and will be laid out in line with the principles set out in Chapter 6, “Urban Environment and Archaeology” (see Policy UEA 14);

(f) A mechanism for monitoring and reviewing the master plan, including the numbers of dwellings to be built.

INFORMAL COUNTRYSIDE RECREATION

17.10 Large areas of MoD land are used for informal recreation when not required for training purposes. The value of these is referred to in Chapter 10, “Leisure, Recreation and Tourism” (see Policy L13).

18. MILE END

Introduction

18.1 Mile End was identified in the last Adopted Plan for major residential retail and employment development. Substantial improvements in existing transport infrastructure were required to serve this development and to improve the areas environment. In addition, the Plan sought to protect existing areas of open land which contribute to the character, setting and visual amenity of Colchester. An extension to the Country Park was also proposed.

18.2 As a result of lower than expected employment land take-up rates, difficulties in both the residential and commercial property markets and the complexity of (and the controversy surrounding) the infrastructure arrangements required, development has proceeded more slowly than anticipated.

18.3 Nevertheless, development of Turner Rise is largely complete and the associated transport improvements (which represented the first phase of the Northern Approaches Transport Strategy) are complete. Planning permission has recently been secured for an enhanced second phase of development and infrastructure which will deliver real benefits to the local environment and fit well with the principles of sustainable development. Part of the Country Park extension has been secured by the Council and the whole is being managed as a country park.

18.4 The new plan proposes to complete and extend the development programme already commenced, releasing further land for residential and employment purposes, but at the same time enhancing protection for the areas environment and continuing to link development to the provision of the necessary community and transport infrastructure.

Objectives

18.5 The Plan's objectives for Mile End are as follows:

- (a) To improve transport conditions in the area and to secure appropriate transport provision prior to the release of additional housing and employment sites;
- (b) To safeguard and enhance those areas of open land which contribute to the character, setting and visual amenity of Colchester;
- (c) To release land for housing and employment purposes in appropriate locations and subject to suitable safeguards as a

contribution towards the Borough's Regional, County and Local requirements.

Policies and Proposals

DEVELOPMENT CONTROL CONSIDERATIONS

18.6 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal in addition to the following detailed policy guidance.

Infrastructure and Development

18.7 Further development in Mile End, including that recently granted planning permission at the former Myland Hospital and west of the District General Hospital, is dependent upon the provision of community and transport infrastructure. The Council sees the proposed development in Mile End as a major restructuring of the area, equivalent in scale to the proposed redevelopment of the Garrison. It is therefore essential that new development comes forward only when the necessary infrastructure has been secured and is provided when needed. The Council will seek to secure this infrastructure through entering into S106 Agreements (see Table 3 for further details).

18.8 It is also important that a comprehensive approach to the whole area is taken, and therefore benefits may be secured from the development of any one site, which will be applied elsewhere within Mile End. A particular example is the "transfer" of part of the open space provision from some major housing sites towards the extension of the Country Park. This approach rolls forward that set out in the 1995 Adopted Plan and which has been accepted by the Secretary of State in respect of the recent permission for housing land west of the District General Hospital and on the former Myland Hospital site.

18.9 The 1995 Adopted Plan's strategy was a three-stage approach of linking parcels of development to transport improvements, which together would create the Northern Approaches Road. Following the advice in PPG13, the transport approach was widened to give much greater weight to public transport, cycling and walking. The purpose of the Northern Approaches Scheme is, therefore:

- (i) to facilitate access to major new residential and industrial development in Mile End;
- (ii) to take traffic pressures off the predominantly residential Mile End

and Turner Roads, thus giving more road space and opportunities to non-car modes on those streets;

(iii) to provide for express bus services between North Colchester, Colchester Station and the Town Centre (in part on a segregated bus track).

18.10 It is considered that the underlying principles behind this approach are sound. They need to be re-stated as the Plan is rolled forward but updated in the light of the recent planning permission for an enhanced Phase 2 and new allocations in the Plan for residential development at Turner Village and Severalls Hospital. In addition, the 1984 Adopted Plan did not make provision for improvements to Station Way (which was within the 1984 Adopted Central Area Plan). The 2004 Adopted Plan looks at not just improving transport provision within Mile End but also links from the area to the Town Centre, including Station Way.

ME1 None of the allocated employment and housing sites in Mile End will be granted planning permission in advance of improvements to community and transport infrastructure being secured as set out in Table 3 and as specified hereunder respectively:

(a) Planning permission for residential development at Myland Hospital and west of the District General Hospital (Sites 1 and 2 in Table 3) will not be granted until a scheme of improvements for bus, cycle and pedestrian routes and roads to serve the new development between Turner Rise and Nayland Road has been agreed, including buses to serve the new development, and the necessary funding secured. Development of these sites will thereafter be linked to the carrying out of the transport improvements, such that the improvements and development will proceed in accordance with an agreed programme with the developers involved.

(b) Planning permission for the Cuckoo Farm (south of the A12) Employment Zone and the Severalls Hospital residential allocations will not be granted (with the exception of the development of land referred to in (c)

below) until the above scheme has commenced and additional measures to improve transport provision in the area and to serve the development have been secured, similar to those set out in (a) above and including securing the provision of the A12 junction and provision for an express bus way to serve the proposed community sports stadium.

In particular, permission will not be granted for Cuckoo Farm (south of the A12) until a contribution to the provision of a junction on the A12, as shown on the Proposals Map, and an east-west link from the junction to Severalls Lane and traffic calming in Mill Road have been secured. In the case of the development of Severalls Hospital, the provision of an express busway along land reserved for that purpose (under application COL/97/0221) and a road and bus link from the A12 junction across the development site to the road approved under COL/97/0221 and a contribution to the A12 junction will need to be secured before planning permission is granted.

(c) Part of the eastern end of Cuckoo Farm (south of the A12) may be released in advance of securing the improvements referred to in (a) and (b) above, subject to the completion of a Traffic Impact Assessment, an agreement to implement any improvements identified on site and off site and a contribution to the east-west link has been made.

(d) As regards windfall sites of 10 or more units of residential accommodation or non-residential use of an equivalent traffic generation, these will not be granted planning permission until any necessary transport and community infrastructure provision commensurate with the scale of the development is secured.

