



Local Development Framework

Development Policies

Regulation 30 (1)(e) Statement

November 2009



COLCHESTER LOCAL DEVELOPMENT FRAMEWORK

DEVELOPMENT POLICIES DPD

REGULATION 30(1)(e) STATEMENT

CONTENTS

1.	Introduction	3
2.	Development Policies Submission Document	3
3.	Statement of the Total number of Representations	3
4.	Summary of Main Issues	5
	• Representations that the document is Sound	5
	• Representations that the document is Unsound	6
5.	Unduly Made Representations	13
	Appendix 1 – Summary of Comments by Individual/Organisation	14

1. INTRODUCTION

- 1.1 This statement provides information on the representations received about the Submission Development Policies Development Plan Document (DPD). It is prepared under Regulation 28 and 30 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, which requires that a local planning authority must send to the Secretary of State a statement setting out:
- (i) If representations were made in accordance with Regulation 28(2) the number of representations made,
 - (ii) Copies of the representations,
 - (iii) A summary of the main issues raised in the representations,
- or
- (iv) A statement that no representations have been made.
- 1.2 A copy of this document is being made available on the Council's website (www.colchester.gov.uk) and at the Council's offices and the local library.

2. DEVELOPMENT POLICIES SUBMISSION DOCUMENT

- 2.1 The Development Policies DPD will be formally submitted to the Secretary of State on the 30th November 2009 following publication and a consultation period which ran from the 18th September until the 30th October 2009 (a period of 6 weeks). During this period, copies of the Submission Document and all accompanying documents were made available for inspection at the Council's offices and the local library. In addition, the document was published on the Council's website.
- 2.2 A public notice advertising the consultation for the Site Allocations and the Development Policies Submission documents was published in the Essex County Standard on the 18th September 2009. A further notice for the Submission to the Planning Inspectorate of the Site Allocations and Development Policies was published in the Colchester Daily Gazette on the 30th November 2009.

3. STATEMENT OF THE TOTAL NUMBER OF REPRESENTATIONS MADE AS REQUIRED UNDER REGULATION 30 (1) (e) (i)

- 3.1 In total, 37 organisations and individuals made 91 representations on the Core Strategy Submission Document within the specified time period. Of the 90 duly made representations, 68 considered the document or elements of it 'unsound', 22 considered the document or parts of it 'sound' as the following table shows. One representation was considered 'not duly made' as it was received after the deadline.

Part of Development Policies	Sound	Unsound	Total Responses
Whole Document or more than one policy	11	1	13
DP1 Design and Amenity		2	2
DP2 Health Assessments		5	5
DP3 Planning Obligations	2	4	6
DP4 Community Facilities	1	2	3
DP5 Employment Uses		5	5
DP6 Town Centre Uses		1	1
DP7 Local Centres	1	1	2
DP8 Agricultural Development		1	1
DP9 Countryside Employment	1	8	9
DP10 Tourism, Leisure, Culture		4	4
DP11 Flat Conversions			0
DP12 Dwelling Standards		3	3
DP13 Alterations, Extensions and Replacements		1	1
DP14 Historic Environment		2	2
DP15 Open Space Retention		6	6
DP16 Private Amenity Space and New Open Space Provision		7	7
DP17 Accessibility	1	1	2
DP18 Transport Infrastructure	1	2	3
DP19 Parking Standards		4	4
DP20 Flood Risk		1	1
DP21 Nature Conservation			0
DP22 Dedham Vale AONB			0
DP23 Coastal Areas	3	1	4
DP24 Equestrian Activities		1	1
DP25 Renewable Energy		3	3
Additional Policy suggested		2	2
Unduly Made	1		1
TOTAL	22	68	90

4. SUMMARY OF MAIN ISSUES RAISED IN THE REPRESENTATIONS AS REQUIRED UNDER REGULATION 30 (2) (c) (iii)

4.1 The following is a summary of the main issues raised in representations about the soundness and legal compliance of the Development Policies DPD. A short paragraph summarising Colchester Borough Council initial views is also provided for each policy. The issues can be summarised as follows:

- Further justification and clarification should be provided for additional assessments and charges including Health Impact Assessments, the Community Infrastructure Levy, and community facilities planning obligations.
- Greater flexibility is required to support employment development in rural areas, and to support the full range of employment-generating uses outside the B use class.
- Clarity is needed on the role of Urban District Centres and higher-order retail provision outside the Town Centre.
- Tighter definitions and clarity on delivery mechanisms is needed for policies on private and public open space. Policies should provide more flexibility in how open spaces are provided, including provision for shared private amenity space for all dwellings.
- The best type of system to reduce traffic to the town centre should be evaluated in the first instance.
- Parking standards should be provided as maximum levels for all uses.
- Policy wording on energy conservation should be strengthened.

None of the issues raised are considered to be significant in terms of overall soundness and could be dealt with if deemed necessary through incorporation as minor changes.

