

**Colchester's Local Development Framework  
Community Facilities Supplementary Planning Document  
(SPD)**

**Statement of Consultation**

Spatial Policy  
Strategic Policy and Regeneration  
Colchester Borough Council  
PO Box 995  
Town Hall  
Colchester  
Essex CO1 1ZE  
01206 282473  
[planning.policy@colchester.gov.uk](mailto:planning.policy@colchester.gov.uk)

## Introduction

The Community Facilities Supplementary Planning Document (SPD) is one of the planning documents that make up Colchester's Local Development Framework. The overarching Core Strategy DPD was the first document to be produced, in line with Government guidance on priorities for the LDF. The Core Strategy sets out the spatial vision, strategic objectives and policies for the Borough up to 2021. The Core Strategy was declared 'sound' by a Government-appointed Planning Inspector and was adopted by the Council on 11 December 2008. The policy direction set in the Core Strategy has been used as the cornerstone for the production of subsequent planning policy documents including this SPD.

In preparing the Community Facilities SPD for adoption, we are required to comply with the Town and Country Planning (Local Development) (England) Regulations 2004 and 2008 amendments. Regulations 18 and 19 of the 2008 amendments provide that the Council should not adopt a SPD until they have prepared and published a statement setting out:

- who was invited to be involved in the plan preparation
- how they were invited to be involved in the plan preparation
- a summary of the main issues raised and how they have been addressed

The following statement addresses these points and also is in accordance with Colchester's Adopted Statement of Community Involvement (SCI). The SCI stipulates the level of consultation to be undertaken, which includes a wide range of media and publicity to engage the general public, hard-to-reach-groups, community groups, councillors, businesses and governmental bodies.

## Consultation Process

In line with Government regulations, the Council consulted on the Community Facilities SPD from 1-29 May 2009, in conjunction with consultation on the Backlands and Infill Development SPD. The consultation provided the public and stakeholders with the opportunity to comment on the Council's preferred approach to securing planning contributions for community facilities.

Letters and/or emails were also sent to more than 450 individuals recorded on the Local Development Framework List of Consultees compiled by Colchester Borough Council. The list was drawn up in accordance with the Town and Country Planning (Local Development) Regulations 2004 and therefore included "specific consultation bodies" such as GO EAST, The Regional Assembly, and Government agencies like Natural England and the Highways Agency. In addition, in line with the Council's Statement of Community Involvement, a large number of "general consultation bodies" were consulted representing voluntary groups, ethnic minorities, religious groups, disabled persons and business community representatives. The list of stakeholders is

attached as Appendix 1 and the letter sent to stakeholders is attached as Appendix 2.

In accordance with regulations, a statutory advert was posted in the Borough's weekly newspaper (The Essex County Standard) notifying people of the consultation details. A copy is attached is Appendix 3.

17 organisations and individuals responded to the Community Facilities consultation. The views received reflect the wide ranging nature of responding consultees and are summarised in Table 2.

Table 2

	Respondent	Summary of Comments	CBC Response
1	Anglian Water	No comment	NA
2	Coal Authority	No comment	NA
3	Defence Estates	Support the general principle. Existing facilities provided by MoD and those proposed in any development should be taken into account when considering the need for MoD to contribute to other community facilities.	Noted
4	EERA	No comment	NA
5	Essex County Council	Clearer definition of community facilities needed. More inclusive range of references to related regional policies needed. Specify how often Community Facilities Audit will be updated and ensure it is published alongside the draft SPD. Further detail on contribution calculations needed to support recommended amounts; exceptional circumstances justifying lower contributions; phasing; timing; pooling; and monitoring.	Issues raised noted and will be examined in detail. Offer of joint discussions is welcomed. Community Facilities Audit will be made available on the website.
6	Highways Agency	No comments	NA
7	Tendring District Council	Contributions could serve a wider area if there is a deficit in facilities in neighbouring areas. Contribution calculations for 4 and 5 bedrooms questioned. Potential need noted for consultation with adjacent authorities where new development is near to a district boundary.	Noted. Calculation for 4 and 5 bedrooms will be revisited. CBC will ensure consultation with Tendring as needed.