High Woods Country Park

18.11 Although the existing Country Park is a substantial area of open space, there is a danger that, as further built development proceeds in Mile End, it will become

increasingly hemmed in. The Council therefore considers that there is merit in increasing its size and is managing its own land within the proposed extension accordingly. To advance this aim, the standard requirement that 10% of major housing developments be allocated for open space will be entirely or partially suspended in the case of Turner Village, the former Myland Hospital site and land west of the District General Hospital. (See Table 3 for details.) These allocations will be “transferred” to benefit the Country Park extension.

ME2 Land between Mill Road and Brinkley Grove will be allocated as an extension to the High Woods Country Park.

Colchester United Football Club

18.12 Provision is made for a new community sports stadium to house Colchester United Football Club within the Cuckoo Farm (south of the A12) Employment Zone. The facility will be dependent upon securing a junction to the A12 (see also Policies L17 and ME1).

Cuckoo Farm (South of the A12) Employment Zone

18.13 The release of this site will provide a major boost to the availability of employment land in Colchester. Its release is, however, dependent upon:

- (a) provision of infrastructure (see Policy ME1);
- (b) provision of a landscaped buffer along the A12 to help create an environment that will attract investors. Landscaping will also be required along the main east-west road links, but this can be within site curtilages;
- (c) reservation of land for a strategic lorry park, possibly associated with a petrol filling station and ancillary facilities;
- (d) landscape edge to Boxted Road.

18.14 The Council has prepared a master plan as SPG to guide the site’s future development, linked to that for Severalls Hospital. A park-and-ride is also being promoted within the site linked to which the Council will be pursuing the provision of Travel Plans with future occupiers of the development (see Policy T3).

Severalls Hospital

18.15 This site is proposed for a mix of uses including some continuing health provision (see Policy H1 and Table 2) with development predominantly for residential purposes. Development will be spread over two plan periods. In developing the site, the Council will expect existing landscape features of importance to be retained as far as possible. A large number of the trees within the site are covered by a Tree Preservation Order.

18.16 Release of the site should be preceded by the preparation of a master plan showing the range of uses, how existing features are to be retained and the phasing of development.

Tower Lane

18.17 Tower Lane runs between Severalls Hospital and Cuckoo Farm (south of the A12). It is widely used as a pleasant route for walkers, cyclists and horse riders. It is important that the route is retained as a greenlink (see Policy UEA14) between the employment and predominantly residential areas to the north and south of it. It is also important that the connection between the High Woods Country Park and Tower Lane is reinforced as part of the development of Severalls Hospital. This will need to be addressed in the master plan for the site referred to above.

19. STANWAY

Introduction

19.1 Stanway was proposed in the previously Adopted Plan (January 1995) for significant housing and employment development. These proposals were related to extensions to, and improvements of, the highway infrastructure on the west side of Stanway. It was also proposed to secure additional recreational facilities and to safeguard the open countryside to the west of Stanway. There were also particular issues in respect of land along the south side of London Road and at Stanway Green.

19.2 However, the previously Adopted Plan's principal proposals for the allocated development areas north and south of London Road at Tollgate have been slow to come to fruition, and have generally been rolled forward into this Plan. These proposals have been partly reduced in their scope by a recent small loss of land (0.77ha) zoned for employment purposes to non-food retail on the western edge of the Retail Warehouse Park.

Objectives

19.3 The Plan's objectives for Stanway are as follows:

- (a) To ensure that adequate transport infrastructure and public transport service improvements have been secured before land is released for new development;
- (b) To release land for housing and employment purposes in Stanway as a necessary element of the Borough's contribution to regional and county requirements;
- (c) To provide for additional recreational activities of an appropriate scale and nature on areas of former and current mineral workings or on adjoining land, relating such leisure provision to any emerging proposals for the Gosbecks Archaeological Park;
- (d) To restrict the spread of development into the open countryside on Stanway's southern and western side beyond the currently or proposed built up areas, and to retain a clear edge to the urban area;
- (e) To protect the traditional character of the historic parts of Stanway, in particular St Albrights, Stanway Green and the area of the Parish between the Roman River and St Albrights Church.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

19.4 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal in addition to the following detailed policy guidance.

SOUTH SIDE OF LONDON ROAD

19.5 The frontage to London Road covered by this policy extends from New Farm Road almost to Millers Lane, as indicated on the Colchester Inset Map. The general aim of the policy is to ensure that:

- (a) the existing balance of residential to non-residential uses is generally maintained in this area;
- (b) residential uses closely hemmed in by commercial uses, and consequently suffering a serious loss of amenity, can be removed and replaced by a non-residential use if the opportunity arises;
- (c) residential or non-residential backland sites are generally redeveloped for residential purposes in suitable circumstances and as opportunities arise;
- (d) existing or alternative replacement commercial uses at existing commercial sites are allowed to flourish. The word commercial used in this policy is defined as meaning “the range of retail, industrial, warehousing and office uses found in these types of Mixed Use Areas, but also including leisure or community uses”.

19.6 In addition, St Albrights Old Person’s Home has been put to use as County Council offices, and is due to be the subject of an enhancement scheme, respecting its status and setting as a listed building.

STA1 In considering proposals for development in the area on the south side of London Road, the Borough Council will:

(a) seek to retain existing residential development, except where, in its view, the continued use of the premises for residential purposes is unsatisfactory on environmental grounds;

(b) encourage the redevelopment of sites for residential purposes where opportunities arise;

(c) permit the expansion or redevelopment of existing commercial uses within their existing curtilages, or the change of use of those sites to alternative commercial, community or leisure uses, subject to there being no detriment to residential amenity.

LAND BETWEEN ESSEX YEOMANRY WAY AND SOUTH OF CHURCH LANE

19.7 This area is the location for major allocations of land for housing (28.89ha), employment (18.92ha) and recreational (28.69ha) purposes. Much of this land can be released only for development when firm commitments to the implementation of a Western Bypass have been secured by the Council through a legal agreement. These allocations were included as key development proposals for Stanway in the Adopted Review Colchester Borough Local Plan (January 1995), and are set out again on the Colchester Inset Plan.

19.8 However, progress with the implementation of these proposals over the intervening three and a half years has been slow and very limited as below;

(a) **Residential element:** The first phase of housing (200 units out of a total of 500 units' capacity) is currently under construction south of Church Lane. However, detailed planning permission has yet to be sought by the landowner/developer for Phase 2.