5.0 REPRESENTATIONS THAT THE DEVELOPMENT POLICIES DPD IS SOUND

Policies in the Development Policies DPD received broad support from the following stakeholders and individuals:

- Highways Agency
- Sport England
- Little Horkesley Parish Council
- Natural England
- Anglian Water
- Essex County Council
- Tendring District Council
- Humberts
- EERA
- English Heritage
- Theatres Trust
- Coal Authority

- Coast Road Association
- West Mersea Yacht Club.

A further four 'sound' representations were received from individuals or agents on behalf of developers.

6.0 REPRESENTATIONS THAT THE CORE STRATEGY DPD IS UNSOUND (BY POLICY/CHAPTER)

1) **Policy DP2 (Health Assessments)**

The policy should address the needs of over 65s, particularly to support dementia and the frail elderly. The Policy should be more flexible rather than setting a blanket requirement for HIA which may be onerous and could possibly be incorporated within the EIA screening and scoping procedures. The level of detail to be included in a Health Impact Assessment should be proportionate to the scale of the proposed development. The proposed thresholds in the Policy are too low and the requirement for financial contributions towards healthcare would not satisfy the tests of Circular 05/2005 in relation to non-residential development.

CBC Initial Comments

The Government have now clearly established the importance of considering the health impacts of new development, and the proposed Development Policy reflects best practice and Essex-wide guidance on the subject. Health Impact Assessments are designed to assess potential health impacts on different sections of the population, including over 65s, so additional policy wording is not required. The thresholds set for requiring an HIA are considered to be high enough to avoid constituting an onerous requirement on smaller projects. The scoping process is designed to ensure that the assessment would be tailored to the scale of the proposed development.

2) **Policy DP3 (Planning Obligations and the Community Infrastructure Levy (CIL))**

The CIL process may not be implemented or prove durable. The policy was also considered to duplicate national policy. Further clarity is required as to the types of development proposals the CIL will relate to. The explanatory text should clarify how contributions will be prioritised and distributed.

CBC Initial Comments

The Development Policy on planning obligations and CIL was drafted in a rapidly evolving national policy context. The wording was accordingly balanced between the need to ensure that the Council would be well placed to take advantage of the new system, while avoiding prescriptive wording that would tie the Council to a particular system that was later changed. The Council expects to further develop guidance on CIL through a Supplementary Planning Document.

3) Policy DP4 (Community Facilities)

The Policy wording gives insufficient emphasis on the provision of new facilities. More guidance is needed as to how proposed new facilities (including sports uses/pitches) will be considered. The explanatory text should cross-reference to other policies where appropriate.

CBC Initial Comments

Existing Supplementary Planning Documents on Community Facilities and on Sport, Recreation and Open Space are considered to provide adequate levels of detail on the consideration of new facilities. Further cross-referencing could be considered if appropriate and if it did not result in duplication.

4) Policy DP5 (Appropriate Employment Uses and Protection of Employment Land and Existing Businesses)

Responses to this policy shared a focus on the issue of flexibility in allowing a wide range of employment uses, both within and outside the 'B' use class. In rural employment areas, it was argued that B8 uses can be acceptable. The policy should be amended to indicate B1, B2 and B8 uses are acceptable in principle, subject to (in the case of B8 uses) traffic generation levels not being harmful to rural or residential amenity and/or highway safety. The Policy does not make provision for businesses with significant employment benefits that are not specified in categories (a) to (f), nor does it provide criteria for assessing proposals for businesses within the employment zones which do not fall within the 6 specified categories. The policy needs to make provision for more mixed live and work opportunities to reduce the need to travel. The Policy should not apply to land to the north of London Road, Tollgate, which has planning permission for a new supermarket.

CBC Initial Comments

The proposed policy is considered to strike an appropriate balance between support for rural economic development and preservation of the rural environment. The policy highlights B8 uses in the countryside because they would normally be expected to generate higher volumes of van and lorry traffic. Sufficient flexibility to permit non-B uses in employment zones is provided by sub-section (f) 'other employment-generating uses, such as those related to recreation and tourism, which meet local needs and/or promote rural enterprise'. There are particular circumstances relating to the Sainsbury's relocation to an area allocated for employment. The extant permission has not been implemented and therefore it would be inappropriate to allocate the land for retail purposes whilst the retail use continues on the existing site.

5) Policy DP 6 (Town Centre Uses)

The Policy should provide further clarity on the role of the Urban District Centres, which could include further support for retail uses and/or developing strategies for strengthening centres within the Borough. In this respect it is not consistent with PPS6.

CBC Initial Comments

PPS6/new PPS4 will provide overall guidance for any retail development, and proposals will need to address the requirement to follow a sequential approach focused on town centres in the first instance. Core Strategy Policy CE2b is considered to provide sufficient flexibility and detail to address the particular circumstances needed to increase the sustainability, attractiveness and viability of district centres.

