

Colchester Local Plan Focussed Review of the Core Strategy and Development Policies Sustainability Appraisal Non-technical Summary

Section 1. Introduction

Colchester's Local Plan Focused Review

Colchester Borough Council is using a two-stage approach to update its Local Plan. The Focused Review is the first stage, which is a limited review of policies which can be readily amended without the need to prepare further extensive evidence. Only those policies that clearly require updating due to non-compliance with the NPPF will be included in this stage. The second stage will be a Full Review, which will include amendments to the spatial strategy, housing and employment targets, and site allocations, as these issues require the support of updated evidence base work. This work is underway, and consultation on the Full Review will follow the Focused Review in 2014/5.

Sustainability Appraisal and Strategic Environmental Assessment

Sustainability Appraisal (SA) is about asking at various intervals during plan preparation: "how sustainable is my plan?" A range of objectives are established and all options are assessed against these objectives to compare their environmental, economic and social effects, and ultimately to assess how sustainable an option is.

In addition to an SA, Plans must also undergo a Strategic Environmental Assessment (SEA) in accordance with European Directive 2001/42/EC. SA examines all sustainability related effects including social, economic and environmental impacts, whereas SEA is focused primarily on environmental impacts. This report incorporates the requirements of the SEA Directive into the SA process.

The SA of the Focused Review has appraised policies that have been amended and these are listed in the box below. Policies which have been subject to a minor modification, but which do not alter the thrust of the policy, have not been subject to SA.

Sustainability;

- Core Strategy Policy SD1- Sustainable Development Locations Planning Contributions/Community Infrastructure Levy (CIL) and Community Facilities;
- Core Strategy Policy SD2- Delivering facilities & Infrastructure, Centres and Employment;
- Core Strategy Policies CE1 – Centres and Employment Classification and Hierarchy;
- Core Strategy Policy CE2 – Mixed use Centres;
- Core Strategy Policy CE2b – District Centres;
- Core Strategy Policy CE2c – Local Centres, and
- Core Strategy Policy CE3 - Employment Zones
- Development Policy DP5 – Appropriate Employment Uses and Protection of Employment Land and Existing Businesses, and

- DP9 – Employment Uses in the Countryside
- Housing;
- Core Strategy Policy H2- Housing Density,
 - Core Strategy Policy H3 –Housing Diversity,
 - Core Strategy Policy H4 – Affordable Housing,
 - Core Strategy Policy H5 – Gypsies, Travellers and Travelling Showpeople,
 - New Core Strategy Policy H6- Rural Workers' Housing
- Environment;
- Core Strategy Policy ENV2 - Rural Communities
 - Development Policy DP24 – Equestrian Activities
- Energy;
- Core Strategy Policy ER1 – Energy, Resources, Waste, Water and Recycling
- Design;
- Development Policy DP1- Design and Amenity

Habitat Regulations Assessment

As part of the SA Scoping Report, a Habitat Regulations Assessment screening opinion was carried out. This concluded that the Focused Review would not result in any significant impacts on Natura 2000 sites and therefore an appropriate assessment is not required.

Section 2. Methodology

This SA report has been prepared internally by the spatial policy team at CBC. The report includes the appraisal of options and likely effects of the Focussed Review. It will be published for consultation along with the pre-submission Focused Review document, for the statutory six week consultation period, on 5 August 2013. The SA objectives are listed below.

SA Objectives

- To ensure that everyone has the opportunity to live in a decent and affordable home.
- To ensure that development is located sustainably and makes efficient use of land
- To achieve a prosperous and sustainable economy
- To achieve more sustainable travel behaviour and reduce the need to travel.
- To improve the education, skills and health of the borough's population.
- To create safe and attractive public spaces
- To conserve and enhance the townscape character, historic and cultural assets of the borough.
- To conserve and enhance the natural environment, natural resources and the biodiversity of the borough.
- To make efficient use of energy and resources, and reduce waste and greenhouse emissions.

Technical difficulties

A specific difficulty encountered during the appraisal of the options, was that the differences between some of the policy options being assessed was quite minor. This is because only a slight policy adjustment was required to achieve

NPPF compliance, which made it more difficult to identify significant sustainability impacts between the policy options.