(b) **Employment element:** Different parts of the designated employment zone have recently been, and currently are, the subject of a series of proposals for non-food retail, leisure and as employment uses. However, for a variety of reasons, most of these proposals have so far fallen at the stage of seeking planning permission or have otherwise not been implemented. The exception to this has been the addition of a small element of non-food retail (0.77ha) on the western edge of the Retail Warehouse Park at the expense of employment uses.

(c) **Leisure element:** The designated recreational area south of

Church Lane. Because of this area's links with other potential leisure land to the south, its future is considered further in paragraph 19.10 below.

(d) **Western Bypass:** The benefits of this scheme are set out below in relation to the limited scope to improve the Tollgate roundabout, because of the restricted availability of land.

(i) To facilitate access to major new residential, industrial and leisure development in Stanway between Essex Yeomanry Way, Warren Lane and Maldon Road;

(ii) To relieve traffic pressures on existing main distributor roads further into the centre of Stanway;

(iii) To provide for the needs of those not travelling by car, especially those using the bus or cycling (in conjunction with the Warren Lane Improvements Scheme).

It has always been a firm premise that this major road scheme would be financed and implemented entirely by the private sector. This principle has been the source of one continuing complication in achieving implementation: the land needed for the road is split into different ownerships. At the present time, the southern section of the Bypass (Warren Lane to the northern boundary of O & H Holdings Ltd) has been secured for implementation via a S106 agreement, although the construction details have yet to be finalised, while the northern section (from O & H Holdings Ltd's northern boundary to Essex Yeomanry Way) is still being negotiated between the landowners, the Borough and County Councils.

19.9 While progress in bringing these proposals to the stage of implementation has been very restricted to date, the housing and employment land use allocations involved make an essential contribution to meeting District needs and Structure Plan requirements, and are therefore rolled forward into the present Plan. Similarly, the Western Bypass scheme is regarded by all the key partners (Borough Council, County Highway Authority and the two principal landowners) as an equally vital element in helping to cope with the traffic generated by these allocations. In this regard, the Borough Council and County Highway Authority have jointly accepted that:

(i) the first phase of housing development (where construction has commenced) and the employment land covered by the legal agreement attached to application COL/ 90/1904 (in O & H Holdings Ltd ownership) is not dependent on completion of any part of the Bypass;

(ii) the second phase of housing and any formal outdoor and indoor leisure provision can be commenced when the Western Bypass between Warren Lane and London Road has been secured by legal agreement, unless an interim arrangement for access – acceptable to the Local Planning Authority – is agreed, which secures the benefits identified in paragraph 19.8 (d) (i-iii) and which does not prejudice the objective of securing the whole of the Western Bypass;

(iii) the release of any land for employment purposes north and south of London Road (owned by the D Watts group of companies) can occur only when the entire length of the Western Bypass (Warren Lane to Essex Yeomanry Way) has been secured by legal agreement.

Alternatively, the Council may rely on the imposition of a “Grampian” (ie negatively worded) condition rather than a legal agreement.

STA2 Land between Essex Yeomanry Way and south of Church Lane is allocated for residential and employment uses as shown on the Colchester Inset Map. Release of land will be subject to the provisions of paragraph 19.9 above.

RECREATIONAL ZONE SOUTH OF CHURCH LANE

19.10 There are three separate areas of land between Church Lane and Maldon Road (B1022) that are considered to have substantial potential for recreational uses in the short to longer-term. These are as follows:

(a) **The O & H Holdings Ltd site.** This area of 19.83ha, formerly worked for sand and gravel, has been split by legal agreement between a sub-area for private sector leisure development (7.69ha) and a zone for public recreational use (12.14ha). By legal agreement the housing developer at Church Lane should provide a financial contribution of £325,000 (index-linked) towards the building of a sports hall, community centre or similar facility with associated car parking facilities on 0.8ha of land for the benefit of residents in Stanway and Colchester;

(b) **Tarmac site west of Warren Lane (Bellhouse Pit).** This 58ha site is in active use, partly as the location for Tarmac’s area office, in part for the processing of sand and gravel, but predominantly as a privately

operated County Council waste landfill site. It is likely that these uses will remain active for the next 10-12 years over most of this zone;

(c) **Tarmac site east of Warren Lane (Stanway Hall).** This 81.7ha site is being progressively exploited for its sand and gravel reserves, and the extraction process is due to be completed within 10-12 years.

19.11 The recreational potential of these three sites is recognised by the Council as having an important role in meeting the leisure needs of local residents in Stanway and Colchester. In particular, it would more than fulfil the open space standard of 7 acres (2.83ha) per 1,000 population for Stanway. It would also serve to keep pressures off more sensitive areas of countryside surrounding Stanway/Colchester such as the nearby Roman River Valley.

19.12 There are six important considerations in realising this potential:

(a) While the site at Church Lane is likely to be available in the short term, the two Tarmac sites will in general not be released from their present uses until towards the end of the Plan period;

(b) Proposed improvements to Warren Lane are being implemented as part of a legal agreement tied to the exploitation of the Bellhouse Farm site for sand and gravel. These improvements, together with the completion of the Western Bypass, should provide the basis for better accessibility to the whole of the recreation zone by a variety of transport modes;

(c) The total hectareage of the three sites taken together is more than that of High Woods Country Park, including its extension: 160ha and 152.6ha respectively;

(d) There are other existing or potential attractions which are in close proximity to these three sites, including Colchester Zoo, Gosbecks Archaeological Park and the Roman River Valley itself. Any detailed proposals for the three-site recreational zone will need to recognise and be in harmony with the presence of the Zoo and the Park as an important commercial visitor attraction; the Park as a significant archaeological and informal recreational resource; and the Roman River Valley as an area vulnerable to further visitor pressures;

(e) The possible need for commercial leisure developers to contribute to meeting the costs of the Western Bypass scheme, depending on the timing of any such development and the traffic thereby generated;

(f) An ecological assessment will be required as part of the formulation of proposals to ensure that any nature conservation interests are accounted for.

19.13 The Council's general view is that there is scope within the Church Lane/Maldon Road leisure area for a balanced mix of informal and more formal outdoor leisure activities, including a possible commercial element such as a hotel or country club. It is proposed that the informal component should predominate, and should include water-based activities and a nature conservation element. Any formal indoor and outdoor leisure element will be limited in extent and be closely related to the housing and employment land allocations north and south of Church Lane, so as to keep built recreational development out of the more open countryside, including the Area of Strategic Open Land (see below). However, more detailed proposals can be formulated only following consultation with relevant interests, including the two principal landowners, the County Council and Stanway Parish Council.