6) Policy DP7 (Local Centres and Individual Shops)

The Policy is not sufficiently flexible for Neighbourhood Centres with good public transport connections to allow higher order facilities to be provided which are not met within a wider catchment area.

CBC Initial Comments

In order to be compatible with national policy on retail location, higher order retail facilities should be located in the town centre. Proximity to good transport connections on its own is not a sufficient ground to allow location of a higher order facility in a neighbourhood centre, given that there are a number of other impact issues including impact on the town centre.

7) Policy DP8 (Agricultural Development and Diversification)

Further clarity is required to the wording and cross-referencing to ensure that diversification is only permitted to support an existing farm enterprise, not to enable other development.

CBC Initial Comments

Noted – minor wording changes could be agreed if appropriate.

8) Policy DP9 (Employment Uses in the Countryside)

The Policy should make clear that the countryside and natural barriers of farmland between rural employment sites and village settlements should be retained and protected. Further clarity is required as to what constitutes employment development; e.g. does it include leisure uses? The policy should consider the number of jobs created as well as impact on landscape. Minor wording changes to ensure consistency were also suggested.

CBC Initial Comments

Core Strategy Policy ENV1 is considered to provide additional protection between rural employment sites and village settlements in the statement *‘Where new development needs a rural location, it should protect and enhance the locally distinct character of the landscape.’* Appropriate employment uses within designated employment zones and sites are defined in Policy DP5 as including ‘those related to recreation and tourism’.

9) Policy DP10 (Tourism, Leisure and Culture)

Complementary DPDs should set out the positive steps that are necessary to ensure intentions and strategies are capable of being delivered. The Policy omits guidance on the provision of new sports facilities, which in terms of the RSS definition are included within the range of cultural assets. It is inevitable that greenfield countryside locations will be required for sports

pitches, and the Development Policies should acknowledge this. Further clarity is required to ensure that golf course proposals are considered in relation to the Essex Golf Report and the Coastal Protection Belt. The Policy does not recognise the reality of car-based accessibility for tourist accommodation, and therefore does not give sufficient encouragement to extensions to existing holiday parks rather than proposed new ones. Developments for visitor accommodation should be limited by 'holiday purpose' conditions rather than seasonal occupancy.

CBC Initial Comments

A number of existing strategies and schedules included in the evidence base already set out the positive steps needed to ensure delivery of key projects important to tourism, leisure and culture. These include the schedule of key infrastructure projects in the Core Strategy, and at the sub-regional level, the Haven Gateway Green Infrastructure Strategy and the Integrated Development Programme. Guidance on specific requirements for sports facilities can be found in existing guidance contained in the Sports, Recreation and Open Spaces Supplementary Planning Guidance. The development of sports pitches on greenfield sites would need to be considered on a case-by-case basis, but in general terms would need to satisfy general criteria set by national, regional and LDF policies on greenfield development. The Essex Golf Report will be added to the evidence base. Policy DP23 on coastal areas provides strict criteria for evaluating any development within the Coastal Protection Belt. The LDF approach to holiday caravan sites is set within the overall aim of shifting reliance away from car-based development. Considerations on particular sites reflect Sustainability Appraisal findings on their suitability from a variety of environmental considerations. The appropriateness of conditions relating to holiday caravans can be considered on a case-by-case basis, but in general seasonal occupancy conditions are considered to be easier to monitor and enforce than holiday occupancy conditions.

10) Policy DP12 (Dwelling Standards)

Stronger wording is needed to address common nuisance issues in areas of high density and flats, such as toy storage, car washing facilities and laundry and drying areas – natural drying areas for the latter would also be sustainable.

CBC Initial Comments

The wording chosen is considered to provide an appropriate balance between highlighting the importance of adequate activity and storage space and an overly prescriptive approach which is otherwise covered by Building Control Regulations.

11) Policy DP13 (Dwelling Alterations, Extensions and Replacement Dwellings)

Specific wording changes suggested including that replacement dwellings should be permitted where the original dwelling is lawful and that annexes are part of a single dwellinghouse and should not be deprived of standard facilities.

CBC Initial Comments

Minor changes may be acceptable.

12) Policy DP14 (Historic Environment Assets)

Clarification is required on how areas nominated by the community as of local historic interest will be protected.

CBC Initial Comments

A local list of areas and/or buildings considered to be of local historic interest is being prepared. The information within the list will help inform planning application decisions.

English Heritage are in the process of developing non-statutory best practice guidance for local authorities and their communities for the identification and management of local heritage assets and the consolidation of these assets as a local list. Encouraging the identification and management of heritage at the local level is an important component of the heritage protection reform (HPR) programme. It is hoped that such guidance will be available by Spring 2010. English Heritage have been actively involved shaping the Colchester Local List.