8	Theatres Trust	Clarity needed on coverage of Community Facilities SPD vs. Open Space, Sport and Recreation SPD – where do theatres and other leisure/cultural facilities fit in? New community centres should be multi-purpose.	The SPD notes that it is not all inclusive and is focussed on spaces in which community activities can take place. A commercial theatre would not be covered by the SPD. A more definitive list of community facilities will be provided.
9	Alresford Parish Council	No comments	NA
10	Dedham Village Design Statement Team	Dedham currently well-endowed with community facilities but frequently seeks the opportunity to improve them.	Noted
11	Layer de la Haye	Guidelines welcome in general. Noted that low level of development in Layer will not generate much money. More positive input from parish councils needed on how money could be spent. Clarity needed on the priorities for strategic vs. local projects and on the process for money to be released. Any contributions from development in Layer should be spent on local community facilities.	Noted. Parish Plans provide an opportunity for parishes to prioritise spending for community projects.
12	Little Horkesley Parish Council	The direct link between the Parish Council and the developer must be maintained.	The planning application process provides opportunities for consultation between the developer and Parish Councils.
13	Stanway Parish Council	Broadly supports.	Support welcomed.
14	Tiptree Parish Council	It may have been wiser to delay issuing the consultation document bearing in mind regulations on standard charges/community	Noted. Draft SPD mentions potential need for review in light of new Government

		infrastructure levy are still awaited.	policy, but given uncertain timelines on this it was considered important to get guidance in place.
15	The Planning Bureau on behalf of McCarthy and Stone	Fordham Associates Report not available on website and needed to assess appropriateness of contributions and compliance with Circular 05/2005. Contributions towards community facilities should be paid prior to first occupation rather than at the time of commencement. Council has plethora of SPDs requiring contributions – need to determine relative priorities between them.	Noted. Trigger mechanisms will be reviewed to ensure compliance with Circular 05/2005. Linking contributions to first occupancy would be difficult to
16	Andrew Martin on behalf of RF West	<p>SPD not considered to accord with Circular 05/2005 as follows:</p> <ul style="list-style-type: none"> <li>- Clarity lacking with regard to provision of community facilities in kind.</li> <li>- More flexibility should be provided so that viability can be taken into account.</li> <li>- Allowance should be made for phasing of payment in instalments with triggers.</li> <li>- Contribution should not be required if a development does not result in an unmet increase in demand for community facilities.</li> </ul> <p>The provision of a standard formula can be a useful guide for developers, but each proposal should be considered on its merits, bearing in mind levels of facilities and need in the area.</p> <p>Using the financial contribution in the absence of local need does not fully comply with Circ. 05/2005.</p>	Noted. Wording on will be reviewed to ensure its compatibility with Circular 05/2005. Viability is already a consideration in setting charges as provided by Core Strategy policy SD2. The Audit will be made available on the website. The Council has a Section 106 monitoring process which provides for the return of unspent contributions. It is agreed that a single SPD on contributions would be preferable, and this will be developed once Government

		<p>The Community Facilities Audit needs to be made available.</p> <p>Arrangements should be made for contributions to be returned to developers in the event that contributions are not spent within the agreed timeframe.</p> <p>The Council should have one SPD which covers all types of planning obligations.</p> <p>The Council should monitor the SPD so that it can be reviewed as necessary.</p>	guidance is finalised.
17	Wivenhoe Town Council	Supported with the exception that the Town Council would like to see transparent criteria for needs assessment.	Noted.

In response to consultation comments and following further analysis of Government guidance and best practice elsewhere, the Council modified the final adoption version of the Community Facilities SPD to improve clarity, avoid duplication with other policies, ensure a consistent policy approach and address policy gaps. Key changes in the submission version include:

- A clearer definition of community facilities.
- Better cross-referencing to other relevant policies
- Clearer explanation of processes such as triggers, exceptions to the policy and in-kind contributions
- A discussion of monitoring and review

