



Local Development Framework

Development Policies Regulation 25 Consultation

January 16 – February 27 2009



Development Policies DPD

Regulation 25 Consultation

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Development Policies – Regulation 25

Introduction and Context

This report forms part of the latest stage in the Council's work to replace the outdated Local Plan system with a new Local Development Framework (LDF) that will provide a strategy for the development of Colchester to 2021 and beyond. The requirement to produce an LDF was established by the Planning and Compulsory Purchase Act 2004, which came into force in September 2004. In June 2008 the requirements were modified following the publication of the revised Planning Policy Statement 12 and statutory regulations.

The LDF is essentially a portfolio that consists of a collection of individual documents. Together with the East of England Plan (also known as the Regional Spatial Strategy), the LDF will provide the new "Development Plan" which will over time replace the existing Local Plan and Essex Structure Plan. The Local Development Scheme sets out the details of the documents the Council will prepare in the next few years and when each will be prepared.

The first document to be produced was the Core Strategy which was adopted by the Council in December 2008. This sets out the long-term spatial vision for the borough, and the spatial objectives and strategic policies to deliver that vision.

The Development Policies Development Plan Document (DPD) is intended to provide further details to assist the delivery of the Core Strategy and the consideration of planning applications. Consequently, reference to the Core Strategy will be made throughout this report. The Core Strategy should be consulted for further details about the nature of the LDF system and about the planning context under which it is being prepared; particularly relating to the close relationship of the LDF with the Regional Spatial Strategy and the Sustainable Community Strategy produced by Colchester 2020. The Core Strategy contains 23 policies which will also be used in decision making.

This report is intended to promote discussion about the "preferred options" for detailed policies that will form one of the documents within the LDF. It is intended that these should form a "Development Plan Document" (DPD) entitled "Development Policies".

In addition to consultation on this Development Policies report, the Council is also seeking views on options for site specific allocations (in particular identifying housing and employment sites) to be contained in the Site Allocations DPD. Relevant to both the Development Policies and Allocations DPDs, a new Proposals Map is also being prepared which will show the site or area specific implications of these two DPDs. The Development Policies DPD will affect allocations and designations which will be shown on the LDF Proposals Map. Appendix 2 lists the status of Local Plan policies, indicating whether they have been superseded by a Core Strategy policy or whether they will remain saved until superseded by the Development Policies DPD.

Development Policies

The purpose of the Development Policies DPD is to:

- Set out the criteria against which planning applications for the development and use of land and buildings will be considered; and
- Set local standards for the development of sites.

The overall aim is to keep the number of development policies to a minimum. The policies will avoid repeating national Planning Policy Statements (PPS) or Regional Spatial Strategy policies, but will explain how these policies will be applied to define the circumstances in which planning permission will or will not be permitted. As well as national and regional policies, it is important to note that all of the documents that contribute to the LDF must be read in conjunction with one another, rather than in isolation. In determining planning applications, the Council will require any relevant policies throughout the documents to have been satisfied in order for the proposed development to be considered to be acceptable.

One of the key ingredients of the new LDF planning system is the recognition of the need for the earliest and fullest public involvement in the preparation of new planning documents. This report is the latest in several stages in the consultation process that the Council is following. The first consultation on possible development policies, known as 'Issues and Options', took place at the end of 2007.

The purpose of the Issues and Options stage was to explore how general principles can be embellished and modified to produce detailed Development Policies sufficient to guide specific development and projects. At that stage no detailed policy wording had been written. The Council wanted to gather people's views about the general direction of proposed policy and the level of detail needed to ensure that new policies addressed local needs while avoiding the repetition of national/regional policy. In some cases, such as affordable housing or planning gain, the option of providing a further level of detail in the form of a Supplementary Planning Document (SPD) was raised. Although SPDs do not have the status of being part of the Development Plan, they can still be regarded as a material consideration in determining planning applications.

A summary of the main issues raised in the Report of Consultation on the Development Policies DPD – Issues and Options is provided in Appendix 1. The comments received at that stage helped to shape the policy direction of this document.

Context

The determination of planning applications must be made in accordance with the Development Plan which comprises of the Regional Spatial Strategy (The East of England Plan) and the Local Development Framework, unless material considerations indicate otherwise (Section 36(6) Planning and Compulsory Purchase Act 2004). For this reason, and as stated above, it is important that the separate documents that contribute to the Development Plan are not read in isolation. The Council has made the decision to consult as widely as possible at this stage to ensure everyone has the opportunity to shape the document.

Although the policies will include criteria against which planning proposals will primarily be considered, other material considerations can affect the decision making process. Therefore, the criteria will not necessarily be used in a checklist approach; rather a balanced assessment will be made on a case-by-case basis. This may mean that in exceptional circumstances a proposal might not satisfy all of the relevant criteria, but is deemed to be acceptable in overall terms, taking into account other material considerations.

As stated above, the Development Policies DPD is only one part of the Development Plan and does not repeat national or regional planning policy. Consequently, users must refer to a range of other policies and documents when using the policies. In particular:

- National planning policy contained in Planning Policy Statements (PPS) and Planning Policy Guidance (PPG);
- Regional policies contained in the Regional Spatial Strategy for the East of England (May 2008);
- The Core Strategy (2008);
- Relevant Supplementary Planning Guidance (SPG) or Supplementary Planning Documents (SPD).

This list is not exhaustive, and a holistic policy approach will be required against all relevant policies available at the time that applications for planning permission are made. These are likely to change over time, so no cross-referencing has been included in the policies. Some issues, such as affordable housing and planning contributions, are not covered by Development Policies since they are addressed in principle at the Core Strategy level and guided by very detailed policy at the Supplementary Planning Document level. Applicants are advised to seek preliminary advice from the Council where there is any doubt as to the policy considerations prior to formally submitting their planning applications to ensure all relevant policies are addressed.

Regulation 25

This paper sets out the Council's preferred approach to the management of future development in the Borough and is part of the ongoing consultation process that will lead to the submission of a Development Policies DPD to the Government. It allows people the opportunity to comment on how the Council is approaching the preparation of the document and whether there are other options the Council should consider.

In 2007 and early 2008 the Council undertook a major consultation exercise looking at the Submission Core Strategy and 'Issues and Options' for both the Development Policies and Site Allocations DPDs.

The intention was that this should lead to the publication of a 'Preferred Options' document in early 2009. However, in June 2008 new regulations governing the plan making process came into effect, removing this stage. Instead, the new regulations require authorities to consult 'specific' and 'general' bodies (as defined in regulations) on what the 'content' of the strategy should be. The regulations also require authorities to consider whether residents and businesses should be included at that stage.

The next stage prescribed by the new regulations is the publication of a draft plan for full consultation and submission to the Government Office for the East of England, along with any representations made, for consideration at an independent examination. A considerable amount of work, including public consultation on issues and options has already been undertaken. However, the Council intends to use the present stage to seek guidance not only from the 'specific' and 'general' bodies on whether our current approach is one they support but also to re-consult the public. Because a large scale public consultation exercise has already been undertaken, the Council has advanced the Development Policies DPD to identify its preferred approach. However, the document does still identify alternative options and the reasons at this stage why they have not been included.

The work undertaken at the Issues and Options stage has been important in the development of this document. In particular, the results of the earlier consultation exercise have been collated and analysed, a sustainability appraisal of the Issues and Options has been improved by further work on the policy options under consideration, and further evidence gathering has been completed.

The Council hopes that the level of detail in the document will help the 'specific' and 'general' bodies and members of the public to give a more helpful and focused response, leading to the publication of a draft DPD on which full public consultation will take place before submission for consideration at a Public Examination. This report is publicly available for inspection, as are the reports of the consultation exercise at the Issues and Options stage, the draft Sustainability Appraisal Report, and the evidence studies completed to date.

Sustainability Report

The Sustainability Appraisal revised Scoping Report that also includes the Habitats Regulations Assessment Screening Opinion is published for consultation alongside this DPD. This sets out the outcomes of the sustainability assessment of the policy options and demonstrates how the options meet the local sustainability objectives. The sustainability appraisal is a systematic and iterative process and has been undertaken alongside progress on the Development Policies Document to help inform the drafting of the options.

Your Comments

We would like you to consider the approach we have included in the Development Policies Document and the Sustainability Report. We want to know whether you agree with our preferred options or you feel there are other approaches we should consider.

Enclosed is a Comments Form on which you can record your views. Please complete as much of the form as you wish. The completed form should be returned to Planning Policy using the Freepost address below. All responses need to reach us by 27 February 2009.

Colchester Borough Council, FREEPOST NAT4433, PO Box 885, Colchester, CO1 1ZE

The Comments Form is also available on the Council's planning website at www.colchester.gov.uk and can be completed and returned electronically.

If you have a query about this document, the Comments Form or any other matter related to the LDF, please contact the Planning Policy team:

PO Box 885, Town Hall, Colchester, CO1 1ZE

Tel. 01206 282473/6 or Email planning.policy@colchester.gov.uk

The Next Stage

After the consultation period has finished, all the responses will be considered when revising the document. A summary of the responses will be published and made available for viewing. The amended document (along with the final Sustainability Report) will then be published as a submission document. Publication of the submission document will be followed by a statutory period of consultation. It is at this point that final representations to the plan should be made. A Public Examination will then be held on the plan to consider any objections.

The timetable for the preparation of the Development Policies DPD is set out below. Further details on the timetable are available in the Local Development Scheme.

Timetable for the preparation of the Development Policies DPD

Stage	January 2008	September 2009	November 2009	June 2010	November 2010
Regulation 25	6 weeks consultation				
Regulation 27		6 weeks consultation			
Submission Regulation 30			*		
Start of Examination Regulation 34				*	
Adoption Regulation 36					*

Development Policies

Sustainable Development Policies

Core Strategy Policy	Proposed Development Policy	Purpose
SD1 – Sustainable Development Locations SD2 – Delivering Facilities and Infrastructure SD3 – Community Facilities	DP1: Sustainable Design	To ensure high quality successful developments
	DP2: Assessing the Impact of New Development	To ensure developers assess and address the impacts of development
	DP3: Community Facilities	To protect and enhance existing community facilities, while balancing community needs against financial viability

DP1: Sustainable Development

Preferred Policy DP1

All development must be designed to a high standard and demonstrate social, economic and environmental sustainability. Development proposals must demonstrate that they:

- (i) Respect and enhance the character of the site, its context and surroundings in terms of its architectural approach, height, size, scale, form, massing, density, proportions, materials, townscape and/or landscape setting and detailed design features;
- (ii) Provide a design and layout that takes into account the potential users of the site;
- (iii) Protect existing public and residential amenity, particularly with regard to privacy, security, noise and disturbance, pollution, daylight and sunlight;
- (iv) Create a safe and secure environment;
- (v) Respect or enhance the landscape and other assets that contribute positively to the site and the surrounding area;
- (vi) Incorporate sustainable design and construction techniques to meet Government and Local Planning Authority standards of energy efficiency, renewable energy, water efficiency, water management, landscape, and waste management and to minimise vulnerability to climate change;
- (vii) Positively contribute to the public realm by identifying and preserving or enhancing the existing sense of place, townscapes or streetscenes, key views, roofscapes, landmarks, green links and spaces, and other focal points (e.g. principal trees);
- (viii) Give priority to pedestrian, cycling and public transport access to ensure they are safe, convenient and attractive, and linked to existing networks. Satisfactory facilities for pedestrians, cyclists and public transport users should be incorporated within developments;

- (ix) Make satisfactory access provision for disabled people and those with restricted mobility;
- (x) Fully incorporate, where appropriate, biodiversity and geological interests, landscape value, arboricultural features and public and private open spaces which meet the Council's open space standards;
- (xi) Incorporate infrastructure and services including recycling and waste facilities and, where appropriate, Sustainable Drainage Systems;
- (xii) Provide adequate provision for amenity space; and
- (xiii) Provide vehicular access and both vehicular and cycle parking suitable for its use and location.

Explanation

At the Issues and Options stage, you told us that this is an important area, and the DPD should set out guiding principles on amenity. Your opinions differed as to whether standards should be prescribed, general principles stated, or whether the issues should be addressed through SPD.

Although national planning statements provide general guidance on the delivery of sustainable development, it is necessary to set out at a local level the criteria that will be used to determine planning applications. DP1 provides the Council's general criteria for evaluating development proposals in support of the Core Strategy policies. These criteria will then be applied using the standards set by other Council guidance. This includes both development policies, such as DP14, which sets standards for private amenity space, and DP16, which sets parking standards, and Supplementary Planning Documents such as those on Sustainable Construction and Backland Development.

Alternative Options

The alternative options include prescriptive standards, which would not accord with the Government's approach in the LDF system, which supports flexible criteria-based guidelines that allow for site-specific considerations to be taken into account in securing high quality sustainable design. Further detail can also be added through SPD.

The other alternative is to have no standards, and relying solely on national, regional and Core Strategy policies. However, this would not provide the detailed criteria needed to ensure high design standards and address local concerns.

Policy DP2: Assessing the Impact of New Development

Preferred Policy DP2

Proposals for new development will need to assess a variety of potential impacts to ensure that any potential negative effects are satisfactorily mitigated and that opportunities for enhancements are secured. In addition to the requirements of national and local lists associated with the Validation of Planning Applications, the following assessments and plans will be required for such developments as the Local Planning Authority considers satisfactory:

- (i) Transport Assessments (TA) will be required for all development likely to cause significant traffic generation to assess the potential impact upon transport systems. For major developments that generate 30 or more Passenger Car Units (PCUs) during the peak hour, this will take the form of a comprehensive Transport Assessment. Where significant impacts are identified, development will not be permitted unless satisfactory measures to reduce these impacts to acceptable levels are provided;
- (ii) A Travel Plan and arrangements for its monitoring will be required for any proposal where the Council considers it necessary, based on the potential individual or cumulative impact of the proposal in the area. Developers will be required to provide Travel Information and Marketing Packs when a development consists of 10 dwellings or more, and Travel Plans will be required where the Council considers the development capable of providing for 50 employees or more;
- (iii) Health Impact Assessments (HIA) will be required for all residential development in excess of 50 units and non-residential development in excess of 1,000 square metres. The purpose of the HIA will be to identify the potential health consequences of a proposal on a given population, maximise the positive health benefits and minimise potential adverse effects on health and inequalities. A HIA must consider a proposal's environmental impact upon health, support for healthy activities such as walking and cycling, and impact upon existing health services and facilities. Where significant impacts are identified, planning obligations will be required to meet the health service impacts of the development. Any HIA must be prepared in accordance with the advice and best practice for such assessments; and
- (iv) Any other relevant assessment, evaluation, survey or other document as identified in Appendix 3 or subsequently required at the time of application.

Explanation

The new planning development management system relies on a proactive approach to assessing the wide-ranging potential consequences of new development. Developers will accordingly be expected to identify issues across a number of areas and then address as appropriate the impacts of their proposals.