A local list that is reflected in adopted policies has proven to strengthen their protection. Research carried out by Peter Boland in 1997/8 found that of 20 appeal decisions relating to buildings on local lists, only one was negative as regards a local list building, leading him to conclude that "Appeal Inspectors appear highly accepting of Local Lists, viewing them as a perfectly proper exercise of the powers of local planning authorities".

13) Policy DP15 (Retention of Open Space and Indoor Sports Facilities)

The policy should make provision for major tracts of open space to be provided (particularly in association with the large scale Site Allocations such as in the North Growth Area) including compensation for the loss of areas previously allocated as proposed open space, as DP16 does not make sufficient provision. The Policy should give greater protection and encouragement to green infrastructure links, in accordance with Policy ENV1 in the East of England Plan. The policy guidance should include detail on the provision of new sports facilities (including sports pitches).

CBC Initial Comments

The master planning and development management process will identify strategic open space in the Growth Areas to comply with PPG17 and local standards. The proposed public open space which now forms part of the North Growth Area Urban Extension was aspirational and has always been in private ownership. Green infrastructure is clearly identified as a priority throughout the LDF, and the Council is progressing the development of Green Links as well as the general expansion of green spaces. Guidance on specific requirements for sports facilities can be found in existing guidance contained in the Sports, Recreation and Open Spaces Supplementary Planning Guidance.

14) Policy DP16 (Private Amenity Space and Open Space Provision for New Residential Development)

Strategic open space allocations should be identified on the Proposals Map, particularly where major housing growth is intended. The imposition of specific private amenity standards does not allow sufficient flexibility in delivering high quality amenity space as it would preclude the introduction of shared amenity space. Side streets should be capable of use as play space for children. Open space should be accessible to everyone at all times for a variety of recreational purposes. Policy size standards should only be advisory since the usability and value of garden space is influenced by a range of factors other than size. Further clarification in para 7.5 is required on the provision of open space between 0.2 and 2 ha. The Policy guidance omits guidance on the provision of new sports facilities (including sports pitches).

CBC Initial Comments

The master planning and development management process will identify strategic open space in the Growth Areas to comply with PPG17 and local standards. The policy sets firm standards to highlight the importance of providing open space, but consideration could be given to minor wording changes to increase flexibility. Traffic management policies and careful attention to layout is intended to improve the usability of side streets, but dedicated children's play areas will be expected to provide the main focus for children's play. The definitions of strategic and local open space provided in para 7.5 were not meant to preclude provision of open space at levels between 0.2 and 2 ha. The definitions will be clarified. Guidance on specific requirements for sports facilities can be found in existing guidance contained in the Sports, Recreation and Open Spaces Supplementary Planning Guidance.

15) DP17 (Accessibility and Access)

Further clarity is required on the requirement for vouchers for free bus travel and is in particular less suitable for non-residential development such as a holiday park, which may not be near a bus route. The ambition for subsidised public transport can be achieved through a Travel Plan.

CBC Initial Comments

The policy as set out does suggest that an "equivalent contribution to a sustainable transport measure" could be provided. Where there is not an existing bus route then the development may need to consider provision of such a service.

16) DP18 (Transport Infrastructure Proposals)

The criteria are drawn too narrowly and appear to favourably pre-judge Park and Ride (P&R) as opposed to Park and Rail for the Eastern Approaches. The Policy should also consider potential negative impacts on rural areas and Rural District Centres. Existing/improved rail services could perform the P & R function in a more effective and sustainable way.

CBC Initial Comments

The criteria determining the selection of sites for Park and Ride was set out in the evidence base for the Core Strategy. Further feasibility work is to be undertaken which will need to consider the impacts of the proposal. The Council continues to work with the train operating company and the Essex and South Suffolk Community Rail Partnership to promote the Clacton-Colchester rail link.

17) Policy DP19 (Parking Standards)

The Policy is not consistent with national policy because it sets minimum parking standards for residential development rather than maximum parking standards.

Parking standards should allow for street parking. Parking standards should be clearly in effect at the design stage rather than at the time of construction. The Policy is inflexible in terms of retail parking; sites should be assessed on a case by case basis.

CBC Initial Comments

The Borough Council has adopted the Essex County Council Parking Standards (September 2009) as SPD. The County Council undertook consultation on these revised standards in March 2009. The new standards reflect the local parking issues in Essex and provide consistency across the county. The policy and explanatory text will be reworded to reflect the adoption of the new standards.

18) Policy DP20 (Flood Risk and Management of Surface Water Drainage)

The Policy does not make clear if the sequential test has been applied to the University site.

CBC Initial Comments

The Sequential Test has been applied to the Essex University Site. The site has passed the Sequential Test and this will be included in the addendum that is being submitted as part of the Sustainability Appraisal.

19) Policy DP23 (Coastal Areas)

The Policy wording could be strengthened to prevent inappropriate development.