Appendix 1  
List of Consultees

Statutory Consultees	
Alresford Parish Council	Lancaster University Network Services Ltd
Anglian Water Services Ltd	Maldon District Council
Anglian Water Services Ltd.	Natural England
Ardleigh Parish Council	Nayland with Wissington Parish Council
Babergh District Council	Neos Networks Ltd
Bradford Cable Communications Ltd	Network Rail
Braintree District Council	North Essex PCT
Brightlingsea Town Council	NTL Group Ltd
British Gas Connections Ltd	NWP Spectrum Ltd
British Telecom	Omne Telecommunications Ltd
Bures St Mary Parish Council	Opal Telecom Ltd
Colchester STW	Orange Personal Communications Ltd
Colt Telecommunications	Regional Communications Team O2 Airwave
Doncaster Cable Communications Ltd	Sheffield Canal Company Ltd
East of England Development Agency (EEDA)	South East Water Plc
Easynet Telecommunications Ltd	Sport England (East Region)
EDF Energy	SSE Telecommunications Ltd
EERA	Stoke By Nayland Parish Council
Eircom UK Ltd	Stratford St Mary Parish Council
Energis Communications	Suffolk Constabulary
English Heritage	Suffolk County Council
Environment Agency	Telia Sonera International Carrier Ltd
Essex & Suffolk Water	Tendring District Council
Essex County Council	Tendring Hundred Water Services Ltd
Essex Police	Thames Water Utilities Ltd
Essex University	The Coal Authority
Essex Wildlife Trust	The Highways Agency
Feering Parish Council	The Historic Buildings and Monuments Commission for England
Fibernet Ltd	The National Trust
Gamma Telecom Holding Ltd	The Planning Inspectorate
Gemini Submarine Cable System Ltd	The Secretary of State for Transport
Global Crossing	T-Mobile (UK) Ltd
Go-East	Tollesbury Parish Council
Great Braxted Parish Council	Tolleshunt D'Arcy Parish Council
Haven Gateway Partnership	Tolleshunt Major Parish Council
Hutchison Network Services UK Ltd	Tolleshunt Nights Parish Council
Kelvedon Parish Council	Vitesse Networks Ltd
Kingston Communications (Hull) Plc	Wireless World Forum Headquarters

Other Stakeholders	
1st Church of Christ, Scientist, Colchester	Januarys
A S Planning Ltd	Jaygate Homes Ltd
Abberton & Langenhoe Parish Council	John Grooms H.A Ltd
Addendum Ltd	Keith Mitchell Building Consultancy Ltd
ADP	Kendall C E Primary School
AERC	Kent Blaxill & Co Ltd
Age Concern Colchester	Knowles Associates Ltd
Aldham Parish Council	La Farge Aggregates Ltd
Allegro Music	Langham Parish Council
Allen & Son, St Botolph's Butchery	Lawson Planning Partnership Ltd
AMA Planning	Laver Breton Parish Council
Andrew Martin Associates	Laver de la Haye Parish Council
Anglian Pumping Services Ltd	Laver Marney Parish Meeting
Army	Laver Road Surgery
Army Welfare Services	LCO Consulting Ltd
Ashwell Property Group Plc	Learning & Skills Council
ASM Logistics	Leith Planning
Atisreal UK	Level Ltd
Atkins Telecom	Lexden Restorations Ltd
Bags o Fun	Lind Automotive Group
Balkerne Gardens Trust	Little Horkesley Parish Council
Banner Homes	Living Streets, Colchester
BAP Transport Ltd	Long Tall Sally
Barratt Eastern Counties	Loofers Food & Coffee Place
Barton Willmore	Malcolm Judd & Partners
Barton Willmore	Malting Green Surgery
Bavestocks Chartered Accountants	Man B & W Diesel Ltd
BDG Design (South) Ltd	Marguerite Livingstone Associates
BDO Stoy Hayward LLP	Marks Tey Parish Council
Beaumont Seymour & Co	Mayfair Investments
Bidwells	McDonald's Colchester
Bidwells	McLean Design Services Ltd
Birch Parish Council	Merchant Projects
Birkett Long	Merrills Electrical
bloc Kilmartin/Hanover bloc LLP	Mersea Island Society
Bowhill Planning Partnership	Messing cum Inworth Parish Council
Boxted Parish Council	Mite Property Services Ltd
Boxted Village Hall	MOD - Estates
Boydens	MOD (Colchester Garrison)
Braiswick Resident Association	Morley Richards & Ablewhite
Britannia Storage Systems Ltd	Motorcycle Action Group
British Telecom	Mount Bures Parish Council
Broadfield Planning	Bob Russell MP for Colchester
Brown & Co	Bernard Jenkin MP for North Essex
C H Lindsey & Sons Ltd	Mumford & Wood Ltd
C2 Fire Protection	Myland Parish Council
CABE	Nathaniel Lichfield & Partners
Cadman Contracts	National Grid
CAPITA	National Playing Fields