STA3 Land between Church Lane and Maldon Road, including Stanway Hall Farm and Bellhouse Pit, is generally designated as an area for informal and formal outdoor leisure uses, as shown on the Colchester Inset Plan (CL). Any formal indoor and outdoor leisure provision will be limited in extent, and closely related to allocated employment and housing areas at Church Lane.

PEARTREE ROAD MIXED USE AREA

19.14 The Peartree Road area is characterised by a mixture of retail, office and industrial uses. It is considered to be no longer appropriate to allocate the area as Employment Zone.

19.15 It is recognised that both the food and non-food retail outlets at Peartree Road serve a sizeable catchment area within and beyond south-west Colchester. However, any expansion of retail uses here has to be balanced by the need to safeguard the range of job opportunities generated by existing office and industrial uses and the need to safeguard the vitality and viability of the Town Centre and local shopping centres.

19.16 It is proposed that any retail expansion will be limited to within existing curtilages and be subject to Policies TCS1, TCS2, and TCS11.

19.17 The Council is keen to see the Peartree Road Mixed Use Area enhance its

office and industrial functions by the retention or expansion of existing enterprises or through changes of use from retail. This would act to increase local job opportunities for this part of Colchester and Stanway and facilitate short journeys to work by non-car modes of transport.

19.18 Other uses accepted within an Employment Zone (see Policy EMP1) or serving a local community need would be acceptable on a site currently used for retail, subject to meeting Policy DC1 and any other appropriate policies for the use. In addition, any leisure proposals should also not prejudice the expansion of leisure facilities at Stanway School.

STA4 Within the Peartree Road Mixed Use Area, the following development will be permitted:

- (a) Expansion of food and non food retail uses within their existing curtilages, provided such development would not materially harm the vitality and viability of either the Town Centre or local shopping centres and satisfies the sequential test;**
- (b) Expansion of office and industrial uses, either within existing curtilages or as changes of use from retail;**
- (c) Other uses, as set out in paragraph 19.18, on a site currently used for retail.**

20. TIPTREE

Introduction

20.1 Tiptree is facing considerable change over the next few years with the closure of the Tiptree Book Services premises in the Village Centre and major housing development occurring at Grove Road. These changes follow on top of a long period of continuing residential growth. Whilst there have been some additional amenities and employment development provided during this period, more still needs to be done, especially in respect of leisure and recreation provision. In particular, Tiptree is badly lacking in sufficient public open space and playing field areas. The plan, therefore, proposes no new major housing site allocations in Tiptree other than those previously committed (of which the Grove Road development is by far the most significant in size).

Objectives

20.2 The Plan's objectives for Tiptree are as follows:

- (a) To make provision for additional housing growth in Tiptree at Grove Road, amounting to some 400 additional units;
- (b) To make provision for some further local employment opportunities at Kelvedon Road;
- (c) To improve the attractiveness of the main shopping area, in particular through the implementation of a traffic calming scheme and the provision of additional car and cycle parking facilities;
- (d) To encourage and assist the provision of additional amenities and services, particularly open space;
- (e) To safeguard and protect valuable countryside resources surrounding the settlement, in particular Tiptree Heath and the Tiptree and Messing Countryside Conservation Area;
- (f) To prevent the coalescence of Tiptree with the adjoining settlements of Inworth, Messing, Layer Marney and Tolleshunt Knights;
- (g) To secure the appropriate redevelopment of the Tiptree Book Services site and, in particular, to use the opportunity to improve local amenities and the environment of the principal shopping street.

Policies

DEVELOPMENT CONTROL CONSIDERATIONS

20.3 It is important to note that all policies contained within this chapter must be read alongside the overall Development Control Policy (DC1). This policy sets out the standard planning criteria applicable to all forms of development. The relevant criteria will be used to assess the suitability of any proposal in addition to the following detailed policy guidance.

Tiptree Central Area Enhancement Scheme

20.4 The Borough Council, in conjunction with Tiptree Parish Council and other interested parties, has prepared a comprehensive enhancement scheme for the Village Centre. The Tiptree Central Area Enhancement Scheme aims to improve the general appearance and vitality of the Church Road area, particularly in respect of its various shopping facilities, but also through the identification of potential improvements to areas such as the Tiptree Book Services (TBS) site including its frontage onto Church Road (see Policy TIP2) and to car and cycle parking facilities (see policies T10 and T2 respectively). The scheme also considers the implementation of traffic calming measures, landscaping and tree planting.

20.5 It is intended that the enhancement scheme will soon be adopted as Supplementary Planning Guidance (SPG). Applications for development within the boundaries of the enhancement scheme area should improve the general appearance and commercial viability of Church Road (including via inward investment opportunities). Particular attention will be paid to the retention of trees and other environmental attributes. Proposals should be beneficial to pedestrian and cyclist safety, should strengthen the Rural District Centre and will be expected to conform with the SPG document. TIP1 Any proposal for development within the boundaries of the Tiptree Central Area Enhancement Scheme should encourage new services and facilities, support the existing facilities and improve the general appearance of Church Road and strengthen its role as a Rural District Centre.

TIP1 Any proposal for development within the boundaries of the Tiptree Central Area Enhancement Scheme should encourage new services and facilities, support the existing facilities and improve the general appearance of Church Road and strengthen its role as a Rural District Centre.

Tiptree Book Services Site

20.6 The Tiptree Book Services (TBS) premises off Church Road, Tiptree, are located in the Village Centre and are 4ha in size. The site has been mostly vacated and is highly likely soon to become totally redundant when the final operations are transferred to the company's new factory elsewhere in Essex. The loss of such a major source of local employment has been seen as a considerable blow to the economy of Tiptree. However, given the site's landlocked position, in between residential and retail properties, it is not believed to be realistic to expect it to attract new employers capable of creating a similar number of jobs. Consequently, it is considered that a mixed redevelopment scheme would be appropriate for this site. This should include a combination of the following: retail, residential, office, employment (including "start up" business units) and community/ leisure uses. At present there are two outline planning permissions approved on the site, the first for a residential scheme and the second for a supermarket. Further detailed guidance on the redevelopment of this site will be set out in the Tiptree Central Area Enhancement Scheme SPG.