CBC Initial Comments

Much of Colchester's coastal area already has strong protection due to the extensive coverage of national and international designations. This protection is strengthened by the Coastal Protection Belt which adds a further layer of protection to prevent inappropriate development along the Borough's areas of undeveloped coast. In this context, Policy DP 23 provides guidance for the exceptional cases where some development may be appropriate to help sustain coastal communities and rural economies.

20) Policy 24 Equestrian Activities

Minor wording changes were suggested to support the view that the urban fringe is the most accessible and sustainable location for equestrian activities.

CBC Initial Comments

Urban fringe locations might not in all instances be preferable to other countryside locations. The criteria in Policy DP24 are considered adequate to ensure that accessibility and sustainability considerations are addressed regardless of location.

21) Policy 25 Energy, Resources, Waste, Water and Recycling

The policy should be strengthened to make a significant impact on energy consumption. The Policy should give clear guidance for onshore wind generation schemes and should also include the transport implications of wind-farms including effects on any next to major roads, construction, operation and de-commissioning stages of the development.

CBC Initial Comments

The policy wording is considered to provide strong support for renewable energy schemes. Transport implications require consideration for all schemes, and are considered to be adequately covered by Core Strategy Policies TA1-5 and DP1.

7.0 ADDITIONAL POLICIES NEEDED

The earlier version of the Development Policies included a policy on Housing Tenure and Mix which one representation said should be reinstated. A suggested new policy relating to the provision of housing for older people was put forward.

CBC Initial Comments

A policy on housing tenure and mix was initially proposed, but consultation responses, including those from GO-East and Essex County Council, considered that the policy duplicated content found in Core Strategy Policies H2 (Housing Density) and H3 (Housing Diversity). The issue of provision of housing for older people is considered to be covered by Core Strategy Policy H3 (Housing Diversity), which notes that 'Housing developments will also need to contribute to the provision of affordable housing and homes that are suitable to the needs of older persons, persons with disabilities and those with special needs.'

8.0 UNDULY MADE REPRESENTATIONS

The representation from Braintree District Council was not considered to be duly made as it was received after the deadline. They indicated they had no comments in a letter. This letter was logged and treated as a comment rather than an official representation on the plan.

9.0 REPRESENTATIONS TO THE DEVELOPMENT POLICIES DPD (BY RESPONDENT)

DP1/001 Edward Gittins * Policy DP5

B8 uses can be acceptable in rural local employment sites/zones. The policy should be amended to indicate B1, B2 and B8 uses are acceptable in principle, subject to (in the case of B8 uses) traffic generation levels not being harmful to rural or residential amenity and/or highway safety.

DP1/002 Edward Gittins * Policy DP9

Paragraph (a) is not consistent with paragraph (b). Paragraph (a) should be reworded: *“Proposals (other than within the local employment zones identified on the Proposals Map) will only be supported”*.

DP1/003 Edward Gittins * Policy DP13

Replacement dwellings should be permitted where the original dwelling is lawful and paragraph (b) (i) should be amended by inserting *“is lawful, or otherwise”* after the word “demolished”. Annexes are part of a single dwellinghouse and should not be deprived of standard facilities: paragraph (c) (iii) should be deleted and it is covered by (c) (v).

DP1/004 Edward Gittins * Policy DP15

The policy should make provision for major tracts of open space to be provided (particularly in association with the large scale Site Allocations such as in the North Growth Area) including compensation for previously allocated open space where now included within Housing Growth Areas, as DP16 does not make sufficient provision.

DP1/005 Edward Gittins * Policy DP16

Strategic open space allocations should be identified on the Proposals Map, particularly where major housing growth is intended.

DP1/006 Edward Gittins * Policy DP24

The urban fringe is the most accessible and sustainable location for equestrian activities, so criterion (iii) should ensure that these proposals do not detract from town setting and provide appropriate landscaping. The last sentence should be deleted as it could result in derelict sites.

DP1/007 Edward Gittins * Former Reg 25 Policy DP9

The contents of this former policy are important and should feature in the Development Policies.

* Joint response on behalf of:-

- Mr Ivan Beales
- Mr Don Clough
- Colchester Golf Club
- Mr Martin Cowan
- Mr Andrew Crowley
- Mr Michael Culham
- Mr Robert Davidson
- Mr K Denison
- Mr Rod Firth
- Mr Colin Hart
- Mr Richard Martin
- Mr Duncan Miller
- NEEB Holdings Ltd
- Mr Paul Osborne
- Messrs M & M Parmenter
- Stadia Trustees Ltd
- Mr Andrew Stevens
- Mr & Mrs Sutton
- Mr David Taylor (Building Contractor Ltd)
- Tin Bins Ltd
- Mr & Mrs Charles Trollope
- Mr Michael Wheeler
- Mr Derek White
- Whitnell Contracts & Powerplus Engineering Ltd
- Mr Lionel Whitnell
- The Furniture Zone

DP14/008 Tendring District Council

Sound

DP15/009 John Dickinson Policy DP12

Criterion (vii) is ineffective as it fails to address common nuisance issues in areas of high density and flats, where there is a lack of external amenities, such as toy storage, car washing facilities and laundry and drying areas – natural drying areas for the latter would also be sustainable. The criterion should be extended to reflect this.