This process includes the extent of a development's unique passenger and freight transport requirements and impacts. In addition to the impact of generated traffic on the highway network, appraisals must include an examination of accessibility to the site by all modes and the likely modal split of journeys to and from the site. This includes ensuring accessibility by more sustainable modes, i.e. public transport, walking, and cycling and smaller powered two wheelers; reducing the need for parking associated with the development; and proposing measures to mitigate transport impacts. Transport Assessments must be in accordance with the requirements of Government good practice advice and criteria prepared by Essex County Council and the Highways Agency for their respective areas of responsibility.

Travel planning is a positive means for developers and public authorities to work together to change travel behaviour by providing incentives and increasing awareness of travel alternatives.

In recent years there has been a growing acknowledgement that the quality of the built environment and its sustainability are key factors in both the direct health of and the life style choices affecting the health of residents, workers and visitors of new developments. Most development has a potential impact upon the health services and facilities. Likewise, through the design of new development, healthy living can be promoted. The extent of these impacts needs to be assessed to ensure that adequate health provisions and other services continue to be provided for the community. For developments which have relatively little impact upon health services, an initial assessment may be sufficient to satisfy the requirements of this policy. For developments where an initial assessment indicates more significant health impacts, a comprehensive Health Impact Assessment will be required. The Borough Council will liaise with the East of England NHS and Local Primary Care Trust when assessing the scope and scale of likely impacts. This policy provides a method of delivery for Local Area Agreement targets for Health Impact Assessments.

Appendix 3 provides a non-exhaustive list of other assessments that could be of relevance to different proposals, including arboricultural assessments, sustainability statements, drainage assessments, consultation statements, protected species surveys, retail impact assessments, heritage statements, and archaeological evaluations.

Alternative Options

The alternative option is to have no policy or guidance in this area, however this would not reflect the prominence in national planning policy of the principle of identifying and addressing problems before they arise.

Transport Assessments are now accepted as standard practice by highway authorities as an essential means of quantifying the specific effect of new proposals on transport networks, and travel plans provide a positive mechanism for managing demand and promoting modal shift.

The value of Health Impact Assessments has been identified at both the national and local levels. Essex Local Authorities have agreed to prioritise the use of Health Impact Assessments through the Local Area Agreement process and are seeking to ensure that all Essex authorities provide for Health Impact Assessments through their Local Development Frameworks.

The assessments listed in Appendix 3 could have been incorporated into the policy itself, but this would have resulted in an overly lengthy policy and run the risk of duplicating information already available through the planning application process. It is however, considered appropriate to flag up the potential assessments required in an appendix to ensure proposals have regard to a full range of impacts as they are developed.

Policy DP3: Community Facilities

Preferred Policy DP3: Community Facilities

Support will be given to the provision of new community facilities, and to the retention and enhancement of existing community facilities, where these positively contribute to the quality of local community life and the maintenance of sustainable communities in accordance with other policy requirements.

The involvement of the local community will be sought in identifying the importance of local facilities. Any proposal that would result in the loss of a site or building currently or last used for the provision of facilities, services, leisure or cultural activities for the community, or is identified for such uses by the Site Allocations DPD/Proposals Map, will only be supported if the Council is satisfied that:

- (i) An alternative community facility to meet local needs is, or will be, provided in an equally or more accessible location within walking distance of the locality; or
- (ii) It has been proven that it would not be economically viable to retain the site/building for a community use; and
- (iii) The community facility could not be provided or operated by either the current occupier or by any alternative occupier, and it has been marketed to the satisfaction of the Local Planning Authority in order to confirm that there is no interest and the site or building is genuinely redundant; and
- (iv) A satisfactory assessment has taken place that proves that there is an excess of such provision and the site or building is not needed for any other community facility or use.

Explanation

You told us at the Issues and Options stage that community facilities such as village shops, community halls, sports, leisure and cultural facilities; allotments and open spaces should be safeguarded and that there is a need for a specific policy to require development to provide new community facilities in Colchester. We were told that planning policy should be used to protect community facilities and to require development to provide new community facilities in Colchester. In particular, you felt that redevelopment of community facilities for housing should be resisted and believe there is a need for a policy to address the impact of new development on existing community facilities. Overall, you told us that a positive approach should be taken to provide new and enhance existing facilities. Opinion was divided on the need for a specific policy or other guidance (SPD) on this subject.

The Council wishes to protect viable community facilities and services that play an important role in the social infrastructure of the area and support sustainable communities. In communities where access to alternatives may be very limited, the presence of key facilities may be very important in maintaining the quality of life. Examples of community sites and buildings include amenity open space, children's play areas, sports fields, village halls, local shops, leisure and cultural centres, public houses, community centres, churches, allotments, post offices, petrol stations, doctor's surgeries, libraries and schools, etc.

The release of any community facilities must be fully justified. A financial viability test may be required to support the application and applicants should contact the Council at the earliest stage to discuss the details of the test. Applicants will be required to satisfactorily demonstrate not only that the existing use is no longer viable, but also that the building or site cannot be used for another community use with an identified need in the area.

The importance of particular facilities will vary between communities, and it is essential that the community is involved in considering the importance of any facility and the suitability of any proposals for alternative forms (and locations) of provision, and in developing means of retaining facilities, should their continued viability of operation be in doubt. Applicants proposing to redevelop or convert facilities valued by the community will be expected to consult local communities about the relative importance of the facilities which could be lost. Not all facilities satisfactorily meet the needs of local communities, and it may be that combining or rationalising facilities might be appropriate. The Council has undertaken a Community Facilities Audit which will be used to assess proposals for the provision or loss of facilities.

Support will be given to the provision of additional facilities where this will enhance the sustainability of community life and will meet the anticipated needs of a growing and changing population. The use of developer contributions and/or the Community Infrastructure Levy may well be appropriate in this respect.

Alternative Options

The first alternative option is to use prescriptive standards. This would not accord with the Government's approach in the new LDF planning system which supports criteria-based guidelines that allow for flexibility and site-specific considerations to be taken into account in securing community infrastructure to support development.

The opposite option is to have no standards. However, the general presumption in favour of retaining community facilities in Core Strategy SD3 is not considered to provide sufficient guidance for the appropriate consideration of proposals involving the loss of community facilities.

Centres and Employment Policies

Core Strategy Policy	Proposed Development Policy	Purpose
CE1 – Centres and Employment Classification and Hierarchy CE2 – Mixed Use Centres CE2a – Town Centre CE2b – District Centres CE2c – Local Centres CE3 – Employment Zones	Policy DP4: Appropriate Employment Uses and Protection of Employment Land and Existing Businesses	To promote economic vitality by accommodating businesses, creating networks of supporting uses, and retaining existing employment
	Policy DP5: Town Centre Uses	To promote an appropriate mix of town centre uses to encourage activity and high quality design while protecting amenity
	Policy DP6: Agricultural Diversification	To provide support for the agricultural sector and farm diversification
	Policy DP7: Employment Uses in the Countryside	To ensure an appropriate balance between increasing rural employment opportunities and protecting rural amenities and countryside
	Policy DP8: Tourism Development	To promote sustainable growth and management of tourism developments

Policy DP4: Appropriate Employment Uses and Protection of Employment Land and Existing Businesses

Preferred Policy DP4

Sites and premises currently used or allocated for employment purposes will be safeguarded for appropriate employment uses. Appropriate employment uses will include:

- (a) Business (B1), general industrial (B2), storage and distribution (B8);
- (b) Display, repair and sale of vehicles and vehicle parts, including cars, boats and caravans;
- (c) Indoor sports uses, exhibition centres and conference centres;
- (d) A limited element of retailing where this is ancillary to another main use under (a);
- (e) Services specifically provided for the benefit of businesses based on, or workers employed within, the Employment Zone.

Any use that may have an adverse effect on an employment generation will not be permitted, unless the Local Planning Authority is satisfied that:

- (i) The supply and variety of alternative employment land is sufficient to meet borough and local requirements;
- (ii) Evidence can be provided to demonstrate that no suitable and viable employment use can be found, or is likely to be found in the foreseeable future;
- (iii) There would be substantial planning benefit in permitting an alternative use, for example in removing a use which creates residential amenity problems such as noise or odours; and
- (iv) There are demonstrable economic benefits to the area that would result from allowing redevelopment, for example by facilitating the retention of a business in the area through funding a new site or premises.

Where redevelopment of employment land is accepted for a new employment use or an alternative use, particular consideration will be given towards ensuring the future viability of individual businesses (e.g. tenants of an estate or premises) that might be displaced.

Planning contributions towards alternative employment and training schemes will be sought where sites are redeveloped.

Explanation

In the first phase of consultation, you told us that planning policy should be used to retain employment uses.

The 'B' Use Class has traditionally encompassed the majority of uses considered to constitute employment uses in planning terms, but an expanded list is required to provide clarity on the associated and ancillary employment uses in the Employment Zones set forth in the Core Strategy Centres and Employment Classification and Hierarchy.

The loss of employment land, whether in existing employment use or proposed to be allocated for employment development within the Allocations DPD, could affect the LDF's ability to achieve its employment objectives. The Core Strategy establishes the scale and general location of land for employment purposes and states that as a general principle such land should be safeguarded. Further detail is however required as it may be that local circumstances, reflecting a lack of viability of the existing operation, may give rise to proposals to find an alternative use. Where the local need for employment land can be met elsewhere, it may be that alternative uses could be considered favourably (within the context of the other policies in the LDF).

Exceptionally, an alternative use may be preferable, for example where continuation of the employment use would be detrimental to other planning objectives such as regeneration, protecting or enhancing residential amenity or the appearance of the countryside, or where other economic benefits to the area might result. Consideration of overall economic benefits must also extend to include addressing the future of any firms displaced through the redevelopment, including redevelopment for a new employment use.

Alternative Options

One alternative option is not to retain a safeguarding policy. This option is not preferred because it could lead to the loss of employment land which could result in significant harm to the local economy. It might result in considerable pressure for the release of employment land for other uses that may at the time offer greater returns for landowners or developers.

The other option would be to designate only specific employment areas for safeguarding on the Proposals Map. This would offer more certainty, but at the cost of considerable inflexibility. If all employment land is not designated under this approach, it may imply selection of the most important areas, which in turn would require prescription and choices that may prove to be difficult to justify, or at least inflexible in changing circumstances.

Policy DP5: Town Centre Uses

Preferred Policy DP5

A balance will be maintained between retail and non-retail uses in the town centre to retain its vitality and viability. The Proposals Map defines the Inner and Outer Core of the Town Centre and other frontages where the following policies will apply;

- (a) In the Inner Core (bordered by the south side of High Street, East side of Head Street, and all of St Nicholas Street, Long and Short Wyre Streets, Priory Walk, Eld Lane and Sir Isaacs Walk), the highest level of retail frontage will be maintained. Within this area non-retail uses will only be supported where at least 90% retail street frontage would be maintained, the proposals constitute no more than 10% of the street frontage, and the proposals would result in no more than two consecutive non-retails uses in the street frontage.
- (b) In the Outer Core (North side of High Street, West side of Head Street, Crouch Street, Culver Street East, Queen Street, St. Botolph's Street, St Johns Street) a greater mix of retail and non-retail uses is appropriate. Non-retail uses will be supported where at least 70% retail street frontage would be maintained, the proposals constitute no more than 30% of the street frontage, and the proposals would result in no more than three consecutive non-retails uses in the street frontage.
- (c) In the mixed use areas not specifically mentioned above, within and surrounding the town centre, proposals will be judged on their merits using the following criteria:
 - (i) Contribution to the design quality, activity levels and character of the area;
 - (ii) Compatibility with other uses on the frontage; and
 - (iii) Affect on neighbourhood amenity.

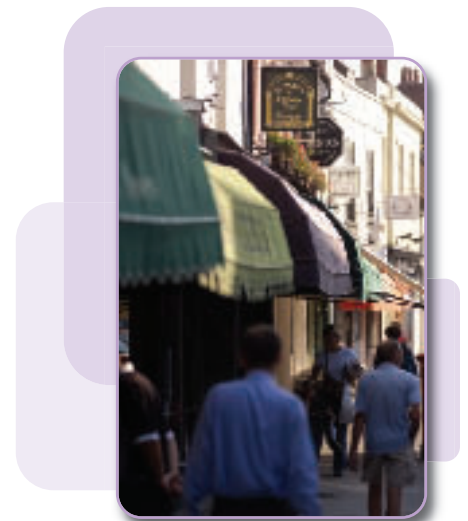
Support for development within Colchester town centre will be given where it reflects priorities for land uses that are established through local regeneration programmes, and where it will promote a more vibrant and economically successful centre. This will include securing appropriate retail, commercial and leisure areas, and seeking an appropriate balance between residential and commercial uses.

Support will also be given to bringing upper floors back into use, particularly for C3 residential purposes and B1 business uses. Development in the town centre must maintain access to upper floors and not prejudice their effective use. Proposals that result in the loss of residential accommodation in town centres will only be permitted where there are proven over-riding planning benefits.

Note: For the purpose of this policy 'street frontage' is the entire length of the relevant side of the road measured in linear metres at ground floor level.

Explanation

The importance of protecting the retail focus in the town centre and balancing priorities between land uses has been well established through policies in the Local Plan. In certain parts of the centre, the commercial vitality and viability of the centre may be threatened if retail uses are replaced by other uses, such as food and drink establishments, offices and housing. Conversely, in some areas the priority may be to secure more housing, provide a livelier living environment, create a mix of uses in the night time economy and improve safety by ensuring a constant public presence. The potential for encouraging additional uses may also be seen more positively, and bringing into use (or back into use) upper floors is an example where supporting mixed residential uses alongside a mix of formal and informal cultural and leisure use is felt to increase the vitality and sustainability of the town centre.



Alternative Options

The first alternative option is to adopt different boundaries for the town centre uses (primary and secondary frontages). However, the ones selected have been based on the Local Plan and have been supported in a number of appeal decisions, thus they are considered to be the most appropriate.

Another option is to propose different proportions of non-retail uses within the primary and secondary retail frontages. This option would be more likely to undermine the town centre's role as a regional shopping centre, through the deterioration of the range of shopping. Similarly, adopting a policy which requires planning permission to be refused for all non-retail use in the town centre could also be damaging to the vitality and viability of the town centre.

The final option would be to exclude guidance on town centre land uses. This would rely instead entirely on the other policies, on market forces, and on considering proposals on their merits with only general guidance. As a generally acknowledged important area, this would miss the opportunity for the LDF to play a role in coordinating, and in facilitating the development of town centre strategies.