Catten College	Naylor Property Ltd
CF Anderson & Son Ltd	NCP Ltd
Chairman Mersea Island Trust	Newman Commercials
J Sainsbury Veterans Colchester Local Association Voluntary	Nicholas Percival
Chappel Parish Council	North Essex PCT
Chartered Surveyors	Old Heath County Primary School
Childrens Day Care Centre Charity	Orchard Baptist Church
Colchester & District Jewish Communiyt	Ormiston Trust
Colchester & Tendring Women's Refuge	Owen Partnerships
Colchester and North East Essex Building Preservation Trust	P Tuckwell Ltd
Colchester Access Group	Painters Corner Residents Association
Colchester Archaeological Group	Paragon Legal Services Ltd
Colchester Archaeological Trust	Parliamentary Spokesman for Colchester
Colchester Area Community church	Parsons Heath Residents Association
Colchester Arts Centre	Paul & Company
Colchester Buddhist Centre	Peacock & Smith
Colchester Bus Users Support Group	Peldon Village Hall Management Committee
Colchester Chamber of Commerce	Pertwee Estate ltd
Colchester Civic Society	Peyton Tyler Mears
Colchester Conservative Club	Philip Morant School
Colchester Credit Union Ltd	Planning and Regeneration Consultant
Colchester Croquet Club	Planning Design Building Consultant
Colchester CVS	Planning Potential
Colchester Cycling Campaign	Planware
Colchester Dental Care	Plater Claiborne Architecture & Design & Royal Institute of British Architects Colchester Charter of chartered Architects
Colchester Friends of the Earth	PMR Electrical Ltd
Colchester Furniture Project (The Shake Trust)	Post Office Property Holdings
Colchester Institute	Prettygate Dental Practice
Colchester Learning Shop	Prettygate Library
Colchester Mind	Priory Residents Association
Colchester PCT	Purcell Miller Tritton
Colchester PCT	Queen Elizabeth Hall
Colchester PCT	R & P Taylor Carpets
Colchester Primary Care Trust	R G Carter Colchester
Colchester Quaker Housing	R H M Joinery
Colchester Rural Age Concern	Ramblers Association - Colchester
Colchester United FC	Rapid Electronics Ltd
Colchester Zoo	Rennison Consultants
Colne Harbour Project Group	Richard Fordham Tree Surgeons
Colne Housing Society	Ringway Group Ltd
Commission for New Towns and English Partnerships	Riverside Residents Association
Consensus Planning Ltd	Road Haulage Association
Copford with Easthorpe Parish Council	Robinson and Hall
Corporate Associates Ltd	Rollerworld

Countryside Properties	Rose of Colchester Ltd
Countryside Properties	Royal London
CPREssex	Royal Society for the protection of Birds
CRCL	Royal Yachting Association (Eastern Region)
D F Clark Contractors Ltd	Rural Community Council of Essex
David Wilson Estates	RWCL
Dedham Parish Council	Rydon Homes Ltd
Dedham Vale AONB Project	Sales Manager
Dedham Village Design	Saxon House Ltd
Defence Estates	Scott Wilson
Defense Estates	Seatrade
Dentistry	Secretary, The Strood WI
Diocese of Chelmsford Colchester Area team	Sexton Construction Ltd
Disability East (EDPA)	Shea Properties
DPDS Consulting Group	Shelter
Dr D Bateman & Partners	Sloppy Joes
Driver Jonas	Smith Stuart Reynolds
Dudley Anderson Ltd	Smythies Avenue Residents Association
East Anglian Chambers	Soroptimist International
East Donyland Parish Council	St Anne's Church
East Mersea Parish Council	St Georges New Town Junior School
East of England Tourism	St James C of E V A Primary School
Edward Gittins & Associates	St Johns & Highwoods Community Association Ltd
EEDA	St Johns Ambulance
Eight Ash Green Parish Council	St Johns Church
Emmaus Colchester	St Johns Residents Association
English Partnerships	St Mary Residents Association
Equality Estates	St Mary's Church
Essex & Suffolk Gliding Club	Stanley Bragg Partnership
Essex & Suffolk Water	Stanway Library
Essex Army Cadet Force	Stanway Parish Council
Essex Chambers of Commerce	Stanway Residents Association
Essex County Cricket Club	Stephen Egerton Associates
Essex County Youth Service	Stephen Hayhurst Chartered Town Planner
Essex Fire & Rescue Services	Strutt & Parker
Essex Fire & Rescue Services	Sustainable Environment Consultants Ltd
Essex Rivers Healthcare NHS Trust, Colchester General Hospital	T J Evers Ltd
Essex Roofing Company Ltd	Taylor Woodrow Developments
Essex Strategic Health Authority	Tesco
Estuary Housing Ltd	Tesco Stores Ltd
Etiss Ltd	The Barton Willmore Planning Partnership
Evening Gazette/Essex County Standard	The British Wind Energy Association
F & C Commercial Property Holdings Ltd	The C M Cadman Group Ltd
Facility Development Manager	The Craftsman
Federation of Small Businesses	The Food Company
Fenn Wright	The Guinness Trust
Fenn Wright	The Gypsy Council
Fingringhoe Parish Council	The Inland Waterways Association
First Essex Buses Ltd	The JTS Partnership