TIP2 Any redevelopment of the TBS site should be for appropriate mixed uses.

Employment Land

20.7 As mentioned above, given the loss of employment at the TBS site, the land has been allocated for mixed uses within this Plan (as opposed to an Employment Zone in the 1995 Adopted Plan). A replacement employment site is therefore considered necessary both to take account of this loss and to meet future population growth within Tiptree. It is considered that the modest expansion of the existing Tower Business Park Employment Zone allocation at Kelvedon Road (currently 3.09ha) is the most appropriate location for this. This could include "start up" business units and would provide an additional 1.04ha of employment land. Furthermore, the 5.15ha Employment Zone proposed nearby in the previously adopted Local Plan at the corner of Kelvedon Road and Grange Road is a roll-forward employment allocation. Taken together, these sites have a capacity in excess of 9ha of employment land, which should fully meet the employment needs of Tiptree for the foreseeable future. Proposals should seek to improve pedestrian and cycle links with the main residential areas within Tiptree. In the long term, the Borough Council may be sympathetic to further expansion occurring in between both these proposed Employment Zone allocations, which would in effect link them together within one large Employment Zone area.

20.8 At present, unemployment rates in Tiptree are significantly below the Borough average, the figure for Tiptree being 2% in April 1998 compared to the Borough unemployment rate then of 3.1%. The Plan makes provision for the expansion and encouragement of inward investment opportunities and the marketing of existing and new Employment Zone allocations.

TIP3 The Plan makes provision for the expansion of the existing Employment Zone allocation at Tower Business Park and also for a new Employment Zone at the corner of Kelvedon Road and Grange Road, Tiptree.

Free-standing Rural Business Sites

20.9 The Borough Council will accept, in principle, limited expansion or consolidation of warehousing/industrial uses at the small number of sites in the countryside designated as Free-standing Rural Business Sites as these provide important sources of local employment (see Policy EMP5 in Chapter 14, "Employment"). One such site is at Newbridge Road, Tiptree (see Tiptree Inset Map). This is currently occupied by Alexander Cleghorn Ltd. However, due to the overriding need to protect the amenity of neighbouring residential properties, highway safety and rural appearance of Newbridge Road, any permitted development at this site will be required to be located within the defined boundaries of the Newbridge Road Free-standing Rural Business Site. The former Tiptree Basketworks site, in Grange Road, has also been designated as a Free-standing Rural Business Site.

Open Space

20.10 At present, Tiptree's open space provision of 0.60ha per 1,000 population (see Table 9 below) is well below the Borough Council's target figure of 2.83ha (7 acres).

Table 9: Open Space Provision in Tiptree

Year	Population of Tiptree	Open-space provision per 1,000 pop in hectares	Target open space per 1,000 pop in hectares	Shortfall of open space per 1,000 pop in hectares
1996	8,100	0.6	2.83	2.23
2011	9,600	1.59	2.83	1.24

Notes: 1. Colchester Borough Council's rounded estimate based upon the 1996

Registrar General's mid-year population estimates, vital statistics and 1991 Census of Population data.

2. Population estimate based upon the current housing land availability figure for Tiptree of 578 units (including 400 at Grove Road) x 2.62 people per household (the average household size in Tiptree at the time of the 1991 Census). However, as average household sizes are generally falling, this figure is likely to be an over estimation. Consequently, the total amount of open space available per 1,000 population would increase.

20.11 In order that Tiptree's open space deficiency can be partially rectified, the Plan makes specific provision for new open space at Grove Road (see Policy L4). If all of these sites are provided before the end of the plan period (2011), Tiptree's open space provision would be somewhere in the order of 1.59ha per 1,000 population which would be below the Borough Council's target of 2.83ha (see Table 10 below). In addition, an area for informal recreation is proposed at Inworth Grange, amounting to 20.3ha.

Table 10: Proposed Sites for Public Open Space in Tiptree

Location	Size in hectares	Amount in hectares of new open space that would be created per 1,000 population
Tiptree Book Services	0.66	0.006
Gaffneys	0.93	0.10

Note: Figures based upon the projected population estimate for Tiptree of 9,600 by the year 2011 (see Note 2 from Table 9).

21. IMPLEMENTATION AND MONITORING

CHAPTER

Introduction

21.1 The preceding chapters have set out, either on a “topic” or “area” basis, the Council’s package of planning policies within the framework of its overall planning strategy.

21.2 It is the purpose of this chapter to indicate:

(a) how this extensive range of policies and proposals will be implemented through the actions and activities of:

- (i) the Borough Council itself;
- (ii) other statutory agencies and bodies;
- (iii) the private sector;

(b) how monitoring of the Plan’s progress will be undertaken in order to:

- (i) take account of changing circumstances at national, regional, county or local levels;
- (ii) see how far any stated targets for measuring plan performance are being met.

IMPLEMENTATION

21.3 It should be stressed at the outset that “implementation” of policies and proposals, as discussed below, is couched within the essentially land use context of this Plan. This in no way lessens the significance and importance of complementary work undertaken by other Council service areas and statutory agencies in seeking to improve the social, economic and physical environment of Colchester residents. This fact has already been given due recognition in the introductory chapter.

21.4 There are therefore a wide array of agencies that ultimately have a hand in ensuring that any set of development proposals are brought fully to fruition. These include, for example, utility companies providing gas, electricity, water and telecommunications links, and, in the field of transportation, companies providing

bus, passenger train and rail freight services.

21.5 However, in looking at implementation of policies and proposals in the context of this plan, a more focused approach has been followed. This avoids listing every conceivable agency or body that would ultimately be involved in implementing particular types of development scheme, and concentrates on those that have a major direct and initiating role in implementation. It also omits bodies that would give advice at the time that Colchester Borough Council (CBC) as the Local Planning Authority (LPA) was considering a planning application.

21.6 In this context, Schedule 1 lists the main implementing agencies by policy within each policy area. This clearly shows that the single most important implementation mechanism will be the development control process stemming from the Council's role as the LPA. Other Borough Council services and other agencies take on complementary implementation roles to a greater or lesser degree depending on the policy area under consideration.