Policy DP6: Agricultural Diversification

Preferred Policy DP6

Existing agricultural uses will be supported in general by measures that include:

- (i) Encouraging appropriate farm diversification schemes that are compatible with the rural environment, and which help to sustain the existing agricultural enterprise without the need for subdivision or the holding of separate enterprises unrelated to the existing agricultural use;
- (ii) Promotion of sustainable forms of agriculture which include environmentally sensitive, organic, and locally distinctive food production, together with its processing, marketing and retailing;
- (iii) Support for the integration of agricultural activities; and
- (iv) Guiding the development (including the design and setting) of new agricultural buildings (including agricultural workers dwellings) to locations and farms which are sensitive to their environment.

All proposals must be accompanied by a satisfactory diversification plan according to the scale of proposals, which describes how it will assist in retaining the viability of the farm and how it links with any other short or long term business plans for the farm. Proposals for farm shops as part of a farm diversification scheme must identify the products produced on site or locally and demonstrate that the location of farm-based retailing is necessary to assure farm income where their needs cannot be met within nearby town or district centres.

Proposals for farm diversification schemes will only be supported if they are considered to form part of a comprehensive scheme and:

- (i) Existing buildings are re-used wherever possible if the retention of such buildings is considered to be desirable by the Local Planning Authority;
- (ii) The use is secondary to the main agricultural use of the farm and the character, scale and design remains in scale with, and preserves the character of, the surrounding countryside;
- (iii) The use is well-related to existing groups of buildings if no suitable buildings are available for re-use;
- (iv) Any new buildings required by the scheme incorporate appropriate sustainable design and renewable resources to provide optimum energy efficiency, water efficiency, water management and waste management and limit their impact on the rural environment;
- (v) Proposals will not be vulnerable to further expansion that would be likely to require new dwellings within the rural area to support the enterprise either at the time of proposal or at any future date; and
- (vi) It is satisfactorily accessed from the road network.

Explanation

PPS7 provides guidance on the ways of supporting the changing nature of agriculture, in order to make it more competitive, sustainable and environmentally friendly. This may well involve adaptation to new markets and ways of operation, and diversification of activities.

The agricultural economy in the borough is changing, as increasingly farmers are seeking to diversify in order to remain in farming. Accordingly the Council is seeking to encourage farm diversification schemes that are planned on a comprehensive basis to retain a viable agricultural unit by seeking additional incomes from other sources which still relate to the countryside. Whilst the Council will support appropriate farm diversification schemes, the Council will resist proposals that would harm the rural area or segregate the existing agricultural use or farm holding.

In order to protect the quality and distinctiveness of the local landscape, the Council wishes to prevent uncoordinated development in rural areas and gradual stripping of assets from farms without regard for the viability of the holding. Applicants must also have regard to the policies regarding conversion and replacement rural buildings. Suitable sustainable business proposals could include tourism, conversion of buildings for employment and other uses related to an activity that would normally be found in rural areas. However, schemes that include or could lead to future pressure for new residential dwellings will not be permitted unless there are exceptional circumstances in line with national policy.

Alternative Options

The alternative option is to exclude specific guidance on agricultural issues. Having no policy would mean reliance on the guidance provided by PPS7. This would not allow the LDF to address the specific issues likely to be faced by one of its major economic sectors. The rapidly changing and developing forms of agriculture raise a number of issues, particularly in terms of balancing the environmental and economic components of sustainability, which the LDF can and should seek to address.



Policy DP7: Employment Uses in the Countryside

Preferred Policy DP7

Employment development comprising the conversion and re-use of rural buildings will be supported where the following criteria are met:

- (i) The nature, scale and character of the proposed use will contribute to the local rural economy and help sustain rural communities;
- (ii) The proposed use would not harm the rural character of the area by the nature and level of activity (or by other effects such as noise or pollution);
- (iii) In the case of former agricultural or forestry buildings, the buildings are proved to have been in those uses for a period of 10 years or more, the building is structurally sound and capable of re-use without fundamental rebuilding, and the buildings are deemed to be desirable for retention;
- (iv) The proposal seeks to enhance sustainable means of transport, e.g. provision of cycle parking, showers, travel plans; and
- (v) Access to the site is suitable and the type and amount of traffic generated would not cause harm to the surroundings and amenity of neighbouring properties and the rights of way network.

Proposals for the extension of buildings within established industrial or employment sites within the countryside will only be supported where the following criteria are met:

- (i) The proposal is limited to expansion plans which are essential to the operation of the established business;
- (ii) The proposal can be accommodated satisfactorily in terms of its design, scale and appearance within the existing employment site boundary and would not have an adverse impact on the wider rural surroundings and local road network;
- (iii) Standard car and cycle parking requirements are satisfactorily met within the site;
- (iv) The proposed increase in use would not harm the rural character of the area by the nature and level of activity, or any other effects; and
- (v) In the case of relocation, the Local Planning Authority is satisfied that the proposal constitutes a more appropriate relocation of the use(s).

Proposals for new and replacement of buildings for business and employment purposes in the countryside will only be supported if either:

- (i) There are no appropriate existing buildings and the need for new or replacement buildings can be satisfactorily demonstrated; or
- (ii) The existing building, hard landscaping or parking areas are considered by the Local Planning Authority to be visually intrusive or inappropriate in their context and a substantial improvement in the landscape and surroundings will be secured through replacement.

Where the Local Planning Authority is satisfied that a new or replacement building can be supported, the following additional criteria should also be met:

- (iii) For replacement buildings, the proposal would not result in a substantial increase in the amount of floorspace or in the scale, height or visual impact of the building;
- (iv) There are suitable sustainable design and construction techniques, and satisfactory renewable energy provisions to mitigate the impact of the development; and
- (v) There is no significant increase in the level of activity as a result of the proposal.

Explanation

Support for rural communities needs to involve a flexible approach to the use and replacement of rural buildings, maintaining a balance between environmental considerations and appropriate business growth. The countryside is viewed as a good location for some businesses, partly due to the pleasant environment and the availability of relatively cheaper premises in comparison with built-up areas. The borough is also coming under particular pressure for employment based development in the countryside as a consequence of containing a significant proportion of large agricultural buildings and other rural buildings that are potentially suitable for conversion to employment use, coupled with the high rental values to be found within the built up area. This demand needs to be considered in the context of environmental impacts, accessibility and relation to local economic needs. Isolated buildings may be considered inappropriate, even if the building is considered suitable for conversion.

Preference will always be towards re-use and conversion of existing buildings where this is possible. Consequently, where a building is to be replaced applicants will need to demonstrate to the satisfaction of the Local Planning Authority that any available buildings are not capable of renovation and may be requested to submit a structural survey. Where suitable developments can be identified, support may be given to the provision of workspace or incubator units.

There are a number of well-established employment sites in the rural parts of the borough, where some important local companies are located. Companies are often seeking to expand their operations within the site and this can be more appropriate than the company seeking alternative premises outside of the borough, in order to retain the economic and social benefits which can arise from companies located in rural areas. It will be beneficial for expansions of operations applications to be supported by a business plan, depending on the scale of the development proposed.

In some cases for the purposes of business or employment use replacement buildings can be more appropriate than the continued use of existing buildings. There are a number of sites in the rural areas of the borough which are visually intrusive and where redevelopment could significantly enhance the local environment. Landscaping and planting should be used to aid in the reduction of the impact of development on the countryside. Proposals for new isolated buildings in the countryside will not normally be permitted in accordance with national policies.

Alternative Options

The first alternative option is to be more permissive towards rural economic development proposals. However, whilst support for the rural economy in all its forms is clearly evident from the Rural White Paper and other Government guidance, the primary objective is still clearly to achieve sustainable communities. The approach proposed seeks to balance support for the network of settlements proposed with sensitive support for proposals elsewhere.

Alternatively, being more restrictive towards rural economic development proposals is also unfavoured. Whilst this could be justified in terms of the imperative to achieve sustainable communities, and by reason of amenity considerations, it would miss the opportunities to support a diverse and rich rural economy.

Policy DP8: Tourism Development

Preferred Policy DP8

Tourism development for new and extended visitor attractions and visitor accommodation including hotels, bed & breakfast accommodation, self-catering accommodation, holiday lodges, static and touring caravans and tenting fields will only be supported in suitable locations where there is a proven need or an existing shortfall. The Council will support proposals for a youth hostel, the preferred location being within the town centre. All tourism development must be accessible by a choice of means of transport and must not cause significant harm to the amenity of people living and working nearby.

In rural areas, suitable locations for tourism development include those where the development can help to support existing local community services and facilities. The proposals must be compatible with the rural character of the surrounding area and avoid causing undue harm to the open nature of the countryside. Preference will be given to proposals for the conversion of suitable existing rural buildings, limited extension to existing visitor accommodation or eco-tourism. In locations where residential uses would be inappropriate, developments of visitor accommodation will be limited to periods that will prevent permanent or long-term occupation.

Explanation

In the Issues and Options consultation, you told us that there is a need for specific guidance on visitor facilities. You told us that the policy approach should not be prescriptive, since this might hinder innovation and that efforts should be made to maximise sustainable tourism, making links between tourism facilities and Colchester's environmental and cultural assets. Additionally, you believe that in rural areas, the Council should seek to spread the benefits to the wider community, whilst containing provision within environmental and community capacities.

The future development of tourism is a key issue for the Local Authority. In both urban and rural areas, tourism provides jobs, brings in visitors to the area and provides facilities, attractions and environments that enhance the quality of life for local residents. The issues facing tourism in rural areas, however, are different to those in urban areas, due to the need to avoid undue harm to the open nature of the countryside. In order to maximise the benefits of tourism to rural economies it is important to locate new tourism development in locations where visitors to such attractions and accommodation can help to support local shops, pubs and other rural services. In addition, rural tourism development must be sensitive to and integrate well with its countryside landscape surroundings. In this context, wooden holiday lodges may be more acceptable than static caravans in sensitive landscapes where they cannot be readily screened from wider views. It will also be important to avoid adverse impacts on local areas by minimising potential noise disturbance and additional traffic through sensitive design, positioning and layout and through developments that are in scale with their surroundings or existing development.

Alternative Options

An alternative option is to exclude specific policy requirements for tourism development. However, this would not address the specific consideration that need to be given to development of this nature through reliance on the guidance provided by PPS7.

Alternatively, being too permissive would be harmful to the countryside, which would not accord with national guidance. Similarly, being excessively restrictive towards tourism development is also less preferable. Whilst this could be justified in terms of sustainability, wider consideration must be given to appropriate opportunities to support the local economy.

Housing Policies

Core Strategy Policy	Proposed Development Policy	Purpose
H1 – Housing Delivery H2 – Housing Density	Policy DP9: Housing Tenure and Mix	To ensure that new development matches identified housing needs and that housing for particular groups is appropriately integrated into the surrounding community
H3 – Housing Diversity H4 – Affordable Housing	Policy DP10: Dwelling Standards	To ensure that developments meet high standards for design, construction and layout
H5 – Gypsy and Travellers	Policy DP11: Dwelling Alterations, Extensions and Replacement Dwellings	To ensure that modifications to the housing stock have a positive impact on neighbourhood character and housing needs

Policy DP9: Housing Tenure and Mix

Preferred Policy DP9

Proposals for new dwellings must provide for a mix of dwellings, in terms of size, type and tenure, which meet the needs of all sections of the local community, promote sustainable communities and social cohesion, and support the local economy. Developers will be required to work collaboratively with the Local Planning Authority, taking account also of the views of other relevant housing partners, in determining the appropriate mix and type of dwellings. The main consideration in determining the appropriate mix will be whether the development creates or contributes to the creation of a sustainable and inclusive community. Developers will be required to assess and demonstrate the sustainability of the proposed mix, taking into account:

- (i) The Local Planning Authority's Strategic Housing Market Assessment, which will be kept under review;
- (ii) The location and accessibility of the site having regard to the indicative mix of housing types set out in Core Strategy Policy H3 and Table H3a;
- (iii) The location and particular physical and environmental characteristics of the site;
- (iv) The characteristics of the existing stock in the locality, including housing age, condition, occupancy and demand;
- (v) Any site specific guidance contained in the Allocations DPD, Area Action Plan, or adopted masterplan;
- (vi) Current housing market conditions; and
- (vii) The needs of specific sectors, including Sheltered Housing/Seniors/ Nursing Homes, People with Learning and Physical Disabilities, Hostels/Homeless, First Time Buyers, Family Housing/Flats, Second Homes, Tourism Accommodation, and Gypsy and Traveller Accommodation.

Explanation

You told us that guidance on the right mix in the Colchester housing market is essential and market forces could do a better job of providing a range of housing. You would like guidance to be non-prescriptive and based on a firm evidential base, with a clear indication that there should not be a policy dictating size, type and mix of housing. It also seems that there is a consensus that too many flats are being built.

Providing for a mix of housing to create sustainable communities is a key government priority, which is fully shared by the Colchester LDF. As government guidance indicates ("Planning for Mixed Communities", ODPM January 2005), part of what makes a community sustainable is a well-integrated mix of decent housing of different types and tenures to support a wide range of households of different sizes, ages and incomes. Local Authorities are urged to take all material considerations into account in making plans and judging planning applications, which in this context includes current market conditions and the most appropriate mix of housing on each site, in order to secure a wide range of housing that promotes social inclusion.

The appropriate type of housing built must be more closely aligned to the needs of the local community than in the past, for example, concerning the identified local housing needs of elderly people, families and single people, and younger people. This should be reflected in the size and design, including flexibility of future use, tenure of the accommodation, its relationship to facilities and mix with other dwellings, and servicing arrangements (for example the provision of sheltered accommodation of differing forms for elderly residents). Guidance suggests that all development proposals should contribute to the creation of mixed communities and should seek to achieve an appropriate broad balance. Agreement on the appropriate balance must be achieved jointly between housing partners, particularly the Council and the house builders.

Alternative Options

The alternative option is to exclude specific guidance on housing tenure and mix. National guidance in PPS3, however, is not considered to provide sufficient detail to address the specific housing needs of Colchester. The Borough wishes to emphasise its intent to work proactively with developers and other stakeholders to provide for a sustainable mix of housing to meet the needs of a wide range of needs and tenures.

Policy DP10: Dwelling Standards

Preferred Policy DP10

Residential development will be guided by the high standards for design, construction and layout contained in Local Development Framework policies such as Core Strategy UR2 (Built Design and Character) and Development Policy DP1 (Sustainable Development). New residential development, particularly flats and apartments, will be expected to meet the following standards as well as the private amenity space standards covered by DP14 and the parking standards covered by DP16:

- (i) Dedicated useable storage space within each dwelling unit. Such storage space should be provided close to the entrance to each dwelling unit and is required in addition to any storage space provided within habitable rooms;
- (ii) The avoidance of adverse overshadowing between buildings and by blocks over neighbouring land uses, and of other adverse microclimatic effects resulting from medium and high rise buildings at a high density;
- (iii) Daylight to all habitable rooms and no single aspect north-facing homes;

- (iv) A management and maintenance plan to be prepared for multi-occupancy buildings and implemented to ensure the future maintenance of the building and external spaces;
- (v) Flexibility in the internal layout of dwellings to allow adaptability to different lifestyles. All new housing developments should seek to meet the Lifetime Homes Standard with a minimum of 3% of new dwellings on developments of 30 dwellings or more built to full wheelchair standards;
- (vi) Satisfactory vehicle parking provision and layout, including secure cycle and motorcycle parking. In the case of flats, secure cycle storage should be incorporated into apartment blocks and readily located at the building entrances, and;
- (vii) An accessible bin and recycling storage area.