DP15/010 John Dickinson Policy DP16

Policy is too inflexible as it will prevent flats and family housing from using shared amenity space due to overlooking; also side streets should be capable of use as play space for children. Open space should be accessible to everyone at all times for a variety of recreational purposes. Rewording suggested.

DP15/011 John Dickinson Policy DP14

Criterion (ii) fails to clarify how areas nominated by the community, as of local historic interest other than listed buildings or conservation areas, will be protected. This requires approved SPG.

DP15/012 John Dickinson Policy DP5

The 2009 Employment Land survey assessed 55% of employment in the Borough takes place outside recognised zones. The policy needs to recognise this and to make provision for more mixed live and work opportunities to reduce the need to travel.

DP15/013 John Dickinson Policy DP2

The policy is ineffective as it does not recognise the needs of the 30% of the population who will be over 65, particularly to support dementia and the frail elderly in the community.

DP15/014 John Dickinson Policy DP19

The policy is ineffective as all parking spaces must be provided off the highway and, at the time of construction rather than at design stage.

DP15/015 John Dickinson Policy DP25

The policy is ineffective as it will not make a significant impact on energy consumption and fails the Brundtland definition of sustainable development. The Policy fails to make provision of post 2020 targets for development, makes no provision for innovation and does not account for the high energy requirements unique to Colchester.

DP21/016 Wivenhoe Town Council Policy DP18

Generally support the criteria based policy, however the criteria are drawn too narrowly and appear to favourably pre-judge Park and Ride as opposed to Park and Rail for the Eastern Approaches. The Policy should also consider potential negative impacts on rural areas and Rural District Centres.

DP21/017 Wivenhoe Town Council Policy DP9

Support the general thrust of the policy. Further clarity is required as to what constitutes employment development; e.g. does it include leisure uses? Should the number of jobs created be taken into account as well as impact on landscape.

DP21/018 Wivenhoe Town Council Policy DP8

Support the general thrust of the policy. Further clarity is required to the wording and cross-referencing to ensure that diversification is only permitted to support an existing farm enterprise, not to enable other development.

DP21/019 Wivenhoe Town Council Policy DP4

Support the general thrust of the policy. The Policy wording gives insufficient emphasis on the provision of new facilities, in line with paragraph 3.14.

DP21/020 Wivenhoe Town Council Policy DP23

Support the general thrust of the policy. The Policy wording and explanatory text could be strengthened to prevent inappropriate development. It is not consistent with DP10, which fails to mention the Coastal Protection Belt.

DP21/021 Wivenhoe Town Council Policy DP20

Support the general thrust of the policy. The Policy does not make clear if the sequential test has been applied to the University site.

DP21/022 Wivenhoe Town Council Policy DP10

Support the general thrust of the policy. Further clarity is required to ensure that golf course proposals are considered in relation to the Essex Golf Report and the Coastal Protection Belt.

DP111/084 Cllr Stephen Ford Whole Document

Comment – supports the representations sent in by Wivenhoe Town Council

DP47/023 Mersea Homes Policy DP12

The third sentence of paragraph 5.6 should be deleted as the Policy wording does not refer to the requirements of Lifetime Homes Standards.

DP47/024 Mersea Homes Policy DP16

The useability and value of garden space is influenced by a range of factors other than size and the Policy size standards should only be advisory.

DP47/025 Mersea Homes Policy DP7

The Policy is not sufficiently flexible for Neighbourhood Centres with good public transport connections, to allow higher order facilities to be provided which are not met within a wider catchment area.

DP47/026 Mersea Homes Policy DP3

The Policy should be more circumspect in recognising that the CIL process may not be implemented.

DP47/027 Mersea Homes Policy DP2

The Policy should be more flexible rather than setting a blanket requirement for HIA which may be onerous and could possibly be incorporated within the EIA screening and scoping procedures.

DP47/81 Mersea Homes Policy DP16

The text in paragraph 7.5 requires further clarity as local open space is defined as parcels smaller than 0.2ha and strategic open space as larger than 2.0ha: this definition omits parcels of land between these two sizes.

DP57/028 DLP/Williamson Developments Policy DP3

This policy should be removed as it is not a policy for the guidance of development and duplicates national policy, so is unnecessary. There is also no certainty that CIL will be introduced or prove durable.

DP78/029 DLP/Strategic Land Planning Trust Policy DP3

This policy should be removed as it is not a policy for the guidance of development and duplicates national policy, so is unnecessary. There is also no certainty that CIL will be introduced or prove durable.

DP78/030 DLP/Strategic Land Planning Trust Policy DP10

The Policy is supported but in order to be effective complementary DPDs should set out the positive steps that are necessary to ensure intentions and strategies are capable of being delivered.