21.7 It should be emphasised at this point that the success of Colchester Borough Council, as Local Planning Authority, in implementing its Plan policies and proposals often closely rests on the related success of its partnerships with other statutory bodies and the private sector. Examples of such partnerships are the Town Centre Management Initiative, the Colne and Blackwater Estuaries Projects, the various area fora (eg Tiptree Forum) and, two major new partnerships of relevant interests aimed at the promotion of the regeneration of East Colchester and the raising of Colchester Boroughs sub-regional status (the Haven Gateway Partnership).

21.8 The role of the Private sector in implementation can be generally summarised as:

- (i) initiating sets of development proposals within the framework of relevant Local Plan policies and proposals;
- (ii) providing the financial, management and other resources needed to implement the scheme in question;
- (iii) ensuring the provision of other infrastructure, facilities and services that are required as a direct consequence of implementing a particular development scheme.

21.9 In respect of (iii) immediately above, Circular 1/97 on "Planning Obligations" sets out criteria for assessing whether such "extra requirements" should be sought from a prospective developer by an LPA. Such obligations should be necessary, relevant to planning, directly related to the proposed development, fairly and

reasonably related in scale and kind to the proposed development, and reasonable in all other respects.

21.10 In this context, it will have been noted that various policies in different policy areas carry “extra requirements” of two main kinds:

- (i) The provision of additional background information in the form of statements or plans that the LPA needs to make a proper consideration of particular types of development proposals; or
- (ii) The provision of other infrastructure, facilities or services that will ensure the successful integration of new development into the surrounding pattern of land uses and community fabric.

21.11 These “extra requirements” are brought together in one listing for the benefit of prospective developers in Schedule 2.

MONITORING

The Need for Monitoring

21.12 There are a number of reasons why monitoring is an essential part of the plan-making process:

- (i) To review changing circumstances from the national (or even international) level to the local level;
- (ii) To see what is happening “on the ground” within the plan area;
- (iii) To review the utility and relevance of particular individual or sets of policies over time as the Plan period elapses;
- (iv) To ensure that any specific plan targets are being met according to a particular time-frame.

These four reasons are looked at in more detail below.

Catalysts for Change

21.13 There are potentially a substantial variety of new or persisting factors that will have a bearing on the plan’s progress, its continuing relevance and how up to date it remains. These include, for example:

- (i) Changes in, or new sets of, policy guidance from Central Government. For example, there has been a steady stream of

completely new or revised Planning Policy Guidance notes (PPGs) since the early 1990s;

(ii) Upturns or downturns in the state of the national economy. The recession of the early 1990s clearly stifled development activity in the Borough, affecting the take up rates for allocated industrial and residential land. The current downturns in other parts of the globalised economy, such as, that in south-east Asia, may again affect levels of economic activity and the demand for land in this part of the world over the next few years;

(iii) Established trends in society, such as those towards a smaller average size of household or the increasing numbers of single parent and older person households, will clearly influence overall levels of housing demand and the types and styles of housing being sought;

(iv) Increasing reliance on the private car as the principal mode of transport for many households, based on the fact that the costs of driving have fallen by 2% in real terms since 1974, while bus fares have risen by 55% and rail fares by 71% in real terms over the same period, increases higher than that of disposable income;

(v) Emerging streams of policy guidance at regional and county (Structure Plan) levels in a situation where these plan-forming processes are often running in parallel with, rather than neatly preceding, the Local Plan preparation process.

Changes “On the Ground” in the Plan Area

21.14 The types of “catalysts for change” outlined above can clearly have very profound repercussions for – or, alternatively, more marginal influences on – Colchester’s economy and its patterns of land use, environment and lifestyles. They also can decisively alter the parameters within which local planning policy is formulated and implemented. For example, a change in the number of houses to be accommodated within the Borough within a Plan period, as fed down from the latest government household formation projections through the Regional and Structure Plan levels of planning.

21.15 These wider changes, where relevant, are reflected in changes at the local level, as revealed by such indicators as industrial land take up rates, the number of houses being built, traffic pollution levels or the number of empty shops in the Town Centre. If these indicators are regularly and accurately monitored, they can assist in the fine tuning of Plan policies and proposals at times of review.

Continuing Utility and Relevance of Plan Policies and Proposals

21.16 There is a need to monitor the utility and continuing relevance of Plan policies, but particularly those that are either radically altered in form or content from an earlier version or policies that may be breaking entirely new ground.

21.17 Indications of utility or relevance can be measured by such means as the number of times that a particular policy has been seen as material in determining or refusing planning applications, or its success or otherwise when tested at Section 78 inquiries. From these indications will stem the need to delete, radically amend, refine or leave unchanged the particular policy in question.

The Need for Plan Targets

21.18 If properly selected, targets can be an important central feature in the systematic measurement of how well a Plan is performing, or alternatively, is actually being realised in practice. It can be useful in equal measure to plan-makers, decision-makers and local citizens.

21.19 However, there are certain requirements of any target, including:

- (i) clarity as to what is being measured;
- (ii) whether the chosen target is meaningful to all interested parties;
- (iii) whether there is information already available or readily accessible for measuring the target.

21.20 There are a number of additional points to be made regarding the identification of targets:

- (i) It is much easier to find targets for some policy areas (eg housing, transportation) than for others (eg countryside, pollution and land resources);
- (ii) In policy areas such as housing and transportation, there is a distinct danger of introducing targets that are corporate, but not strictly linked to land use policies (eg for traffic reduction, changes to non-car mode by journey purpose, number of houses modernised), and which should appear more appropriately in local transport or housing strategies;
- (iii) Some targets will be “negative” in the way they are stated (eg no loss of listed buildings by demolition), but this does not make them

any less valid than “positive” targets.

21.21 Bearing these considerations in mind, Schedule 3 sets out a number of targets that will help to chart the Plan’s progress and can be regularly monitored.

Future Intentions for Plan Monitoring

21.22 The Council intends to issue annual monitoring reports on all aspects of Plan progress from the time that the plan is formally adopted.

21.23 Based on these monitoring reports, the Council will identify any need to:

- (i) delete, amend or add to the adopted package of policies, and/or
- (ii) issue Supplementary Planning Guidance – for example, in the form of planning briefs for particular housing or employment sites, or to amplify how it is intended that particular policies should operate. A programme of review and new SPG is underway.

21.24 The Local Plan will be reviewed following the introduction of a new national planning system in 2004 and, will be known as the Local Development Framework.

SCHEDULE 1 - IMPLEMENTATION AGENCIES BY POLICY AREA

1. Coast and Estuaries

All the Policies – CE1 to CE10 – will be implemented via the Council's Development Control Services, and also by the Colne and Blackwater Estuaries Projects.