Explanation

It is important to strike an appropriate balance between providing freedom and flexibility for the housing market to operate and ensuring that a range of sites are available for different areas of the housing market. However, the different types of dwelling should be suitably designed to consider the potential needs of their perspective occupiers. It is desirable to seek to secure homes that make life for their occupiers as easy as possible, for as long as possible through thoughtful design. Such homes would provide an accessible form of accommodation adaptable for the needs of everyone, from young families to older people and individuals with a temporary or permanent physical impairment.

Whilst making the most efficient use of land is a core objective of the planning system, this should not forsake all other considerations. Often density pressures lead to poor design, but good design principles and standards can make the difference between a high quality and successful development and a mediocre or unsuccessful development that provides less quality of life for future residents and which declines with more speed than high quality buildings to the detriment of the surrounding built environment. Thus, development at any scale and location should make a positive contribution to making places better for people.

Improving the quality of the built environment will improve the quality of life of the borough's residents and enhance economic performance by making the area more attractive to investors and visitors.

The Council does not wish to stifle innovative design especially in areas where the existing design quality is poor and vernacular design cues are weak or absent. However, innovative design will still be required to follow good design principles and achieve satisfactory standards as set out within the policy. Further detailed guidance on backland development and infilling is to be set out in a Supplementary Planning Document.

Alternative Options

The option of not including a policy on standards would not provide sufficient quality guarantees. Existing Local Plan policies are not considered to have provided a rigorous enough framework to ensure the highest standards of accessibility, design, storage, long-term maintenance, servicing and amenity provision on all new developments, particularly high density flats. It is also recognised



that although it is felt that too many flats are being built, Colchester historically has a comparatively low level of flats; that national policy suggests that the Council should be encouraging higher density development such as flats in appropriate locations; and that demographic trends are towards smaller household units. Issues of flat oversupply accordingly need to be addressed by a comprehensive approach that ensures their compatibility with the surrounding scale and mix of housing as well as high quality design.

Another option is to include guidance in a Supplementary Planning Document. This could cover design, layout, standards, conversion of existing buildings to flats and flats above shops.

Policy DP11: Dwelling Alterations, Extensions and Replacement Dwellings

Preferred Policy DP11

Within urban areas and the borough's villages, residential conversions, alterations and extensions will only be supported where they meet other policy requirements. Additionally, outside defined urban areas and the borough's villages, development will only be supported:

- (a) For conversions and extensions, including ancillary outbuildings and garden extensions, where the development:
 - (i) Respects and enhances both the character of the original dwelling and the context of the surrounding rural area through regard to site characteristics, design, scale, height, form, massing, materials and layout within the wider landscape setting;
 - (ii) Does not significantly alter the size of the dwelling; and
 - (iii) Avoids cramped appearances or any adverse impacts on residential amenity or the surrounding countryside in general.
- (b) For replacement dwellings, when development:
 - (i) Is on a one-for-one basis and the property to be demolished is still habitable;
 - (ii) Is of a satisfactory design, scale, height, form, massing, materials and layout, with adequate consideration of site characteristics;
 - (iii) Provides satisfactory landscape value to integrate the new dwelling into the wider rural context with no greater adverse impacts than the existing dwelling; and
 - (iv) Represents the optimum solution to either preserving or enhancing access, siting and dwelling orientation.
- (c) For annexes, when the need for additional space cannot be met within an existing dwelling or buildings suitable of conversion on the site in the first instance, if the development:
 - (i) Is physically attached or closely related to the main dwelling so that it can not be subdivided from the main dwelling;
 - (ii) Retains some form of demonstrable dependence on the main dwelling, such as shared access (including both vehicular access and doorways) and communal amenity spaces;
 - (iii) Does not incorporate facilities that make the annexe capable of use as a separate dwelling

- (iv) Respects and enhances both the character of the original dwelling and the context of the surrounding rural area through regard to site characteristics, design, scale, height, form, massing, materials and layout within the wider landscape setting.

The use of ancillary accommodation as a separate dwelling will not be permitted and the desire for annexe occupants to remain independent from existing residents will not be considered as adequate justification to allow isolated annexes.

Explanation

Whilst development in the countryside is not encouraged the Council accepts that there might be exceptional circumstances where some forms of development are acceptable. Preference will be given to the re-use of previously developed land and the conversion of existing buildings where appropriate. Development must protect and reflect the rural and landscape character of the area.

Alternative Options

An alternative approach would be to produce more specific criteria, identifying exact tolerances or percentages for the increase in the sizes of replacement dwellings or extension would be too restrictive and would not comply with best practice guidance. This could also compromise design.

Another option would be not to include a policy. The consequence would be reliance on national and regional policies that would not provide enough details to ensure that suitable developments in the rural area were achieved.

Urban Renaissance Policies

Core Strategy Policy	Proposed Development Policy	Purpose
UR1 – Regeneration Areas UR2 – Built Design and Character	DP12: Historic Environment Assets	To ensure Colchester's rich and varied historic environment is preserved and enhanced

Policy DP12: Historic Environment Assets

Preferred Policy DP12

Development will not be permitted that will adversely affect a listed building, a conservation area, historic park or garden or archaeological remains of regional, county or local significance. Development affecting the historic environment should seek to preserve or enhance the heritage asset and any features of specific historic, archaeological, architectural or artistic interest. In all cases there will be an expectation that any new development will enhance the historic environment in the first instance, unless there are no identifiable opportunities available. In instances where existing features have a negative impact on the historic environment, as identified through character appraisals, the Local Planning Authority will request the removal of the features that undermine the historic environment as part of any proposed development. Support will be given to the provision of creative and accessible interpretations of heritage assets.

Conservation of the historic environment will also be ensured by:

- (i) Identifying, characterising, protecting and enhancing Conservation Areas;
- (ii) Protection and enhancement of four Areas of Special Character shown on the Proposals Map which are not of Conservation Area status but have a particular character which it is desirable to keep:
 - Lexden, Fitzwalter and St Clare Roads
 - Welshwood Park
 - Part of West Mersea
 - Stanway Green
- (iii) Preserving or enhancing Listed Buildings, Scheduled Ancient Monuments, Historic Parks and Gardens, including their respective settings, and other features which contribute to the heritage of the Borough; and
- (iv) Known sites of archaeological importance will be clearly identified and protected, and sites that become known, whether through formal evaluation as part of a Planning Application or otherwise, will similarly be protected according to their importance.

Explanation

You told us that guidance on conservation is vital to the look and feel of the borough. You felt that it is important that the LDF should add value to existing national policy, and identify local features to be conserved.

The need for locally specific policies and variations in guidance is very limited, given the wealth of national guidance contained either within PPG15 and 16, or the legislation surrounding the particular designation. Colchester's importance as a historic town, however, warrants a policy detailing and reinforcing the need to protect and enhance the historic environment. In the local area there are a number of buildings which detract from the appearance of historic assets and the opportunities for redevelopment should be encouraged.

There will be a presumption in favour of the physical preservation in situ of nationally important archaeological remains (whether scheduled or not). In accordance with national legislation, preservation of remains may require either the refusal of development that could be detrimental, the preservation of the remains in situ, or the recording of the remains prior to removal.



Where appropriate, provision should be made for interpretation and access in situ, and for realising tourism and cultural benefits where public access is possible without detriment to the site.

Alternative Options

The first alternative option is to have detailed policies for each aspect that makes up the historic environment, which is not necessary given the repetition of national guidance. Alternatively, having no policies would not reflect Colchester's distinctiveness as a historic town and would not provide the necessary detail needed to supplement national legislation and guidance, and the Core Strategy.

Public Realm Policies

Core Strategy Policy	Proposed Development Policy	Purpose
PR1 – People-friendly streets PR2 – Open Space	DP13: Retention of Open Space	To ensure retention of existing open space
	Policy DP14: Open Space for New Residential Development	To ensure adequate public open space and private amenity space provision in both quantitative and qualitative terms, and to ensure provision for interconnected open and green spaces.

Policy DP13: Retention of Open Space

Preferred Policy DP13

Development, including changes of use, of any existing or proposed open space; private outdoor sports grounds; school playing fields forming part of an educational establishment; and allotments (as identified on the Proposals Map) should satisfactorily demonstrate that it would achieve an aim of one of the Council's strategies (i.e. Core Strategy, Local Cultural Strategy, Parks and Green Spaces Strategy and/or Sport and Recreation Strategy), and that:

- (i) Alternative and improved provision will be created in a location well related to the functional requirements of the relocated use and its existing and future users; and
- (ii) The proposal would not result in the loss of an area important for its amenity or contribution to the character of the area in general.

Furthermore, development proposals resulting in a loss of indoor recreation or sporting facilities must demonstrate compatibility with the Council's strategies as listed above and that:

- (i) There is an identified excess provision within the catchment of the facility and no likely shortfall is expected within the plan period; or
- (ii) Alternative and improved recreational provision will be supplied in a location well-related to the functional requirements of the relocated use and its existing and future users.

In all cases, development will not be permitted that would result in any deficiencies in public open space requirements or increase existing deficiencies in the area either at the time of proposal or likely to result in a shortfall within the plan period. Additionally, development that would result in the loss of any registered common, heathland or village green will not be permitted.

Explanation

The existing sport, leisure, public and private open spaces including allotments within the Borough, represent important assets serving the communities in which they are located (or in some instances wider areas). This importance can relate not only to their function, but also to the amenity value and contribution to the character of an area in general in providing a 'green lung', opportunities for a well-designed and inclusive public realm, and visual breaks in the built environment. If such provisions are lost to other uses it can be extremely difficult to find alternative locations particularly as open land is scarce and, therefore, at a premium.



Against this background, it is intended to secure the retention of existing facilities unless a case can be made that alternative provision will be provided in a wholly acceptable manner. Alternative provision could comprise existing provision in the locality of the type of open space as defined by Planning Policy Guidance Note 17 (PPG17), providing there is not a deficiency in that type of open space in the locality. A full PPG17 Audit and Assessment of the Borough's open space was undertaken by consultants PMP and published in 2007.

Alternative Options

The alternative option would be to not provide detailed guidance in this area, however, this would not achieve the aims of national guidance in PPG17 to improve and enhance open space provision.

Policy DP14: Open Space provision for New Residential Development

Preferred Policy DP14

All new residential development shall provide usable private amenity space in accordance with the following standards:

For houses:

- One or two bedroom houses – a minimum of 50m²
- 3 bedroom houses – a minimum of 60m²
- 4 bedroom houses – a minimum of 100m²

For flats either;

- a minimum of 25m² per flat provided communally
- a minimum of 50m² for a ground floor flat and a minimum balcony area of 5m²

Adequate amenity spaces should provide private amenity space, balconies or roof terraces which avoid significant overlooking, and/or provide access to high quality communal space where the siting, orientation, size and layout that can demonstrate it provides a useful amenity for residents that is appropriate to the surrounding context.

In addition all new residential development will be expected to provide new areas of accessible strategic and/or local open space, unless a commuted sum is accepted. Precise levels of provision will depend on the location of the proposal and the nature of open space needs in the area but as a guideline, at least 10% of the gross site area should be provided as open space. Where the Council accepts commuted sums, the commuted sums will be used to provide additional open space or to improve existing open space in the locality of the development.

A commuted sum is most likely to be accepted for the provision of:

- (i) Strategic open space in smaller developments of fewer than 30 dwellings, or where for some other reason strategic open space requirements cannot be met within the site;
- (ii) Local and/or strategic open space in developments of dwellings for the elderly (where some compensating increase in private amenity space may be required);
- (iii) In a town centre location or where it is justified by an outstanding urban design approach based on site constraints and opportunities; and
- (iv) Developments of less than 10 dwellings.

Development will not be permitted if it unacceptably reduces the level of existing private amenity space provision for buildings, particularly dwellings, or where it has an adverse impact on the amenity of neighbouring residents or occupants. Schemes that promote walking and cycling by such means as provision of green links or shared use paths will be encouraged.

Explanation

Developments will be expected to deliver areas of strategic and/or local open space. As a guideline, local open space comprises accessible parcels of 0.2 ha and under, while strategic open space comprises larger parcels of over 0.2 ha which serve a wider area.

Developments should help contribute to the accessibility, quantity and quality standards set for the different open space typologies defined through the PPG17 Open Space, Sport and Recreation study. The Open Space Standards are set out at Appendix D. All open space provided should be fully equipped in a satisfactory manner as agreed by the Local Planning Authority and laid out at the expense of the developer and where appropriate, dedicated to the Council with suitable provision for ongoing maintenance.

Further guidance on the level of contributions for commuted sums and the methodology for their calculation is set out in the Supplementary Planning Document on Provision of Open Space, Sports and Recreation Facilities.

Alternative Options

An alternative option is to rely solely on PPG17 and have no specific policy on this issue. However, this would be too general and not detailed enough to secure satisfactory provision levels of open space.

Another option would be provide very prescriptive standards through SPD; however, this would be too restrictive and would not comply with best practice guidance.

Transport and Accessibility Policies

Core Strategy Policy	Proposed Development Policy	Purpose
TA1 – Accessibility and Changing Travel Behaviour TA2 – Walking and Cycling	DP15: Transport Infrastructure and Accessibility	To provide the infrastructure needed and in the correct place to support sustainable modes of travel.
TA3 – Public Transport TA4 – Roads and Traffic TA5 – Parking	DP16: Parking Standards	To provide consistent and appropriate levels of parking to support development.

Policy DP15: Transport Infrastructure and Accessibility

Preferred Policy DP15

All development must have minimal impact on the existing transport network for all users. Access to development should be created in a manner which minimises the impact on the right and safe passage of all highway users and should only be allowed where there is physical and environmental capacity to accommodate the traffic generated in a safe manner. Development should:

- (i) Make adequate provision for servicing and give priority to pedestrians, cyclists and public transport;
- (ii) Include satisfactory provision for people with impaired mobility; and
- (iii) Provide measures that reduce private vehicle dependency.

Where development involves the relocation of an existing activity e.g. business, leisure, education, or retail it will need to be demonstrated that it's accessibility by all modes of transport is no worse than in the current situation. Measures to maintain and improve levels of accessibility by all modes should be identified and implemented through a Travel Plan.