Fisher Jones Greenwood	The Philip Morant School
Fitness First	The Planning Bureau Ltd
Five Poets Residents Association	The Planning Bureau Ltd
Flagship Housing Group	The Rose and Crown Hotel
Flakt Woods Ltd	The Royal Association For Deaf People
FMA Ltd	The Sixth Form College, Colchester
Fordham Parish Council	The Stanway School
Forestry Commission	The Theatres Trust
Freight Transport Association, HR Department	The Thomas Lord Audley School & Language College
Friends of the Minories	The Wine Centre
G P Practice	Thompson Smith & Puxon
George Wimpey UK Ltd	Thurstable School
Gilberd School	Tiptree Library
Gladdale Group	Tiptree Parish Council
Godden & Rudling Building Services	Transco
Great Horkesley Parish Council	Transport for London
Great Tey Parish Council	Turley Associates
Greenstead & St Andrews Nursery & Infants	Turners for Men & Women Ltd
Greenstead Library	Underwoods of Colchester
Gypsy & Traveller Law Reform Coalition	University of Essex
Hall Duncan Associates	University of Essex Dept of Biological Sciences
Hamilton Lodge Trust	University of Essex Students Union
Harwich International Port	Vaughan & Blythe (Construction) Ltd
Hazlemere Infants School & Nursery	Volunteer for Mind
Health & Safety Exec	W A Hills
Help the Aged	Wakes Colne Parish Council
Higgins Construction Plc	Warden Housing
Hills Residential Ltd	Warren Insulation
HLL Humberts Leisure	Welshwood Park Residents Association
Holiday Inn	West Bergholt Parish Council
Holmwood House School	West Bergholt Parish Planning Group
Hornburys	West Mersea Library
Housing Corporation	West Mersea Town Council
Hutton Construction Ltd	Whybrow Chartered Surveyors
Hythe Community Centre Association	Wildlife and Countryside Link
Hythe Residents Association	Wilkin & Sons Ltd
Hythe Residents Association & Colne Harbour Group	Winstred Hundred Parish Council
Ian R Matthers B.S & D	Wivenhoe Dental Praticce
Iceni Homes	Wivenhoe Sailing Club
Iceni Projects Ltd	Wivenhoe Town Council
Indasa Abrasives (UK)Ltd	Womens National Commission
Indigo Planning	Wordwrite Associates
Inntel	Wormingford Parish Council
Jacks Famous Supplies Ltd	Young Essex Assembly
James & Lindsay Life & Pensions Ltd	Youth Enquiry Service
Jamesons Residential Care Home	

Ltd	
-----	--

Appendix 2

Address here

**Colchester Borough Council**

PO Box 885, Town Hall, Colchester, CO1 1ZE  
Telephone (01206) 282222 DX 729040 Colchester 15  
*Textphone users dial 18001 followed by the full number  
that you wish to call*

**Strategic Policy & Regeneration**

E-mail karen.syrett@colchester.gov.uk

Your ref

Our ref KS/CA/spd

Date 1<sup>st</sup> May 2009

Dear Sir/Madam

**Consultation on Draft Supplementary Planning Documents**

Colchester Borough Council has prepared two consultation documents to supplement policies in the adopted Core Strategy. The two documents we are seeking your views on are;

1. Backland and Infill Development - The purpose of this draft Supplementary Planning Document (SPD) is to provide guidance to members of the public and developers of the Borough Council's approach to backland and infill development.
2. Provision of Community Facilities - The purpose of this Supplementary Planning Document (SPD) is to: highlight the importance of community facilities to the well-being of residents and as a mechanism for building community cohesion; ensure adequate provision of community facilities to satisfy the needs of local communities and the borough as a whole; inform developers and other interested parties about what the Council will expect regarding contributions to community facilities within the Borough of Colchester.