2. Countryside

All the Policies – CO1 to CO13 – will be implemented via the Council's Development Control Service. In addition, Policy CO5 implementation will also involve Essex County Council, English Nature, Essex Wildlife Trust and the Council's own Parks and Recreation Service.

3. Urban Environment and Archaeology

All the Policies – UEA1 to UEA21 – will be implemented via the Council's Development Control Service. In addition, various other Council services and outside agencies will be involved in policy implementation, as follows:

(i) CBC (Conservation and Design Service): UEA1, UEA11, UEA21

(ii) CBC (Leisure Services): UEA1, UEA8, UEA9, UEA11, UEA14, UEA21

(iii) CBC (Archaeological Services): UEA5, UEA7, UEA9

(iv) English Heritage: UEA7, UEA8, UEA20

4. Pollution and Land Resources

All the Policies – P1 to P7 – will be implemented via the Council's Development Control Service.

5. Community Facilities and Infrastructure Provision

The Council's Development Control Service will implement all the Policies – CF1 to CF11 – but the following additional Council services and outside agencies will also be involved:

- (i) Essex County Council (Learning Services): CF2, CF7
- (ii) CBC (Highway and Engineering Services) CF3
- (iii) CBC (Environmental Policy) CF3
- (iv) CBC (Leisure Services) CF3
- (v) Essex Strategic Health Authority: CF8, CF10

6. University of Essex and Colchester Institute

The two Policies – UC1 and UC2 – will be implemented via the Council's Development Control Service.

7. Leisure, Recreation and Tourism

Most of these Policies – L1-L3 and L5-L18 – will be implemented via the Council's Development Control Service, but, in addition, the following Council services and outside agencies will be involved:

- (i) CBC (Leisure Services): L1, L4, L5, L18
- (ii) Eastern Arts Board: L1
- (iii) Eastern Sports Council: L1
- (iv) CBC (Countryside Management Service): L15
- (v) CBC (Environmental Policy Group): L17, L19
- (vi) CBC (Highway and Engineering Services): L14

8. Transportation

Most of these Policies – T1, T6 and T8-T10 – will be implemented via the Council's Development Control Service, but, in addition, the following Council services and outside agencies will be involved:

- (i) CBC (Highways and Engineering Services): T7, T9
- (ii) CBC (Environmental Policy Group): T3, T6, T9, T10
- (iii) Rail freight companies: T6

(iv) Railtrack: T6, T10

(v) Train-operating companies: T10

(vi) Essex County Council (Highway Authority): T9

9. Utilities

All of these Policies – UT1 to UT5 – will be implemented via the Council's Development Control Service, but the following outside agencies will also be involved:

(i) Anglian Water: UT1, UT2

(ii) Environment Agency: UT1

(iii) Electricity Supply Company (Eastern Electricity): UT3

(iv) National Grid Company: UT3

(v) Telecommunications Companies: UT4

10. Housing

All these Policies – H1-H6 and H7-H13 – will be implemented via the Council's Development Control Service, but a small number of other stake-holders will also be involved. These include registered social landlords and the Council, as local housing authority, in respect of Policies H4 and H5, and Parish Councils in relation to Policy H5.

11. Employment

All these Policies – EMP1 to EMP7 – will be implemented via the Council's Development Control Service.

12. Town Centre and Shopping

All these Policies, except Policy TCS15, will be implemented via the Council's Development Control Service, but the following other Council services will also be involved:

(i) CBC (Environmental Policy Group): TCS15, TCS24

(ii) CBC (Highway and Engineering Services): TCS15

(iii) CBC (Museums and Visitor Services): TCS10

(iv) CBC (Leisure Services): TCS22

13. Hythe and East Colchester

Policies ECH1-ECH10 will be implemented via the Council's Development Control Service, but the following will be involved:

ECH1-6 Specific specialist advice and outside agencies where appropriate, ECH7 Essex County Council as Highway Authority

14. Colchester Garrison

The following agencies and Council services will all be involved via the implementation of the single Policy G1: Essex County Council (Environmental Services/Highways) and the Council's Conservation and Design Service, Leisure Services, Environmental Policy Group and Development Control Service.

15. Mile End

The Council's Development Control Service will be implementing Policy ME1, while its Country Park service will be implementing Policy ME2 with the North Essex Health Authority.

16. Stanway

All four Policies – STA1 to STA4 – will be implemented via the Council's Development Control Service. In addition, CBC Environmental Policy and Leisure Services, together with the landowners Tarmac and O & H Holdings Ltd, will be closely involved in the implementation of Policy STA 3.

17. Tiptree

All these Policies – TIP1 to TIP3 – will be implemented via the Council's Development Control Service, while its Environmental Policy Group will also be involved in implementing Policy TIP2.

SCHEDULE 2 - EXTRA REQUIREMENTS TO POLICY AREA

1. Coast and Estuaries

None.

2. Countryside

(i) Policy CO4: Compensatory provision elsewhere on site where not possible to safeguard existing landscape features.

(ii) Policy CO5:

(a) Compensatory measures on - or offsite in the Borough, where there is damage to existing habitats;

(b) Signing of S39 or S106 agreement to ensure proper management of wildlife habitats.

(iii) Policy CO6: Relocation of threatened habitat from proposal site to another safe location.

(iv) Policy CO10: Landscape and Habitat Creation Schemes

(v) Policy CO13: Business Plan

3. Urban Environment and Archaeology

(i) Policy UEA3: Statement of efforts made by applicant either to sustain existing uses or to find viable new uses for unlisted buildings in Conservation Areas subject to a proposal to demolish.

(ii) Policy UEA4: As for UEA3, but in respect of any listed building.

(iii) Policy UEA5:

(a) statement to support change of use of a listed building;

(b) an archaeological and historical recording.

(iv) Policy UEA6:

(a) an archaeological recording;

(b) statement of efforts made by applicant to secure a non-residential re-use of a listed barn (subject to a proposal for residential use).

(v) Policy UEA7: Archaeological assessment/recording.

(vi) Policy UEA11: Site appraisals for all schemes over 1ha.

4. Pollution and Land Resources

(i) Policy P1: Environmental statement.

(ii) Policy P2: Statement giving details of external lighting schemes and how their impact on surrounding environments will be minimised.