Section 3. Sustainability objectives, baseline and context

This section formed the SA Scoping Report, which was issued for consultation in March-April 2013. It includes a review of relevant plans, policies and strategies; a summary of the general, social, economic and environmental characteristics of the Borough; a summary of the key sustainability issues facing the Borough; a summary of the areas experiencing the biggest change during the plan period; and a summary of the likely evolution without the Local Plan, based on existing plans, trends and practices.

Section 4. Developing the Plan Options

In this section, the report identifies the options appraised and provides a comparative summary for each. The policy options and recommendations are set out below.

SD1 – Sustainable Development Locations

Option 1 is to retain policy SD1 in its existing form

Option 2 is to retain the existing policy SD1, but with additional wording taken from the Planning Inspectorate's model sustainable development policy.

Option 3 is to retain the existing policy SD1, but with some amendments to the text to provide greater opportunities for rural developments.

Recommendation

Option 1 performs best against the sustainability objectives, with more positive impacts against objectives 3, 4 and 5, when compared against the other options.

SD2 Delivering Facilities and Infrastructure

Option 1 is to retain policy SD2 in its existing form

Option 2 is to amend policy SD2 to incorporate comments from the Environment Agency and to update the text relating to CIL and planning obligations to reflect changes in circumstances at the national and local levels.

Recommendation

There is no recommendation for this policy, resulting from the appraisal of the sustainability. Both options perform equally, meaning, in sustainability terms, both would be suitable options to be carried forward into the plan.

CE1 - Centres and Employment Classification and Hierarchy

Option 1 is to retain the existing policy CE1.

Option 2 is to revise the policy inline with the NPPF to provide greater flexibility for employment proposals.

Recommendation

Overall option 1 is more balanced than option 2 and would result in more positive effects on the environment and society. However, option 2 has been taken forward as it is inline with the NPPF and in particular paragraph 19 of the NPPF, which states that “significant weight should be placed on the need to support economic growth through the planning system”.

Policy CE2: Mixed Use Centres

Option 1 is to retain existing policy CE2 and the associated tables (CE1 & CE2).

Option 2 is to amend policy CE2 to provide greater flexibility by adding ‘other accessible locations’ to the centres classification and hierarchy and accepting leisure and tourism uses as a primary rather than a secondary use in employment zones.

Recommendation

On balance option 1 is a more sustainable policy option however Option 2 is the chosen plan option as it will result in more positive economic impacts by allowing retail development in highly accessible locations outside of settlements and identifying tourism and leisure uses as primary uses. It will result in potentially negative effects on landscape and biodiversity, however these could be mitigated. It is considered that Colchester’s adopted planning policies set an appropriate context to ensure that any negative effects can be mitigated and it is therefore not necessary to add anything to policy option 2.

Policy CE2b: District Centres

Option 1 is to retain existing policy CE2b.

Option 2 is to amend policy CE2b to make the policy more positive and allow retail development within rural and urban district centres providing that evidence is submitted to demonstrate that the proposal will meet local needs and does not compete with the Town Centre.

Recommendation

Option 2 will result in more positive economic impacts and is more likely to result in retail and other associated development within urban and rural district centres, which will help to provide people with good access to their needs.

Policy CE2c: Local Centres

Option 1 is to retain existing policy CE2c.

Option 2 is to amend policy CE2c by removing reference to the safeguarding of local shops and services.

Recommendation

Option 1 is more sustainable than option 2 as it safeguards local shops and services; however option 2 has been included in the Focused Review as it complies with the NPPF.

Policy CE3: Employment Zones

Option 1 is retaining adopted policy CE3.

Option 2 is to amend policy CE3 by removing reference to development not suited to mixed use centres, removing retail, community and leisure uses not normally supported and inserting a paragraph stating that if there is no prospect of a site being used for employment uses applications for alternative commercial uses will be treated on their merits.

Recommendation

It is recommended that option 2 is taken forward as it will result in more significant positive effects on employment.

DP5 – Appropriate Employment Uses and Protection of Employment Land and Existing Businesses

Option 1 is to retain the existing policy.

Option 2 is to delete the policy.

Option 3 is to amend the policy to make it more flexible inline with the NPPF.

Recommendation

It is recommended that option 3 is taken forward. It will result in positive economic effects and continue to protect employment land, whilst being flexible and inline with the NPPF.