Developments that provide transport infrastructure, such as park and ride, freight servicing, new highway network improvements and new public transport facilities, will be expected to:

- (i) Be sited in sustainable locations, minimise impact on the environment, enhance connectivity and provide for intermodal transfers; and
- (ii) Meet a business case justification for demand/need and economically sustainability;
- (iii) For Park and Ride sites, access to the strategic road network; distance from a strategic junction and from the town centre; potential user markets and potential bus routes will be additional considerations.

The Borough with its partners will continue to develop Park and Ride and will be seeking further sites to the east of Colchester to complement the northern site identified in the Core Strategy.

Feasibility work into the eastern transit corridor is currently being undertaken and routes will be identified, either on or off the existing highway. Any land identified that is not on the public highway will be safeguarded for delivery through the masterplanning process.

Explanation

You told us that there is a need for a specific policy to ensure developments have good public transport, pedestrian and cycle links. However, there were mixed views on car parking issues.

There are parts of the borough where traffic congestion is a problem. Development provides opportunities to make significant improvements to the road network as well as providing suitable alternatives to car based travel. Whilst the Council accept that developments may not be able to overcome existing deficiencies in the transport infrastructure, it needs to ensure that problems are not exacerbated and that improvements are made where possible.

Development will relocate for various reasons and will have established over a period of time travel patterns and opportunities for various modal choice.

Relocation can significantly change the opportunities for modal choice and the new development needs to demonstrate and implement measures which continue to allow for modal choice. Transport Assessment is required and is covered in policy DP2.

New transport facilities and enhancements will be required to meet specific needs as identified in the Core Strategy. These include measures such as Park and Ride and public transport improvements to ease congestion and enhance connectivity to the Town Centre; facilities for freight; and targeted highway network improvements to support new development. These will need to be co-ordinated carefully to ensure they make a positive contribution to the overall transport network. Park and Ride will assist the Council's overall efforts to manage travel demand and reduce congestion on routes into the town centre, as well as to manage demand for town centre car parking. The Core Strategy provides a commitment to the principle of delivering Park and Ride in the Public Transport policy TA3. The policy also provides a commitment to North and East Transit Corridors. While locations for a Park and Ride site and transit corridor have been identified for North Colchester, sites for East Colchester have yet to be finalised and policy direction is needed to ensure that the most sustainable and deliverable allocations are made to support the Council's priorities for growth and regeneration in this area.

Alternative Options

There is no support for the non-inclusion of policies in relation to transport and travel as it is felt that applicants need the more detailed guidance that these provide to evaluate sustainable transport infrastructure to support the Growth and Regeneration Areas. A policy on transport in general is included which aims to ensure that development proposals consider their relationship with the transport infrastructure and give priority to non car based travel. Most of the guidance required, however, is sufficiently detailed to require lengthier documents to be adopted as guidance or as a SPD. For street design, for example, development proposals will need to have regard to the Government's Manual for Streets.

It is considered that the preferred policy particularly supports the sustainability objectives of reducing car journeys, promoting alternative methods of transport and seeking to reduce the emission of greenhouse gases, particularly through encouraging the provision and use of renewable energy.



Policy DP16: Parking Standards

Preferred Policy DP16

The Council will refer developers to the Essex Planning Officers Association (EPOA) Vehicle Parking Standards which set design standards and provision levels for a comprehensive range of uses and transport modes. The level of parking provision required will depend on the type and intensity of use. For residential uses, specifically, a minimum of 1 car parking space should be provided for each 1-bedroom dwelling or 2 car parking spaces for each dwelling of 2 or more bedrooms, in addition to 0.25 spaces per dwelling for visitors. A lower standard may be acceptable or required where it can be clearly demonstrated that there is a high level of access to services, such as a town centre location. Cycle parking will be required for all developments. Provision must also be made for disabled and motorcycle parking.

Explanation

The EPOA Parking Standards set out a mix of standards for all development. Experience has shown that although maximum parking standards in residential areas has restricted the amount of parking available, the purchase of cars has not accordingly been reduced. The design, appearance and the servicing of many recently completed residential areas has been compromised by lack of off street parking. Highly accessible town centre locations, however, are considered to be examples of appropriate candidates where car free and low car developments could succeed given the ready access to alternatives transport methods to private vehicles. The parking standards will be supported by the requirement for developments to introduce travel plans encouraging and promoting the use of alternatives to the private car.

Alternative Options

The alternative options would be to have no specific policy and refer only to general guidance on parking, or to produce specific parking standards for the borough. However, the EPOA standards are well-established throughout Essex and are commonly used by the Local Planning Authorities across the county. There is also a movement away from maximum parking standards as these have led to their own problems in certain circumstances.

Environment and Rural Communities Policies

Core Strategy Policy	Proposed Development Policy	Purpose
ENV1 – Environment ENV2 – Rural Communities	DP17: Flood Risk	To identify and put into place mitigation measures to deal with flood risk.
	Policy DP18: Nature Conservation and Protected Lanes	To protect sensitive parts of the borough and ensure that new development is compatible with its surrounding landscape
	Policy DP19: Maintaining Settlement Separation	To prevent separation and preserve landscape character
	Policy DP20: Dedham Vale Area of Outstanding Natural Beauty	To guide future development in the Dedham Vale AONB
	Policy DP21: Coastal Areas	To manage development near the coast
	Policy DP22: Equestrian Activities	To provide guidance on regulating equestrian activities

Policy DP17: Flood Risk

Preferred Policy DP17

Development will only be supported where it can be demonstrated that the proposal:

- (i) Meets the recommendations in Colchester's Strategic Flood Risk Assessment;
- (ii) Is accompanied by Local Drainage Plans where flood risk is known to be a problem; and
- (iii) Includes satisfactory flood defence measures or flood mitigation measures such as Sustainable Urban Drainage Systems to minimise the risk of increased flooding both within the development boundary and off site in Flood Zones 2 and 3.

Explanation

The Strategic Flood Risk Assessment (SFRA) has demonstrated that certain areas within the borough are at risk of coastal, river or potentially surface water flooding. It is likely that climate change and rising sea levels will increase this risk. In response, the Council feels that it is important to take a precautionary approach to new development with regards to flood risk.

National policy (PPS25) categorises zones of flood risk as Zone 1 (low probability), Zone 2 (medium probability), Zone 3a (high probability), and Zone 3b (functional floodplain). These Flood Zones are defined in Table D.1 of PPS25 and are illustrated by the flood maps produced by the Environment Agency (EA) and available from their website.

The SFRA defines zones 2, 3a and 3b in parts of Colchester and this will be used to inform the application of the sequential test. Where this information is not available, the EA Flood Risk Zones and a site specific Flood Risk Assessment will be used to apply the sequential test.

Colchester Borough Council has sought agreement from the Environment Agency that the Sequential Test will be applied at the Regeneration Area scale for sites falling within the Regeneration Areas identified in the Core Strategy. For sites outside the Regeneration Areas then the Sequential Test will be applied Borough wide.

PPS25 states that the overall aim should be to steer new development to Flood Zone 1 (low risk), however it does set out a flood risk vulnerability classification for different land uses and provides a 'compatibility' table for allowing particular land uses in the different flood zones (including 3a and 3b) in certain circumstances. The SFRA for Colchester has demonstrated that there is a substantial amount of land available in within Flood Zone 1 and development should generally be steered to these locations.

Development in higher risk flood zones will be restricted to certain categories where an identified need for that type of development in that location exists. The Exception Test allows for development in high risk areas but is only to be applied where there is no other option i.e. where there are large areas of land in Flood Zones 2 and 3 and the sequential test cannot deliver acceptable alternative sites, but where some continuing development is necessary.

A SFRA further takes into account all sources of flooding as well as future climate change impacts i.e. rising sea levels. The SFRA distinguishes between Flood Zones 3a and 3b. Where the SFRA does not identify these areas the EA flood zone maps will be used to apply the sequential test.

PPS25 sets out the situations where site specific Flood Risk Assessments should be submitted with planning applications and the requirements for the use for Sustainable Drainage Systems (SuDS) to minimise the risk of flooding from new development.

The EA advises that land in Flood Zone 1 that is surrounded by Flood Zone 2 or 3 ('dry islands') should be treated in the same way as the surrounding land. Each area will have its unique characteristics and a site specific Flood Risk Assessment will be required to prove that safe access / egress exists for the development or that the land will be sustainable for the duration of the flood period. This could be a number of days in some locations so it will depend on the facilities available in that area.

The use of SuDS to manage water flows can be an important tool in minimising flood risk by increasing permeable surfaces in an area which allows water to seep into the ground rather than running off into the drains system and reduces the impact of diffuse pollution from run-off and flooding. The effective use of permeable surfaces, soakaways and water storage areas should be incorporated in all new development where technically possible. Early consideration of SuDS is required in order that the most appropriate SuDS techniques can be considered and developers are encouraged to enter into early discussions with the Council. As part of discussions, long term adoption and maintenance responsibilities should be explored.

Alternative Option

The option of not providing guidance in this area would not accord with national policy.

Policy DP18: Nature Conservation and Protected Lanes

Preferred Policy DP18

Any development proposals that would be significantly detrimental to the nature conservation interests of nationally designated sites will not be permitted in any circumstance. Development proposals where the principal objective is to conserve or enhance biodiversity or geodiversity interests will be supported in principle. Where there is reason to suspect the presence of protected species applications should be accompanied by a survey assessing their presence and, if present, the proposal must be sensitive to, and make provision for, their needs.

Furthermore, development will only be supported where it:

- (i) Is supported with acceptable ecological surveys where appropriate;
- (ii) Will conserve or enhance the biodiversity value of greenfield and brownfield sites and minimise fragmentation of habitats;
- (iii) Maximises opportunities for the restoration, enhancement and connection of natural habitats in accordance with the Essex Biodiversity Action Plan; and
- (iv) Incorporates beneficial biodiversity conservation features and habitat creation where appropriate.

Additionally, development proposals that would cause direct or indirect adverse harm to nationally designated sites or other designated areas or protected species will not be permitted unless:

- (i) They cannot be located on alternative sites that would cause less harm;
- (ii) The benefits of the development clearly outweigh the impacts on the features of the site and the wider network of natural habitats; and
- (iii) Satisfactory prevention, mitigation and compensation measures are provided.

Protected Lanes of historic and/or landscape value shown on the Proposals Map will be protected from development that would adversely affect their physical appearance or would give rise to a material increase in the amount of traffic using them.

Explanation

Colchester contains a wealth of biodiversity and natural environmental assets and the protection and enhancement of designated areas such as SSSIs and Ramsar Sites is paramount. Such sites are identified on the Proposals Map. Sites identified through international conventions and European Directives are shown, however since these sites have statutory protection they do not require LDF policy protection.

Additionally, non designated sites can be rich in biodiversity. Brownfield sites in particular often support rare assemblages of species and can provide important havens for biodiversity. Brownfield land is now a national priority habitat in the UK. Development proposals need to assess the biodiversity interest of brownfield sites and identify opportunities for habitat creation as part of the redevelopment of such sites.



The Core Strategy was subject to an Appropriate Assessment (AA) to assess the potential effects of proposed Strategic Policies in the Core Strategy on European Sites both within and adjacent to Colchester. The AA found that the policies would have no adverse affect but did recommend a number of avoidance measures needed to ensure no adverse affect in the future.

The Natural Environment and Rural Communities Act 2006 imposed a legal duty on local authorities to protect and enhance biodiversity. The policy seeks to assist this obligation. All proposals should consider protection and enhancement of biodiversity from the outset and seek to protect features such as trees, hedgerows, ponds, and woodland, design buildings to include roosting or nesting spots and include landscaping within sites and along boundaries which can provide feeding and nesting opportunities as well as acting as habitat corridors aiding the passage of wildlife between sites.

Proposals should particularly seek to contribute towards the objectives for priority habitats and species identified in the Essex Biodiversity Action Plan (BAP). Many BAP habitats in Colchester such as heathland, which used to be widespread, are now fragmented and isolated. This has significant consequences for the long term protection and adaptability of biodiversity and the ability of wildlife and habitats to adapt to climate change. There is a need to expand and re-connect the existing areas and restore habitats where they have been damaged or fragmented.

Development proposals should be accompanied by sufficient information to assess the effects of development on protected sites, species, biodiversity or geology, together with any proposed prevention, mitigation or compensation measures.

The County Council has identified certain lanes that have historic, landscape and biodiversity value which need to be retained and enhanced through appropriate management measures.

Alternative Options

The alternative option would be to have no policies. This would mean relying solely on national legislation guidance and the Core Strategy which is not considered to provide sufficient detail.

Policy DP19: Maintaining Settlement Separation

Preferred Policy DP19

Development will only be supported which either individually or cumulatively, does not lead to the actual or perceived coalescence of settlements. Proposals will be refused where they:

- (i) Create visual intrusions that reduce the openness and extent of green breaks between settlements; and
- (ii) Lead to a significant increase of activity which has an urbanising impact on the area.

Proposals within the green breaks between settlements will only be supported where they:

- (i) Make a positive contribution to protecting, conserving, or enhancing the openness, landscape and amenity character of the break;
- (ii) Provide opportunities for quiet informal recreation; or
- (iii) Contribute to the green infrastructure network of the borough.

Explanation

The towns and villages of the borough exhibit a distinct character and range of intrinsic qualities that are based on the cumulative impact of the settlements historic built character, the wider landscape setting and local features. These all help to define local distinctiveness and sense of place. It is important that proposed developments respect this character and do not impact on this combination of natural and man-made features or urbanise the countryside.

Much of the pressure for development is around the edges of rural settlements or extensions to the urban fringe. Such developments can lead to coalescence between rural villages or between villages and the urban fringe. The Council will seek to resist such development proposals outside of key development areas identified in the Core Strategy and Site Allocations to prevent settlement coalescence.

The landscape between settlements throughout the Borough should have an overall lack of development and urbanising features and provide a visual break and sense of openness between the settlements. This includes preserving the tree and hedge cover and biodiversity habitats that make up the green break and which help define the local character.

Evidence for assessing a site's contribution to the landscape character and maintaining the openness between settlements includes the Landscape Character Assessment and the Green Break study commissioned by the Council as part of the evidence base.

Alternative Options

The alternative option is to rely on more general national policies. However, this would not set out in sufficient detail the considerations that need to be taken into account in determining individual planning applications.

Policy DP20: Dedham Vale Area of Outstanding Natural Beauty

Preferred Policy DP20

Development will only be supported in or near to the Dedham Vale Area of Outstanding Natural Beauty (AONB) that:

- (i) Makes a positive contribution to the special landscape character and qualities of the AONB;
- (ii) Does not adversely affect the character, quality views and distinctiveness of the AONB or threaten public enjoyment of these areas;
- (iii) Supports the wider environmental, social and economic objectives as set out in the Dedham Vale AONB & Stour Valley Management Plan; and
- (iv) Creates opportunities for informal recreation and tourism.