(iii) Policy P4: Risk assessment which demonstrates that the site is suitable for its proposed use, or can be made suitable through remedial measures.

(iv) Policy P5: Report setting out how any site ground instability problems can be resolved.

5. Community Facilities and Infrastructure Provision

(i) Policy CF1: Planning obligation to provide any necessary social, community, leisure or transport infrastructure/services generated by a development.

(ii) Policy CF4: Statement to demonstrate lack of local community need for existing community facilities and services (where proposal for redevelopment would lead to a loss of one of these) or to show that equivalent facilities or services can be provided close to the proposal site.

(iii) Policy CF5: Statement to show efforts by applicant to find an alternative community use for school facilities surplus to educational requirements, or demonstrate how provision will be made for improvements to local education/community facilities off-site (where proposal is for other reuse of those facilities).

(iv) Policy CF6: Provision of a work-based day nursery in all major commercial developments over 23,250 sq m (250,000 sq ft) or generating more than 1,000 jobs.

6. University of Essex and Colchester Institute

None.

7. Leisure, Recreation and Tourism

(i) Policy L5: Commuted payments for future maintenance of open space areas in residential developments and provision of play equipment.

(ii) Policy L8: Replacement allotment facility where existing facility is lost to redevelopment.

(iii) Policy L10:

(a) Comprehensive landscape appraisal;

(b) Comprehensive ecological appraisal;

(c) Comprehensive archaeological appraisal.

(iv) Policy L16: Noise Assessment

(v) Policy L17:

(a) Environmental impact statement;

(b) Traffic impact statement.

(vi) Policy L18: Applies to developments:

(a) over 1,000 sq m floorspace or where site area is over 1ha in size; or

(b) Where the development is more than 10 dwellings or site area if over 0.5ha in size.

8. Transportation

(i) Policy T2: Suitable Legal Agreement.

(ii) Policy T3: Applies to development (ie over 1,500 sq m/16,000 sq ft or generating more than 30 jobs).

(iii) Policy T5: Suitable Legal Agreement.

(iv) Policy T9: Commuted sums for improvements to facilities for non-car modes of transport.

9. Utilities

(i) Policy UT3: Environmental Impact Assessment

(ii) Policy UT4: Statement of efforts made by applicant to minimise the number of new radio and telecommunications masts.

10. Housing

(i) Policy H4: Suitable Legal Agreement.

(ii) Policy H5: Suitable Legal Agreement.

(iii) Policy H10: Statement of need for a new dwelling statement of proof of need.

(iv) Policy H11: Statement of proof that an existing dwelling in the countryside is no longer needed for agricultural purposes.

11. Employment

(i) Policies EMP5, EMP6 and EMP7: Business plan

12. Town Centre and Shopping

(i) Policy TCS1: Acceptable Retail impact assessment.

(ii) Policy TCS3: Acceptable Retail impact assessment.

(iii) Policy TCS11:

(a) – Acceptable Retail impact assessment;

(b) – Transport impact assessment.

(iv) Policy TCS14: Acceptable Retail impact assessment.

(v) Policy TCS17: Suitable Legal Agreement

(vi) Policy TCS20: Suitable Environmental impact assessment.

(vii) Policy TCS23:

(a) Transport impact assessment.

(b) Sequential Test Analysis

(viii) Policy TCS16: Developers of commercial development schemes to contribute financially towards:

(a) Provision of public car parking and/or public transport to serve the Town Centre;

(b) Off-site cycle-parking facilities (where appropriate).

(ix) Policy TCS24: Suitable Environmental Impact, traffic impact and retail impact assessments.

13. East Colchester and the Hythe

Policy ECH1- ECH5: Suitable Environmental Impact, traffic impact and retail impact assessments. In addition suitable legal agreements

14. Colchester Garrison

Policy G1

(a) Master plan (secured by S106 agreement);

(b) Comprehensive transport assessment.

15. Mile End

Policy ME1

(a) Traffic-impact statement;

(b) Package of improvements to community and transport infrastructure to be financed by relevant developer(s);

(c) Suitable Environmental Impact, traffic impact and suitable legal

agreements.

16. Stanway

Policy STA2: Implementation and financing of Western Bypass scheme by private developer(s) involved.

17. Tiptree

None.

SCHEDULE 3 - SELECTED PLAN TARGETS

1. The following Plan targets have been chosen for annual monitoring, as being as representative as possible of the entire field of Local Plan Policy and the different types of policy.

2. However, there are quite a number of policy areas that do not lend themselves to identification of targets.

3. The list of targets below are placed in random order.

The targets are:

(i) No loss of listed buildings (by demolition);

(ii) No key community facilities lost in any part of the Borough (unless satisfactory replacement facilities are provided) as a result of development;

(iii) Every major housing scheme (over 1ha or 25 units) will provide for 25% social housing;

(iv) New comparison retail floorspace of

(a) 13,600 sq m (146,200 sq ft) gross by 2006

(b) a further 15,200 sq m (164,100 sq ft) gross by 2011 to be achieved at sites within or on the edge of the Town Centre, and

(c) - new retail warehouse floorspace of up to 9,750 sq m (105,000 sq ft) gross to be developed by 2006.

(v) The minimum specified A1 retail content to be retained within individual Town Centre and local shopping centre frontages;

(vi) To have an agreed master plan in place for the Garrison Regeneration Area by the end of 2001;

(vii) To reach a target of at least 2.83ha (7 acres) of public open space in all areas by 2011;

(viii) No loss of designated allotment sites;

- (ix) Provision of a new stadium for Colchester United Football Club by 2005;
- (x) To achieve an annual take-up of 6.5ha of designated employment land within the Plan period (1996-2011);
- (xi) To achieve a rate of 733 housing completions each year during the Plan period, of which at least 60% should be on “brownfield” sites;
- (xii) Production of an East Colchester/Hythe Strategy by the end of 2000;
- (xiii) No sites of international importance for nature, or SSSI's or SINCS, to be lost to or damaged by development;
- (xiv) Adoption of a Colne Strategy by 2001;
- (xv) No loss or damage to Scheduled Ancient Monuments or nationally important archaeological sites through development;
- (xvi) To produce agreed production of an agreed Travel Plan for all major commercial/ community developments (see Schedule 2);
- (xvii) To produce agreed comprehensive development schemes for all Regeneration Areas within Colchester's Town Centre before the end of the Plan period.