Policy DP9 - Employment Uses in the Countryside

Option 1 is to retain the current policy DP9.

Option 2 is the modified DP9 policy which includes new criteria for equestrian developments.

Recommendation

It is recommended that option 2 is taken forward. This is because it has the potential to generate more rural jobs due to it being slightly more permissive regarding rural business proposals while at the same time highlighting the need to protect the countryside and the landscape character of rural parts of the Borough. This approach also accords with the objectives of the paragraph 28 of the NPPF in relation to supporting rural regeneration and a prosperous rural economy.

Policy H2 – Housing Density

Option 1 is the existing H2 policy which sets indicative housing densities for different locations depending on their accessibility.

Option 2 is the revised H2 Housing Density policy which does not include indicative housing densities.

Option 3 retains Table 2a however the indicative housing densities are replaced with descriptive text to link accessibility and housing density.

Recommendation

It is recommended that option 2 is taken forward. Overall Option 2 is considered to be the most sustainable and flexible policy option for delivering the most appropriate housing density schemes relative to accessibility, location and need.

Policy H3 – Housing Diversity

Option 1 is the current Housing Diversity policy H3.

Option 2 is the revised policy H3.

Recommendation.

It is recommended that option 2 is taken forward as the preferred policy option as it is flexible and will ensure that a range of housing types can be delivered across different locations. This will help create mixed communities and deliver a range of house that will meet the housing needs of local communities in Colchester. This approach also accords with paragraphs 47 and 50 of the NPPF.

Policy H4 – Affordable Housing

Option 1 is the current Affordable Housing policy which sets a 35% affordable housing target.

Option 2 is the revised policy which sets a 20% affordable housing target

Option 3 proposes the deletion of H4

Recommendation.

Option 2 is the preferred policy option principally because it is more likely to support the delivery of affordable housing in the Borough in both urban and rural areas without compromising the viability of future housing developments and regeneration schemes in the Borough. Delivering schemes with an element of affordable housing will help create more mixed communities with a range of skills that will be useable by local businesses. It will also improve people's access to services and could have a positive impact in terms of reducing the need to travel as people can live closer to key centres of population. This approach also accords with paragraph 50 of the NPPF.

Policy H5 – Gypsies, Travellers and Travelling Showpeople

Option 1 is to retain policy H5 in its existing form

Option 2 is to amend the policy to add additional text to the policy, referring to the relevant national policy documents

Recommendation

There is no recommendation for this policy, as both options perform equally in sustainability terms.

Policy H6 – Rural Workers Dwellings

Option 1 is the new Rural Workers Dwellings policy.

Option 2 is to the no policy option for this issue.

Recommendation.

It is recommended that Option 1 is taken forward as it will comply with paragraph 55 of the NPPF and ensures that rural accommodation workers needs are properly considered in Colchester's Local Plan process.

Policy ENV2 – Rural Communities

Option 1 involves the retention of the existing Core Strategy policy ENV2.

Option 2 is the amended ENV2 policy to ensure it is more inline with the NPPF regarding the treatment of Rural Exception Sites and Neighbourhood Planning.

Recommendation

It is recommended that option 2 is taken forward as it is more flexible in terms of housing and employment provision in rural areas. This policy approach also accords with paragraphs 28, 54 and 183 in the NPPF regarding rural regeneration, Rural Exception Sites and Neighbourhood Planning.

Policy DP24- Equestrian Activities

Option 1 is the retention of Policy DP24.

Option 2 involves the deletion of DP24.

Recommendation

It is recommended that Policy DP24 is deleted subject to the amendment of policy DP9 to include commercial equestrian businesses and the introduction of a new Rural Workers Dwellings policy (H6). These policy changes are needed to provide a robust policy framework for assessing commercial equestrian businesses and to ensure that the needs of those employed in rural land based businesses who need to live at or close to where they work can be properly met. This approach also accords with paragraph 55 of the NPPF.

Policy ER1 – Energy, Resources, Waste and Recycling

Option 1 is retaining Core Strategy policy ER1.

Option 2 is amending the policy to ensure it is more inline with the NPPF, updates to building regulations and best practice.