Where exceptionally development is essential, landscape enhancements, mitigation or compensation measures must be provided to the Local Planning Authority's satisfaction. Any existing development within the AONB will be expected to satisfactorily mitigate its adverse impact as part of any new development proposals.

Explanation

The Dedham Vale AONB, as shown on the Proposals Map, has been designated for its national importance in terms of landscape quality. The primary aim of the designation is to conserve and enhance the natural beauty of the landscape.

It is essential that AONBs are conserved and enhanced. However it is acknowledged that the Dedham Vale is a 'living' landscape which needs to be able to adapt, change and respond positively to changing social, economic and environmental issues (climate change, declining agricultural sector, recreational pressures) to meet the needs of the local community. In exceptional cases development proposals that help maintain the economic and social wellbeing of the AONB will be supported where these do not detract from the special character/quality of the AONB.

Alternative Option

The alternative option not to have guidance in this area and to rely solely on national legislation, guidance and the Core Strategy. This option is not considered to address the specific needs of the area.

Policy DP21: Coastal Areas

Preferred Policy DP21

Within the Coastal Protection Belt and along the undeveloped coast, development will only be supported where it can be demonstrated that it:

- (i) Requires a coastal location and is located within the developed area of the coast;
- (ii) Will not be significantly detrimental to conserving important nature conservation, cultural heritage, maritime uses and the landscape character of the coast;
- (iii) Will deliver or sustain social and economic benefits considered important to the well being of the coastal communities; and
- (iv) Provides opportunities for adaptation to climate change.

In exceptional circumstances, development may be permitted where it is proven that the proposal provides an over-whelming public or community benefit that outweighs all other material considerations. In such instances applications must demonstrate that the site is the only available option and be acceptable in terms of its other planning merits.

Explanation

The coastal area of Colchester Borough is an extremely rich, diverse and irreplaceable natural asset in terms of its natural and cultural features. It includes substantial parts of the Colne and Blackwater Estuaries. The ecological importance of the Colne and Blackwater Estuaries is reflected by the variety of international and European designations covering them i.e. Special Protection Areas (Birds Directive), Ramsar sites and the mid-Essex Estuaries Marine Special Areas of Conservation (SAC) designated under the Habitats Directive. There are also a number of Sites of Special Scientific Interest and locally important sites designated around the estuaries.

The Borough's coastline is also home to a number of sizeable communities around Mersea Island, Rowhedge, and Wivenhoe. As a consequence there are a number of diverse and competing interests including internationally important habitats, land and water-based recreation, fishing, archaeological and historic features that need to be balanced within the Borough's coastal belt. Obligations to protect the important natural and cultural assets have to be balanced against the wider socio-economic needs of these communities. Climate change including sea level rise is likely to present increasing pressure on the management of coastal habitats and coastal communities.

In 1984, Essex County Council produced the Essex Coast Protection Subject Plan. This defined the Coastal Protection Belt. The Coastal Protection Belt aims to protect the rural and undeveloped coastline from inappropriate development that would adversely affect its open character and irreplaceable assets, landward and marine sites of nature conservation importance, and buildings and areas of special architectural, historic or archaeological importance. The Belt's rural and undeveloped coastline is of international, national and regional significance for its open and rural landscape character, heritage features, and nature conservation interest. These multiple assets are strongly focussed and interrelated within the defined area, including between the coastline and adjoining inland areas. The Belt has a unique and irreplaceable character which should be strongly protected and enhanced.



National planning policy is relevant including that set out within PPS7, PPS9, PPS25, and PPG20. This contains policy applicable to rural undeveloped areas. However, because the Coastal Protection Belt has a unique and irreplaceable character, there is a local need for greater priority to be given to the restraint of potentially damaging development, than is normally possible under national planning policies. The Coastal Protection Belt adopts the precautionary principle and seeks to restrict development to within the built up areas of the coast. Some developments require a coastal location, cannot be located elsewhere or needed to serve a local coastal community needs. Similarly some developments may be required to enable communities to adapt to the impacts of climate change and proposals meeting these criteria should be supported.

Alternative Options

The alternative option would be to rely on national guidance which is more general, or to be more specific within the policy. General guidance would not be clear enough to determine planning applications. Similarly, being too restrictive could hinder essential facilities within the borough.

Policy DP22: Equestrian Activities

Preferred Policy DP22

Planning permission will only be supported for equestrian related development if it can be demonstrated that the proposal:

- (i) Cannot be located within existing buildings through the re-use or conversion of buildings for any related equestrian use before new or replacement buildings are considered;
- (ii) Is satisfactory in scale and level of activity, and in keeping with its location and surroundings;
- (iii) Will not result in sporadic development leading to an intensification of buildings in the countryside, particularly in an urban fringe location;
- (iv) Is related to an existing dwelling within the countryside or will not lead to pressure for the development of a new dwelling.

Permission will not normally be granted for the conversion or change of use of existing equestrian establishments to a non-equestrian use.

Explanation

Equestrian development includes all forms of horse related activities including the erection of stables through to racing stables, sand schools and all-weather gallops. Its development needs to be monitored carefully to ensure the cumulative effect of the fencing, stabling, ménage and ancillary buildings it needs does not lead to overdevelopment in countryside areas or create conflicts with other rural uses. An equestrian use will not be considered to justify the erection of a dwelling in a location where permission would normally be refused.

Alternative Options

The alternative option is to have no specific policy and rely on more general guidance within national policies. However, para 32 of PPS7 directs local planning authorities to provide more detailed policies on equestrian uses in a Development Plan Document, given that they tend to have their own local issues requiring more detailed consideration.

Energy, Resources, Waste, Water and Recycling

Core Strategy Policy	Proposed Development Policy	Purpose
ER1 – Energy, Resources, Waste, Water and Recycling	DP23: Water Conservation	To ensure that new development incorporate measures for the conservation and sustainable use of water
	DP24: Conserving Energy and Promoting Renewable Energy Sources	To encourage sustainable energy sources within new development.

Policy DP23: Water Conservation

Preferred Policy DP23

Development proposals will not be permitted where appropriate opportunities to incorporate measures for the conservation and sustainable use of water have not been satisfactorily met. Their overall design and layout, and individual building designs, should reflect this requirement. Such measures will normally include SuDS for managing surface water runoff. These may also provide opportunities for creating or improving wildlife habitats.

Explanation

The Borough has very low rainfall and is not self-sufficient in providing water for its population. It is important that water resources continue to be protected for present and future generations. They should be used efficiently to make the maximum use of the resource and to reduce the need for major new water storage facilities and related infrastructure.

Development should be in locations where adequate water resources already exist, or where the new provision of water resources can be made without adversely affecting the environment, and where it coincides with the timing of the development. Every opportunity should be taken to build water efficiency into new developments, and innovative approaches should be encouraged. This can range from low flow taps and water butts to advance rainwater harvesting for larger developments.

The EA also promotes the concept of SuDS and expects all development greater than 1 hectare to include a surface water strategy as part of the Flood Risk Assessment accompanying applications. Government policy (in Annex F of PPS 25) strongly promotes and encourages the use of SuDS in new development, including through development plan policies. SuDS encourage implementation of practices within new development to minimise polluting impacts and provide a method of alternative run off that could otherwise lead to flooding. An additional benefit with regard to SuDS is that they can improve the filtration of water into ground and help long term water conservation at some sites. SuDS are also intended to improve water quality, reduce flooding and protect water resources and natural habitats.

The Council will expect applications for planning permission to provide details of appropriate SuDS. In addition, when designing sustainable drainage systems, applicants will need to consider the question of adoption and the future maintenance of such drainage systems.

Alternative Options

The option of not providing guidance in this area would not accord with national policy as found in PPS25 (Annex F) and the PPS25 Practice Guide (Chapter 5).

Policy DP24: Conserving Energy and Promoting Renewable Energy Sources

Preferred Policy DP24

Planning permission will generally be supported for development proposals for renewable energy generation where there are no significant adverse impacts on the local environment in relation to noise, vibration, smell, visual intrusion, residential amenity, landscape characteristics, biodiversity, culture heritage, the water environment, the treatment of waste products, and highway and access considerations.

Explanation

Conserving energy will ensure more efficient and sustainable use of limited natural resources. It will also reduce harmful pollution caused by burning fossil fuels. Planning for more energy efficient patterns of land use and development will help to reduce future energy demand.

Although the Building Regulations deal with detailed building construction and insulation, considerable energy efficiencies can be made through siting, orientation, massing, design and layout of buildings, both new-build and conversions.

PPS22 stresses the benefits of renewable energy in addressing global concerns but also the careful way in which they should be planned at a local level to reduce the environmental effects of their location. This guidance stipulates that local planning authorities have an important role to play in the implementation of appropriate renewable energy schemes. In particular PPS22 emphasises the requirement to have a local policy to address renewable energy planning applications. The Preferred Policy seeks to facilitate renewable energy opportunities whilst safeguarding important interests.

Alternative Options

The option of not providing guidance in this area would not accord with national policy.

Monitoring

Reviewing and monitoring how well the LDF is performing is an essential element of the planning system. By assessing how well the policies are being achieved against clear targets, decisions can be made as to whether policies or documents need to be adjusted or replaced. The Council is required to prepare an Annual Monitoring Report (AMR) each year. A monitoring system will be developed and where possible linked with other plan monitoring taking place regionally, sub-regionally and locally.

Saved policies

There are a number of policies in the current Local Plan which it is desirable to save beyond adoption of the Development Policies DPD. These relate to specific sites and their usefulness is time limited. They are not spatial policies but are important to retain to provide detail to assist delivery. It is not therefore considered appropriate to include them in the Development Policies DPD. The policies and relevant text are included below. The intention is to include them within the DPD for ease of reference only. They are not subject to the public consultation.

East Colchester and the Hythe

This area of Colchester has experienced considerable changes in recent years. In the Hythe area, the commercial port quays have effectively ceased trading (although some associated businesses remain in operation).

Despite all this activity, much remains to be done in this area. The commercial harbour will be closed and the future use of the river is uncertain. Many former industrial sites still lie dormant and there are problems of pollution and environmental decay at the Hythe. Through traffic levels remain high and alternative transport options and traffic management measures need to be introduced following the demise of Phase 2 of the Eastern Approaches Road, particularly to help with improving public transport. In this context, the dereliction and under-use of Hythe Station and generally poor bus services need to be addressed.

The area is also relatively poorly served by local facilities and has significant levels of social deprivation. Local job opportunities are reducing as traditional industries close or move away. There will be a need to ensure a sound future for existing businesses, either within the area or elsewhere in the Borough, and local employment opportunities.

The Local Plan proposals and policies form the main decision making framework in the area. However, the Colne Harbour Masterplan adopted as a Supplementary Planning Document (SPD) in 2007 will be particularly valuable in helping to create a sustainable community.

The Council recognises that several schemes for important sites have already been granted planning permission. Where detailed schemes have yet to be granted planning permission, or where revised proposals are put forward, the SPD will be used to secure the highest possible standard of development. In addition the Council will seek to secure the community benefits specified in the SPD and other Council policies and documents as appropriate for such site development by means of legal agreements before any permissions are granted.

Where it is considered that proposals would or could prejudice the overall strategy, the Local Plan and/or the SPD, these will be refused as being prejudicial to the proper planning of the area.

Objectives

The Plan's objectives with regard to East Colchester and the Hythe are as follows:

- (a) To ensure that all development in the area contributes positively to the social, economic and environmental regeneration of East Colchester;
- (b) To create a balanced and harmonious mix of uses and environment so as to maximise benefits in the area and Colchester as a whole;
- (c) To make the river and adjoining sites, from East Bridge downwards, the focus for regeneration and environmental enhancement;
- (d) To improve the overall environment of the area by:
 - (i) removing or reducing sources of pollution and contamination;
 - (ii) protecting and enhancing the natural environment;
 - (iii) upgrading the built environment and protecting the historic heritage;

- (iv) promoting high standards for new development;
- (v) improving public transport links and reducing traffic congestion where possible;
- (vi) promoting regeneration through working and creating partnerships with developers, residents and outside bodies.

Local Plan Policy ECH1

Development within the RA will be permitted provided it complies with all the relevant key criteria, as set out below:

- (a) All developments shall provide for a balanced and integrated mix of uses that are compatible with the comprehensive regeneration objectives for the Hythe and East Colchester as set out in paragraph 16.16. The dominant use on any site or within any comprehensive scheme shall occupy no more than 60% of the proposed floorspace. The remaining floorspace shall provide for a balanced range of uses compatible with the overall objectives of the RA and as set out in the individual area policies.
- (b) The proposed uses shall be compatible with the mix of uses set out for each area, or with schemes already granted planning permission or under construction on adjacent or nearby sites.
- (c) All developments will be required to be in accord with the criteria set out in the adopted Urban Design SPG.
- (d) On sites over 0.5ha, where full details are not submitted with initial applications, site appraisals will be required to show clearly how the proposals will fit with, and contribute towards, the strategic objectives and the criteria set out in the SPG. All subsequent detailed proposals will be required to comply with the approved master plan.
- (e) Development of sites fronting the river will be expected to include uses which attract a significant number of people as visitors, residents or workers. Public access to the riverside should be provided so as to create a continuous riverside walkway and cycleway.
- (f) Contributions, which should reasonably and fairly relate to the proposed development, will be required from all developments towards the provision of the infrastructure and/or environmental improvements as mentioned above and set out in Table 8. However, these should take into account extraordinary development costs (eg works to decontaminate the site) that might arise from the development. Where contributions have already been made in respect of a particular site, the size and type of those contributions will be taken into account in determining what additional contributions, if any, are required in connection with further phases of development. These contributions will be secured by means of appropriate legal agreements.
- (g) All applications for development will be required to include, where appropriate, the following specific information:
 - (i) Transport Impact Assessment;
 - (ii) Retail Impact Assessment;
 - (iii) Environmental Impact Assessment;
 - (iv) Proposals to provide and/or enhance infrastructure for the community or the environment;
 - (v) Site analysis and statement of design principles, including how the urban- design codes set out in the SPG will be applied;
 - (vi) Proposed decontamination measures.
 - (h) Proposals which it is considered would not support, or would prejudice, the objectives of the RA will be refused.

Key Areas within the RA

Within the RA, certain key areas are defined which will make major contributions to its future development. The following policies set out to make clear specific requirements for these areas, particularly with regard to land uses, transport and enhancement measures.

Area 2: Former gasworks site, Hythe Quay

This important site links the historic core of the Hythe to the former port area. Development will be required to provide for a mix of uses to include housing, together with small-scale commercial and community facilities to serve local needs, and shall have regard to the character of the site and its setting of the Hythe. Any development would be expected to contribute towards infrastructure and environmental enhancements as set out in paragraphs 16.22-16.29.