In accordance with the requirements of Planning Policy Statement 1 'Delivering Sustainable Development' and the Planning and Compulsory Purchase Act 2004, a Sustainability Appraisal Scoping Report has been prepared for each SPD and was sent to statutory consultees and selected interested parties in February 2009. The results of that consultation have informed the production of the Sustainability Appraisals which accompanies these documents.

Both documents are now the subject of public consultation and any comments made will be reported to the Council before the document is formally adopted as a Supplementary Planning Document within the Borough Council's Local Development Framework (LDF).

This draft SPD's do not contain any new policies but expand upon and provide guidance on existing policies in the Adopted Review Colchester Borough Local Plan, the Core Strategy and in time new policies in the emerging Development Policies Document. Once adopted the documents will be a material consideration in the planning process to which considerable weight will be attached.

The consultation period starts on 1<sup>st</sup> May and lasts for 4 weeks, until 29<sup>th</sup> May 2009.

The document and the Sustainability Appraisal are available on the Councils website ([www.colchester.gov.uk/ldf](http://www.colchester.gov.uk/ldf)) and at the Council Offices in Angel Court and in local libraries.

Representations can be made by email to [planning.policy@colchester.gov.uk](mailto:planning.policy@colchester.gov.uk) or by post to the following address;

Planning Policy  
Colchester Borough Council  
FREEPOST NAT4433  
PO Box 885  
Colchester  
CO1 1ZE

If you have any questions or would like to discuss any elements of the SPD please contact a member of the Planning Policy Team on 01206 282473/6 or alternatively email [planning.policy@colchester.gov.uk](mailto:planning.policy@colchester.gov.uk)

All representations received will be reported to the Local Development Framework Committee and will help inform the final documents. A Statement of Consultation will be published alongside the final adopted SPD and will summarise all the comments we receive.

Yours faithfully

Karen Syrett  
Spatial Policy Manager

## Appendix 3

COLCHESTER BOROUGH COUNCIL

**NOTICE OF PUBLIC PARTICIPATION IN  
THE PREPARATION OF SUPPLEMENTARY  
PLANNING DOCUMENTS (SPDs) UNDER  
REGULATION 17 OF 'THE TOWN AND  
COUNTRY PLANNING (LOCAL  
DEVELOPMENT) (ENGLAND)  
(AMENDMENT) REGULATIONS 2008'**

Colchester Borough Council is inviting representations on Supplementary Planning Documents covering Affordable Housing; Community Facilities; and Backland and Infill Development. When finished, these documents will form part of Colchester's Local Development Framework and support the recently adopted Core Strategy.

The consultation period for the documents will run from Friday 1st May 2009 until Friday 29th May 2009 (Friday 15th May 2009 to Friday 12th June for the Affordable Housing SPD). The deadline for responding is 5.00pm. The Council may not be able to consider your views if your representations are received later than this time.

Copies of the documents, along with their supporting papers, are available at Colchester Borough Council Customer Service Centre, High Street, Colchester, between 8.30am and 5.30pm (Monday to Friday) and all Colchester District Libraries during normal opening hours, including evenings and weekends.

All of the documents and response forms can also be downloaded from the Colchester Borough Council website at [www.colchester.gov.uk](http://www.colchester.gov.uk)



Representations should be made on the response forms provided only and sent to the Spatial Policy team, at FREEPOST NAT4433, PO BOX 885, Colchester, Essex CO1 1ZE or by email to [planning.policy@colchester.gov.uk](mailto:planning.policy@colchester.gov.uk)

Further information can be obtained from the Spatial Policy team on (01206) 282473/282476.

Colchester Borough Council

[www.colchester.gov.uk](http://www.colchester.gov.uk)