Option 3 updates policy ER1 as per option 2, however the wording is not as strong. The word 'encouraged' is used rather than 'expect'.

Recommendation

Option 2 will have more positive environmental effects as the wording is stronger than options 1 and 3. Option 3 is supported by members as it is inline with the NPPF, updates to building regulations and best practice but retains enough flexibility to ensure that it will not affect the viability of development.

DP1 Design and Amenity

Option 1 is to retain DP1 in its existing form

Option 2 is to add additional wording to reflect the NPPF, as a result of a representation submitted by the Environment Agency.

Recommendation

There is little difference between policy option 1 and option 2, so either option would be beneficial in sustainability terms. Option 2 performs slightly better overall, so it is recommended that, for sustainability purposes, option 2 is carried forward into the plan.

Section 5. Likely significant effects

Section 5 summarises the likely significant environmental, economic and social effects of the Focused Review, as a whole.

Environmental

A number of environmental sustainability effects were identified. Some of the key effects that will result from the chosen policy options are listed below:

- Some negative impacts on natural and historical environmental objectives, due to the policies' promotion of growth and development
- Ensuring development is located sustainably and makes efficient use of land
- Ensuring that the highest density housing is delivered at the most accessible locations
- Ensuring that people have good access to key services and facilities, including sustainable transport networks
- A possible negative impact on landscape character and biodiversity and loss of Greenfield land as a result of an increase in rural exception schemes
- An increase in the number of sustainable buildings, including buildings using energy from renewable energy sources, which will help reduce carbon emissions and have a positive effect on climate change mitigation.

Economic

- Greater flexibility for employment proposals, resulting in a more positive impact on economic development and job creation across the Borough.
- Promotes the development of highly accessible land outside of centres and ensures good access to retail and associated uses in urban and rural district centres.
- Providing people with good access to employment, retail and leisure uses will reduce the need to travel.
- The vitality and viability of the Town Centre will be sustained by requiring major retail development outside of the Town Centre to provide evidence that it supports local need and does not compete with the Town Centre.
- A risk of the Town Centre being undermined, as large retail development is more likely to favour development on greenfield sites than previously developed, constrained, town centre sites.
- Potential negative impact on access to services caused by removal of reference to safeguarding local shops and services.
- Possible negative impact on development in the Town Centre as the NPPF does not recognise a difference between town centres, urban district centres, rural centres and local centres, which could result in town centre development locating to other centres.
- Potential negative effects on the supply of employment land.
- Positive impact on the rural economy and on rural regeneration due to support given to a greater mix of employment uses and the less restrictive approach to the size of businesses in the rural area.

Social

- Ensuring everyone has the opportunity to live in a decent and affordable home
- Ensuring more sustainable travel is achieved by guiding developments to the most accessible locations
- Ensuring that a better mix of housing will be delivered by adopting a flexible approach based on local need and context.
- More responsive to the complexities of the housing market and community needs for housing.
- Delivering the highest density housing at the most sustainable locations; ensuring people have good access to key services and facilities including sustainable transport networks.
- Increase the delivery of affordable housing provision across the Borough without placing an excessive strain on the overall viability of future developments.
- Increasing the number of rural exception schemes coming forward, which will help address rural housing shortfalls.
- Improving the overall sustainability of some rural settlements by addressing local housing shortfalls whilst also enabling other community facilities to be delivered and contributing toward the wider regeneration of the rural Colchester.
- Meeting the need for rural workers accommodation (both permanent or temporary) as part of the overall housing mix in the Borough
- Requiring high quality, inclusive design, which will improve access to facilities, including health and community facilities, create safe and attractive public spaces and reduce crime.

Proposed mitigation and enhancement measures

To avoid economic development in inaccessible locations it was recommended that wording be added to policy CE1 about providing people with good access to their needs.

No other mitigation or enhancement measures were recommended. This is unsurprising considering that this is a Focused Review and involves amendments to existing policies, which have already been subject to SA.

Section 6. Monitoring

It is a requirement of the Strategic Environmental Assessment (SEA) Directive and part of SAs that the significant effects of implementing a plan must be monitored to identify unforeseen effects and to be able to undertake appropriate remedial action. Colchester Borough Council produces an Annual Monitoring Report (AMR), which incorporates monitoring progress against SA objectives.