Local Plan Policy ECH3

Within Area 2, development will be required to provide for a mix of uses to include housing, small-scale commercial and community uses, having regard to the character and context of the site, together with a contribution to infrastructure provision and environmental enhancements as set out in para. 16.39.

Area 5: King Edward Quay and adjacent sites

This area formed the old core of Colchester Port, but commercial use of the quays has now ceased. The surrounding area is a mix of largely small traditional industrial uses but a number of sites are vacant, derelict, or contain unsightly uses which would need to be redeveloped or relocated to promote the overall regeneration objectives. Several sites, such as the former grain silos and warehouses, were directly linked to the port operation and will provide distinct problems or opportunities to be addressed. Particular encouragement will be given to schemes which would ensure the retention and beneficial use of the former grain silos.

Of particular importance will be the relationship of development to the river both in visual and use terms. Small-scale leisure, business and community uses will be preferred, although residential and small-scale retail/service uses (to serve the local area only) may also be acceptable. At present, the quay itself remains public highway. It is likely that its status would need to change to facilitate development along the river frontage, although a public right of way on foot and on bike, at least, would need to be retained.

Redevelopment may be promoted on individual sites, on groups of sites or in a more comprehensive way, but the ultimate result for the whole area must be a mix of uses and character of development compatible with the overall regeneration objectives of the RA.

Developments in this area will be expected to contribute proportionately towards infrastructure and environmental enhancements as set out in paragraphs 16.22-16.29 and in particular towards the Barrage structure or to other riverside enhancements, should the structure not be either feasible or otherwise acceptable.

Local Plan Policy ECH6

Within Area 5, development will be required to provide for a mix of small-scale leisure, business and community uses, subject to the criteria set out in paragraph 16.42 and a contribution to infrastructure provision and environmental enhancements as set out in paragraph 16.42. Residential and small-scale retail/ service uses can also be provided.

Transport and Access

In addition to complex movement patterns within the area from a wide range of land uses and high-density housing, it also acts as the main through route from the eastern side of Colchester and the Tendring Peninsula into the Town Centre.

The Eastern Approaches Road Scheme attempted to solve the problem of congestion and delay that this volume of traffic causes. The construction of Phase 1 of the Eastern Approaches Road Scheme resolved the major problem of congestion and delay at the Hythe. The abandonment of Phase 2 means that the still growing traffic from Hythe Hill to St Botolph's needs to be addressed.

The Council are currently addressing these issues through their East Colchester Corridor Study and will be working closely with the County Council as Highways Authority on this. In addition, studies are being carried out investigating the provision of park-and-ride facility on a town-wide basis and the feasibility of a new station at the Hythe. It is anticipated that this work will identify additional transport improvements that are required. These are likely to include bus priority measures and better footpath and cycle links. Contributions will be sought from private development towards these (see Policy ECH1). A cycle path is currently proposed to link Rowhedge into Colchester following the river. This will complement the existing Wivenhoe Trail.

Local Plan Policy ECH7

It is proposed that a comprehensive package of public transport improvements will be provided from St Botolph's to the Hythe to include appropriate traffic management measures in order to facilitate improvements to bus services through the area, to improve conditions for cyclists and pedestrians and to benefit the local environment.

Magdalen Street Special Policy Area

The various proposals for the Eastern Approaches Road blighted this area for many years. A number of recent developments, such as housing and the Foyer Project, together with the abandonment of the road, have begun the process of regeneration.

The Plan seeks to continue these initiatives by consolidating and extending the residential area to the north of Magdalen Street and retaining the mix of small-scale commercial and local service uses elsewhere. The area is relatively poorly served by local shops, although the Town Centre is fairly convenient. New shopping of a type and scale to serve the local area would therefore be beneficial, although care will need to be exercised to minimise traffic generation. This could include food retailing, but within a local "walking distance" catchment only.

One of the main issues in this area is the high volume of through traffic, which is likely to continue to grow in the future. Measures are being investigated, as part of the overall Eastern Corridor Transport Study, to reduce car traffic and promote public transport and walking and cycling through the area. This is important in both transport and environmental terms, especially as the amount of housing in the area grows. New developments should therefore produce the minimum amount of car traffic and maximise the potential for public transport use, cycling and walking.

A development brief has been adopted as SPD, which sets out in more detail the locational, design, townscape and transport criteria, which will be applied to proposals.

Local Plan Policy ECH8

To the north of Magdalen Street, housing areas will be extended and consolidated, but other small-scale uses will be permitted provided they are compatible with the overall housing proposals.

Development shall be in accord with the more detailed criteria set out in the adopted SPD.

Local Plan Policy ECH9

New development on the south side of Magdalen Street shall continue the existing mix of commercial, industrial, service and retail uses. Proposals must not adversely affect the amenity of neighbouring housing areas.

Local Plan Policy ECH10

Any retail development proposed within Special Policy Area C shall:

- (a) be of a scale to serve the local area only;
- (b) not prejudice other nearby local shopping centres at St Botolph's, Military Road and Barrack Street.

Colchester Garrison

The Ministry of Defence owns substantial areas of land within Colchester Borough. The Garrison area extends from virtually the Town Centre down to the coast and the training areas at Fingringhoe and Friday Woods. There are also the ranges at Middlewick. The MoD's presence within the Borough is a substantial benefit to the local economy. Because large tracts of land are used for training but otherwise left undisturbed, there are also significant benefits in terms of nature conservation, landscape and informal recreation.

There has been substantial re-provisioning within the Garrison area in recent years, in part in response to an exercise called "Options For Change". As a result the MoD is pursuing a Private Finance Initiative (PFI) scheme, which will involve major redevelopment of the Garrison area.

This major scheme will involve the development of a new garrison south of Abbey Fields thus releasing a substantial area of land for re-development. The effect will be a restructuring of a major part of the urban fabric of south Colchester and will have impacts across the Borough.

Objectives

The Plan's objectives for the Colchester Garrison are:

- (a) To work with the Ministry of Defence to ensure that the Garrison makes the maximum contribution to the area's economy, whilst safeguarding landscape, nature conservation, archaeological and historical heritage interests.
- (b) To provide continuous greenlinks from Berechurch Hall Road through to Abbey Fields and east-west from Layer Road toward the cemetery (see Policy UEA 14).
- (c) To make optimum use of land declared surplus for Ministry of Defence purposes, bearing in mind other policies in the Local Plan.
- (d) To support the remodelling of the Garrison area for defence purposes, subject to suitable safeguards.

Garrison Regeneration Area (RA)

The area affected by the PFI is shown as an RA on the Proposals Map. The Plan provides for major redevelopment of the Garrison area to include new military facilities with significant land released for other development. Because of the time over which redevelopment will take place and the nature and timing of the PFI process, it is acknowledged that there needs to be some flexibility over the manner and type of development.

However, it is important that the plan gives as much certainty as possible in order to provide a clear framework to guide development. It is also important that the local community is aware of what is proposed and has an adequate opportunity to comment.

Five broad development areas are identified on the Proposals Map within the RA, as follows:

(a) **Hyderabad and Meanee Barracks**

This area is proposed for predominantly residential development. Being close to the services and jobs within the Town Centre, the opportunity exists to explore less car-dependent forms of development, including possibly car-free development.

(b) **Flagstaff House and Land Adjoining**

The Scheduled Ancient Monument based on St John's Abbey has been extended to include part of this area. There are a number of attractive buildings on the site, which should be retained. Scope exists for conversion/new development for a mix of residential, offices or workshops. It is proposed to extend the St John's Conservation Area to encompass this area. However, conversion for workshop use will be appropriate only where this does not lead to the loss of the historic character of the buildings themselves or their setting.

(c) **Cavalry and Le Cateau Barracks**

This is proposed for predominantly residential development. As with Hyderabad and Meanee Barracks, the site is close to services and jobs within the Town Centre and again the opportunity exists to explore less car-dependent forms of development. Six of the existing Victorian Garrison buildings have been listed and imaginative conversions to new uses will be required. It is proposed to designate a Conservation Area based on these buildings.

(d) **Central Section West of Berechurch Road and South of Abbey Fields**

It is anticipated this will be redeveloped for predominantly Garrison purposes. However, if there is surplus land then residential development would be acceptable.

(e) **Southern Section East of Berechurch Road**

It is anticipated that this area will be redeveloped/developed for a combination of Garrison and predominantly residential development. Some scope exists for employment development in this area which is furthest from the Town Centre. It is proposed that the wedge of open land immediately to the east of Berechurch Road should remain as predominantly open land uses, which could include recreational use. The existing cemetery will require an extension within the plan period, with the precise site defined in the master plan (see also Policy CF10). The extension is not proposed as part of the Garrison development itself but is required to serve the needs of the Borough.

Abbey Fields

This is an extremely important and attractive landscaped open area, which, it is proposed, should remain so. It also forms an important element of the north-south greenlink through the Garrison. In the redeveloped Garrison area, whether it is military or civilian development immediately to the south, Abbey Fields will be an important focal point for the new development and a recreational asset for the wider area.

Local Plan Policy G1

The Garrison Regeneration Area is defined on the Proposals Map. Development will proceed in accordance with an agreed master plan, to be secured via a Section 106 Agreement, and will include the following:

- (a) An overall concept for the development which takes on board the principles of sustainable development, including giving priority to non-car modes of transport, setting out the design principles;
- (b) An indication of the areas for development and the types of development proposed, expected to be broadly as set out in paragraphs (a) to (g) above, including an indicative layout for the RA;

- (c) Phasing in respect of development, particularly residential development;
- (d) Identification of community and transport infrastructure that will be required to support the development both on-site and off-site in full and which the developer will be expected to provide. The provision of infrastructure and the release of land for development will be linked to ensure that services are available as soon as possible for when they are required. The development will be expected to provide for all its costs in line with the principles in Circular 1/97;
- (e) The identification of a north-south greenlink (incorporating Abbey Fields and the land to the east of Berechurch Road) and east-west link from Layer Road towards Colchester Cemetery. These are indicated in diagrammatic form on the Proposals Map and will be laid out in line with the principles set out in Chapter 6, "Urban Environment and Archaeology" (see Policy UEA 14);
- (f) A mechanism for monitoring and reviewing the master plan, including the numbers of dwellings to be built.

Mile End

Objectives

The Plan's objectives for Mile End are as follows:

- (a) To improve transport conditions in the area and to secure appropriate transport provision prior to the release of additional housing and employment sites;
- (b) To safeguard and enhance those areas of open land which contribute to the character, setting and visual amenity of Colchester;
- (c) To release land for housing and employment purposes in appropriate locations and subject to suitable safeguards as a contribution towards the Borough's Regional, County and Local requirements.

Local Plan Policy ME1

None of the allocated employment and housing sites in Mile End will be granted planning permission in advance of improvements to community and transport infrastructure being secured as set out in Table 3 and as specified hereunder respectively:

- (a) Planning permission for residential development at Myland Hospital and west of the District General Hospital (Sites 1 and 2 in Table 3) will not be granted until a scheme of improvements for bus, cycle and pedestrian routes and roads to serve the new development between Turner Rise and Nayland Road has been agreed, including buses to serve the new development, and the necessary funding secured. Development of these sites will thereafter be linked to the carrying out of the transport improvements, such that the improvements and development will proceed in accordance with an agreed programme with the developers involved.
- (b) Planning permission for the Cuckoo Farm (south of the A12) Employment Zone and the Severalls Hospital residential allocations will not be granted (with the exception of the development of land referred to in (c) below) until the above scheme has commenced and additional measures to improve transport provision in the area and to serve the development have been secured, similar to those set out in (a) above and including securing the provision of the A12 junction and provision for an express bus way to serve the proposed community sports stadium.

In particular, permission will not be granted for Cuckoo Farm (south of the A12) until a contribution to the provision of a junction on the A12, as shown on the Proposals Map, and an east-west link from the junction to Severalls Lane and traffic calming in Mill Road have been secured. In the case of the development of Severalls Hospital, the provision of an express busway along land reserved for that purpose (under application COL/97/0221) and a road and bus link from the A12 junction across the development site to the road approved under COL/97/0221 and a contribution to the A12 junction will need to be secured before planning permission is granted.

- (c) Part of the eastern end of Cuckoo Farm (south of the A12) may be released in advance of securing the improvements referred to in (a) and (b) above, subject to the completion of a Traffic Impact Assessment, an agreement to implement any improvements identified on site and off site and a contribution to the east-west link has been made.
- (d) As regards windfall sites of 10 or more units of residential accommodation or non-residential use of an equivalent traffic generation, these will not be granted planning permission until any necessary transport and community infrastructure provision commensurate with the scale of the development is secured.

Severalls Hospital

This site is proposed for a mix of uses including some continuing health provision (see Policy H1 and Table 2) with development predominantly for residential purposes. Development will be spread over two plan periods. In developing the site, the Council will expect existing landscape features of importance to be retained as far as possible. A large number of the trees within the site are covered by a Tree Preservation Order.

Release of the site should be preceded by the preparation of a master plan showing the range of uses, how existing features are to be retained and the phasing of development.

Tower Lane

Tower Lane runs between Severalls Hospital and Cuckoo Farm (south of the A12). It is widely used as a pleasant route for walkers, cyclists and horse riders. It is important that the route is retained as a greenlink (see Policy UEA14) between the employment and predominantly residential areas to the north and south of it. It is also important that the connection between the High Woods Country Park and Tower Lane is reinforced as part of the development of Severalls Hospital. This will need to be addressed in the master plan for the site referred to above.

Post Adoption Note: A Masterplan for the Severalls Hospital site has been adopted as Supplementary Planning Guidance and will continue to apply and supplement this saved policy.

Appendix 1

This table outlines the consultation results obtained by the Council in relation to the Development Policies Issues and Options of the Local Development Framework.