DP78/031 DLP/Strategic Land Planning Trust Policy DP25

Fundamentally support the general theme of the policy but it does not give clear guidance for onshore wind generation schemes.

DP28/032 Lt Horkesley Parish Council All Policies

All the policies are sound.

DP88/033 Humberts/Park Resorts Policy DP10

The Policy does not reflect advice in draft PPS4, PPS7 and the Good Practice Guide to Planning for Tourism, as it does not recognise the reality of car-based accessibility for tourist accommodation, and therefore does not give sufficient encouragement to extensions to existing holiday parks rather

than proposed new ones. Developments for visitor accommodation should be limited by 'holiday purpose' conditions rather than seasonal occupancy.

DP88/034 Humberts/Park Resorts Policy DP17

Further clarity is required on the requirement for vouchers for free bus travel and is in particular less suitable for non-residential development such as a holiday park, which may not be near a bus route. The ambition for subsidised public transport can be achieved through a Travel Plan.

DP88/035 Humberts/Park Resorts Policy DP23

Sound.

DP88/036 Humberts/Park Resorts Policy DP9

The Policy is sound.

DP87/037 EERA All Policies

The DPD is considered sound and in general conformity with the East of England Plan.

DP100/038 Cllr Robert Long Policy DP9

The Policy should make clear that the countryside and natural barriers of farmland between rural employment sites and village settlements should be retained and protected.

DP101/039 Glen Sansom Policy DP23

The Policy is sound. It is hoped that it will succeed in preventing encroachment of development on the coastal belt.

DP102/040 Jonathan Morris Policy DP25

The policy is ineffective as it will not make a significant impact on energy consumption and fails the Brundtland definition of sustainable development. The Policy fails to make provision of post 2020 targets for development, makes no provision for innovation and does not account for the high energy requirements unique to Colchester.

DP103/041 Hanover Bloc/David Miller Section 5 Housing

The DPD is unsound because it does not provide an appropriate policy explicitly relating to the provision of housing for older people. A suggested new policy is put forward.

DP104/078 Lawson Planning/CUFC Policy DP3

Further clarity is required as to the types of development proposals the CIL will relate to. The explanatory text should clarify how contributions will be prioritised and distributed. The plan lacks guidance on provision of sports facilities.

DP104/042 Lawson Planning/CUFC Policy DP4

The Policy provides insufficient guidance as to how proposed new facilities (including sports uses/pitches) will be considered. The explanatory text should cross-reference to other policies where appropriate.

DP104/043 Lawson Planning/CUFC Policy DP10

The Policy omits guidance on the provision of new sports facilities, which in terms of the RSS definition are included within the range of cultural assets. It is inevitable that greenfield countryside locations will be required for sports pitches, and the Development Policies DPD should acknowledge this.

DP104/044 Lawson Planning/CUFC Policy DP15

The Policy guidance omits guidance on the provision of new sports facilities (including sports pitches). This is inconsistent with guidance in PPS1, PPG17, RSS Policy C1 and the Council's evidence base documents.

DP104/045 Lawson Planning/CUFC Policy DP16

The Policy guidance omits guidance on the provision of new sports facilities (including sports pitches). This is inconsistent with guidance in PPS1, PPG17, RSS Policy C1 and the Council's evidence base documents.

DP105/046 Anglian Water All Policies

The DPD appears sound.

DP76/047 Myland Parish Council Policy DP2

The policy is ineffective as it does not recognise the needs of the 30% of the population who will be over 65, particularly to support dementia and the frail elderly in the community.

DP76/048 Myland Parish Council Policy DP5

The 2009 Employment Land survey assessed 55% of employment in the Borough takes place outside recognised zones. The policy needs to recognise this and to make provision for more mixed live and work opportunities to reduce the need to travel.

DP76/049 Myland Parish Council Policy DP12

Criterion (vii) is ineffective as it fails to address common nuisance issues in areas of high density and flats, where there is a lack of external amenities, such as toy storage, car washing facilities and laundry and drying areas – natural drying areas for the latter would also be sustainable. The criterion should be extended to reflect this.

DP76/050 Myland Parish Council Policy DP14

Criterion (ii) fails to clarify how areas nominated by the community, as of local historic interest other than listed buildings or conservation areas, will be protected. This requires approved SPG.

DP76/051 Myland Parish Council Policy DP16

Policy is too inflexible as it will prevent flats and family housing from using shared amenity space due to overlooking; also side streets should be capable of use as play space for children. Open space should be accessible to everyone at all times for a variety of recreational purposes.

DP76/052 Myland Parish Council Policy DP19

The policy is ineffective as all parking spaces must be provided off the highway and, at the time of construction rather than at design stage.

DP91/053 Coal Authority All Policies

Sound.

DP42/054 Highways Agency Policy DP3

Fully support.

DP42/055 Highways Agency Policy DP7

Support, and would want to positively promote the use of non-car travel whenever possible.

DP42/056 Highways Agency Policy DP17

Fully support.

DP42/057 Highways Agency Policy DP18

Support – no other new junctions onto the strategic road network would be encouraged.

DP42/058 Highways Agency Policy DP25

The criteria for assessment in the Policy should include implications of siting wind-farms close to the A12 and requirements for a Transport Assessment covering the construction, operation and de-commissioning stages of the development.

DP108/059 Clive Narrainen Policy DP3

Sound.

DP109/060 RPS Policy DP5

The Policy does not make provision for businesses with significant employment benefits that are not specified in categories (a) to (f), and it should include criteria for assessing proposals for businesses within the employment zones which do not fall within the 6 specified categories.

DP110/061 Sport England Policy DP4

Support the policy.

DP96/062 English Heritage All Policies

The document is considered sound. Minor changes to DP14 and Sections 7 and 9 were suggested to provide cross-referencing and to reflect that the historic environment relates to rural areas too.

DP112/065 Theatre Trust Policies DP3, 4, 6 & 10

Sound – the policies contain all the elements required for a thoughtful and forward looking framework for the cultural needs of the Borough.

DP144/066 Mr Bolton, West Mersea Yacht Club Policy DP23

Sound. Fully support the policy particularly in respect of Coast Road, West Mersea.

DP113/067 Colchester Bus Users Support Group Policy DP18

The Policy is not consistent with Traffic Advisory Leaflet 2/01 and Bus-Based Park and Ride: A Good Policy Guide. The Eastern Park and Ride would cause net increases in vehicle mileage and abstract from public transport services. Existing/improved rail services could perform the P & R function.

DP116/068 Coast Road Association All Policies

Sound.

DP119/069 Indigo/Sainsbury's Policy DP5

The Policy should not apply to land to the north of London Road, Tollgate, which has planning permission for a new supermarket.

DP119/070 Indigo/Sainsbury's Policy DP19

The Policy is inflexible in terms of retail parking; sites should be assessed on a case by case basis.

DP119/071 Indigo/Sainsbury's Policy DP2

The proposed thresholds in the Policy are too low and the requirement for financial contributions towards healthcare would not satisfy the tests of Circular 05/2005 in relation to non-residential development.

DP018/072 Natural England Policies DP1, 21, 22, 23 & 25

Sound and fully support.

DP018/073 Natural England Policy DP15

Generally support the policy but would like to see clearer link to green infrastructure. The Policy should give greater protection and encouragement to green infrastructure links, in accordance with Policy ENV1 in the East of England Plan. Additional wording suggested.

DP024/074 Essex County Council - Whole document

Sound. Headline issues for the Development Policies document include the need to ensure consistency in the approach taken throughout the LDF to allow greater flexibility in delivery and implementation given that the site for an East Colchester Park and Ride and funding are yet to be confirmed. Additionally, reference should be given to appropriate County Council Plans and strategies that may inform Colchester's LDF. The response includes recommended minor wording changes to Policies DP 8, 9, 14, 17, 18, and 19 to clarify transport related issues and to Policy DP 21 to give consideration to criteria for allocating Protected Lanes. Specific support is given to the approach to the historic environment provided by Policy DP14.

DP084/075 GO-East Policy DP19

This Policy is not consistent with national policy because it sets minimum parking standards for residential development rather than maximum parking standards.

DP017/076 EEDA (East of England Development Agency) All Policies

Sound.

DP046/077 Bidwells/Glanmore Investments Policy DP6

The Policy should provide further clarity on the role of the Urban District Centres, which could include further support for retail uses and/or developing strategies for strengthening centres within the Borough. In this respect it is not consistent with PPS6.

DP153/079 Wharf Land Investments Policy DP16

The imposition of specific private amenity standards does not allow sufficient flexibility in delivering high quality amenity space as it would preclude the introduction of shared amenity space.

DP153/080 Wharf Land Investments Policy DP2

The Policy should be more flexible so that the level of detail to be included in a Health Impact Assessment is proportionate to the scale of the proposed development.

DP129/85 and 86 Mrs. Sue Tod Policy DP1

No objections to policy wording, but objects to Wilkins employment development as it would have a negative visual effect and is not supported by adequate sewage which accordingly means it does not meet design standards.

DP129/87, 88, 89, 90, 91 Mrs. Sue Tod Policy DP9

No objections to policy wording, but objects to the expansion of Wilkins toward Tolleshunt Knights as it would be inappropriate employment expansion in the countryside that has not been adequately supported by evidence of whether the existing site could be renovated.

DP129/92 and 93 Mrs Sue Tod Policy DP15

No objections to policy wording, but objects to Wilkins employment development in Tiptree since it would lead to loss of an orchard.

DP181/83 Braintree District Council

(Not duly made) No comments made.