Questions posed	Comments Received
A 1. Which pollution and nuisance impacts should be covered by detailed policies?	All pollutants – 2 Water – 1 Use the list provided on page 14 – 1
A 2. Should there be separate policies for residential and commercial areas?	Yes – 1 No – 3
A 3. Should standard charges be applied to all developments?	Yes – 7 No – 9 – There were concerns with the rigidity of the wordage “applied to ALL developments”
A 4. Should priorities for distributing planning gain contributions be set at a borough-wide level?	Yes – 5 No – 5 Individual sites – 1 Borough – 1
A 5. What community facilities should be safeguarded?	All – 5 Village Shop – 1 Community Halls – 1 Medical Facilities – 1 Sports – 1 Water – 1 Air – 1 Soil – 1 Allotments – 2 Open spaces – 1 Natural Areas – 1
A 6. Should planning policy be used to protect such facilities?	Yes – 10
A 7. Do you believe there is a need for a specific policy to require development to provide new community facilities in Colchester?	Yes – 11 No – 2 – National policy already required such contributions
A 8. Is there a need for a policy to address the impact of new development on existing community facilities?	Yes – 9
A 9. Should Health Impact Assessments be required?	Yes – 3 No – 2 Adopt the HIA Policy – 1
B 1. Should policy be used to retain employment uses?	Yes – 8 No – 1
B 2. Is a policy required controlling the amount of retail uses in the Town Centre?	Yes – 1 No – 1

Questions posed	Comments Received
B 3. Should contributions be made towards employment and training schemes where existing employment land/premises are lost?	Yes – 3 No – 1
B 4. Do you believe there is a need for specific guidance on visitor facilities?	Yes – 7
B 5. If so, should there be separate guidance for urban and rural areas?	Yes – 4
C 1. Should there be a policy to control the size (number of bedrooms) and type of dwellings (flats or houses) built?	Yes – 4 No – 6 – Would hinder the ability of developers to provide housing at the densities required
C 2. Should the Council set a target for meeting the Lifetime Homes standard?	Yes – 5 No – 3 – Target setting was an unworkable and unrealistic way of achieving the needs of the community
C 3. Do you believe in the need for further guidance on how we meet our affordable housing target?	Yes – 8
C 4. Is there a need for shared ownership housing?	Yes – 7
C 5. Should there be a specific policy on housing density?	ER1 – Energy, Resources, Waste, Water and Recycling
C 6. Is high density appropriate in certain areas?	Yes – 10 No – 1 – High density is not appropriate anywhere in the borough
C 7. Is there a need for guidance on building home extensions?	Yes – 2
C 8. Is there a need for guidance on replacement dwellings?	Yes – 2
C 9. Is there a need for guidance on backland and infill development?	Yes – 2
C 10. Is there a need for a policy covering home-based businesses?	Yes – 10

Questions posed	Comments Received
D 1. Do you agree with the need for a specific policy on urban design?	Yes – 11
D 2. Do you believe there is a need for a specific policy on historic conservation issues?	Yes – 7 No – 1 – National policy already covered historic conservation
D 3. Do you believe there is a need for a specific policy on archaeological assets?	Yes – 7
E 1. Do you believe there is a need for a specific policy on streets as shared public spaces?	Yes – 5 No – 1 – This issue should be covered in other wider ranging policies
E 2. Do you believe there is a need for a specific policy on public open space?	ER1 – Energy, Resources, Waste, Water and Recycling
E 3. Do you believe there is a need for a policy setting out minimum garden sizes?	Yes – 5 No – 3 – Due to housing density restrictions and the structure of towns in general makes a minimum garden size a moot point
E 4. Should the policy be applied flexibly if public open space is provided?	Yes – 4 No – 1 – Needs a strict policy to be implemented
E 5. Do you believe there is a need for a specific policy on green links?	Yes – 8
F 1. Do you believe there is a need for a specific policy on assessing developments to ensure they have good public transport, pedestrian and cycling links?	Yes – 10
F 2. Do you believe there is a need for specific guidance on providing facilities and routes to support cycling and walking networks?	Yes – 8 No – 2
F 3. Do you believe there is a need for specific guidance on providing services and infrastructure to support public transport?	Yes – 5 No – 4
F 4. Would guidance be helpful to encourage new approaches to street design?	Yes – 3 No – 1

Questions posed	Comments Received
F 5. Are policies needed setting out the local highway authority requirements?	Yes – 11
F 6. Is there a need for local car parking standards?	Yes – 7 No – 1 – National policy already covered historic conservation
F 7. If so, should it set a maximum or minimum number of spaces?	Yes – 2 Minimum – 3 Maximum – 2 Flexible – 1 – Should be totally flexible and determined on a site by site basis
F 8. Should we develop further local guidance on transport?	Yes – 4
F 9. If so, should it cover the whole borough or focus on development areas?	Yes – 1 Borough – 1
G 1. You believe there is a need for a specific policy on assessing and mitigating the effects of development on the environment?	Yes – 6 No – 1 – There is sufficient national guidance to safeguard the environment
G 2. Is there a need for further policy guidance on nature conservation and coastal protection?	Yes – 8 No – 1 – There is sufficient national guidance to safeguard the areas in question
G 3. Should guidance be based on designations or on criteria for assessing development impact?	Yes – 3 Both – 1 Criteria – 4 Designation – 1
G 4. Do you believe there is a need for a specific policy on residential development in the countryside?	Yes – 6
G 5. If so, what should it cover, i.e. extensions, replacements, new houses, farm dwellings?	All – 2 Affordable Housing – 1
G 6. Do you believe there is a need for specific guidance on employment in the countryside and rural diversification?	Yes – 7

Questions posed	Comments Received
H 1. Do you believe there is a need for a specific policy on:	Yes – 11
H 1a. Energy production?	Yes – 7 No – 1 – National policy already covered historic conservation
H 1b. Energy conservation?	Yes – 2 Minimum – 3 Maximum – 2 Flexible – 1 – Should be totally flexible and determined on a site by site basis
H1c. Telecommunications?	Yes – 4
H 2. Do you believe in the need for a specific policy on the provision of recycling facilities?	Yes – 1 Borough – 1
H 3. Do you believe in the need for a specific policy on Sustainable Urban Drainage Systems?	Yes – 5 No – 1 – The issue was covered in higher level guidance and therefore does not need to be regurgitated
H 4. Should there be a strict policy requirement for sustainable construction?	Yes – 6 No – 3 – While there is a possible need for some guidance a 'strict' application of such policies could hurt the housing industry's ability to provide the number of houses wanted by the national government.
H 5. Is more guidance on sustainable construction required in addition to the Supplementary Planning Document (SPD)?	Yes – 4 No – 3 – Any additional layers of guidance would be detrimental to the delivery of housing in the area.
AOQs	An edge of centre development policy needs to be developed

Appendix 2 - Status of 2004 Local Plan Policies

This table details the status of Colchester's 2004 Local Plan policies. Policies that will remain saved and can be still used in decision making after the adoption of the Core Strategy are indicated by a tick. They will remain in effect until they are superseded by policies in subsequent DPDs.

Local Plan Policy		Status
Overall Development Control Policy		
DC1	Overall Development Control Policy	✓
Coast and Estuaries		
CE1	The Open and Undeveloped Coastline	Superseded by Core Strategy Policy ENV1 (Environment)
CE2	Risk of Flooding	✓
CE3	Coastal Protection and Flood Defence	Policy not saved for use after 27th Sept 2007. The Environment Agency has Permitted Development Rights for works in Coastal Areas so this policy is a repeat of their guidance and is therefore to be deleted from the Development Plan.
CE4	Residential Holiday Sites	✓
CE5	Occupancy Restrictions for Caravans	✓
CE6	Development Pressures in the Coastal Area	Policy not saved for use after 27th Sept 2007. Policy is considered to be too specific and issues are covered through policies DC1 and CE1. RAMSAR designation has great influence in coastal areas and this takes precedent – therefore policy to be deleted
CE7	Cook's Shipyard, Wivenhoe	Policy not saved for use after 27th Sept 2007. Development commenced so the Policy is no longer needed and is to be deleted
CE8	Rowhedge Port Regeneration Area	✓
CE9	Rowhedge High Street and Wivenhoe Quay	✓
CE10	West Mersea Waterside Area of Special Character	✓

Local Plan Policy		Status
Countryside		
CO1	Countryside – General Policy	Superseded by Core Strategy Policies ENV1 and ENV2 (Environment)
CO2	Conservation Areas – New building, alteration or extension	✓
CO3	Countryside Conservation Areas	✓
CO4	Landscape Features	✓
CO5	Nature Conservation	✓
CO6	Protected Species	Policy not saved for use after 27th Sept 2007. Policy is a repeat of PPS9 Biodiversity and therefore can be deleted from the Plan.
CO7	Protected Lanes	✓
CO8	Agriculture – Land	✓
CO9	Agriculture – Animals	✓
CO10	Agricultural Diversification	✓
CO11	Dedham	Policy not saved for use after 27th Sept 2007. Some aspects of the Policy have been implemented and other parts are covered by other policies in the countryside chapter, namely CO1 and CO2.
CO12	New Stables or Extensions to Existing Stables	✓
CO13	Residential Accommodation for Existing Stables	✓
Urban Environment and Archaeology		
UEA1	Conservation Areas	✓
UEA2	Conservation Areas – New building, alteration or extension	✓
UEA3	Demolition	✓
UEA4	Demolition – Listed Buildings	✓

Local Plan Policy		Status
UEA5	Listed Buildings	✓
UEA6	Listed Barns or Other Listed Agricultural Buildings	✓
UEA7	Scheduled Ancient Monuments	✓
UEA8	The Dyke System	✓
UEA9	Gosbecks Archaeological Park	Policy not saved for use after 27th Sept 2007. Policy is a repeat of English Heritage policy and therefore is to be deleted from the Development Plan
UEA10	Parks and Gardens of Historic Interest	✓
UEA11	Design	✓
UEA12	Design – Character	✓
UEA13	Development, including Extensions, adjoining existing or proposed Residential Property	✓
UEA14	Development, including Extensions, adjoining existing or proposed Residential Property	✓
UEA15	Greenlinks – Open land	✓
UEA16	Advertisements within Conservation Areas	✓
UEA17	Advertisements outside Conservation Areas	✓
UEA18	Advertisements outside Conservation Areas	Policy not saved for use after 27th Sept 2007. Policy is no longer needed as the policies focusing on adverts are sufficient for the whole Borough and is unnecessary to single out rural areas. Objectives reflected in UEA16 and UEA17
UEA19	Advertisements outside Conservation Areas	✓
UEA20	Advertisements on Listed Buildings and Scheduled Ancient Monuments	✓
UEA21	Areas of Special Character	✓

Local Plan Policy		Status
Pollution and Land Resources		
P1	Pollution (General)	✓
P2	Light Pollution	✓
P3	Development in Floodplains and Washlands	✓
P4	Contaminated Land	✓
P5	Unstable Land	✓
P6	Renewable Energy Sources	✓
P7	Energy Efficiency	✓
Community Facilities and Infrastructure Provision		
CF1	Infrastructure and Community Facilities Provision	Superseded by Core Strategy Policy SD2 (Delivering Facilities and Infrastructure)
CF2	Library Facilities	Policy not saved for use after 27th Sept 2007. Policy is too specific to be included in the LDF and it is considered that other policies adequately cover the issue of libraries. Policy to be deleted from the Development Plan
CFC3	Access for People with Disabilities	Policy not saved for use after 27th Sept 2007. Policy issue is covered under the Disability Discrimination Act 1995 and is therefore a repeat of national legislation and is to be deleted from the Development Plan
CF4	Retention of Key Community Facilities	✓
CF5	Education – General	✓
CF6	Nursery and Pre-school Education	✓
CF7	Primary and Secondary Education (Schools)	Superseded by Core Strategy Policy SD2 (Delivering Facilities and Infrastructure)

Local Plan Policy		Status
CF8	Health Trust Facilities	Policy not saved for use after 27th Sept 2007. Policy is too specific for the LDF and responsibility for implementation of Hospital lies with Primary Care Trust. Policy is covered by other policies (DC1 and ME1) and is to be deleted from the Development Plan
CF9	Medical and Veterinary Facilities	Policy not saved for use after 27th Sept 2007. Policy is too specific and issue is covered by DC1, to be deleted from the Development Plan
CF10	Cemetery Provision	Policy not saved for use after 27th Sept 2007. Policy is too specific and issue is covered by DC1, to be deleted from the Development Plan
CF11	Places of Worship	Policy not saved for use after 27th Sept 2007. Policy is too specific and issue is covered by DC1, to be deleted from the Development Plan
University of Essex and Colchester Institute		
UC1	The University of Essex	✓
UC2	Colchester Institute	✓
Leisure, Tourism and Recreation		
L1	Indoor and Outdoor Leisure and Entertainment Facilities	✓
L2	Private Open Space	✓
L3	Public Open Space	✓
L4	Public Open Space	✓
L5	Open Space Provision within Developments	✓
L6	Open Space in Villages	Policy not saved for use after 27th Sept 2007. Other policies (L2, L3, L7) cover aspects of this policy. Open Space standards will be applied Borough wide and without making the designation between urban and rural areas

Local Plan Policy		Status
L7	Commonland, Heathland and Village Greens	✓
L8	Allotments	✓
L9	Colne Riverside Way	✓
L10	Golf Facilities	✓
L11	Birch Pit	✓
L12	Woodland, Tree and Hedgerow Cover	Superseded by Core Strategy Policy PR1 (Open Space) – requires open space provision in developments to be informed by an appraisal of local context and community need giving particular regard to biodiversity.
L13	Countryside Recreation	✓
L14	Protecting Public Rights of Way	✓
L15	Improvements to Recreational Footpaths, Cycleways and Bridleways	✓
L16	Sports causing Noise or Disturbance	✓
L17	Colchester United FC	Superseded by Core Strategy Policy UR1 (Regeneration Areas) – sets out the key projects to be delivered in the regeneration areas
L18	Arts	✓
L19	Tourism and Visitor Facilities	✓
Transport		
T1	Provision for Walking	Superseded by Core Strategy Policies TA1 (Accessibility and Changing Travel Behaviour) and TA2 (Walking and Cycling)
T2	Provision for Cycling	Superseded by Core Strategy Policies TA1 (Accessibility and Changing Travel Behaviour) and TA2 (Walking and Cycling)
T3	Travel Plans	✓
T4	Car-Free Residential Areas (Non Car Housing)	Superseded by Core Strategy Policy TA5 (Parking)

Local Plan Policy		Status
T5	Enhancement of Public Transport	✓
T6	Rail Freight	✓
T7	Traffic Management	✓
T8	Haulage Depots	Policy not saved for use after 27th Sept 2007. Policy is considered to be too specific for the LDF and proposals can be considered under DC1, T7 and EMP4. Highways Agency has a key role in these proposals and the Council is led by their expertise and evidence
T9	Car Parking Provision	✓
T10	Off Street Parking	Policy not saved for use after 27th Sept 2007. Policy is too specific for the LDF and is covered by T9 and the transport chapter. Policy to be deleted from the Development Plan
Utilities		
UT1	Off-Site Service Infrastructure	✓
UT2	Sewage Treatment Works	Policy not saved for use after 27th Sept 2007. Environment Agency has Permitted Development rights and control sewage treatment works so the policy is a repeat of national legislation and is no longer needed in the Development Plan
UT3	Power Lines	✓
UT4	Telecommunications	✓
UT5	Satellite Dishes	✓
Housing		
H1	Housing Allocations	Superseded by Core Strategy Policy H1 (Housing Delivery) – Policy H1 and Table H1a set out the overall distribution of new housing to deliver at least 19,000 new homes between 2001 and 2023
H2	Meeting Different Needs	Superseded by Core Strategy Policy H3 (Housing Diversity)
H3	Conversion to Flats / Bedsitting Rooms	✓

Local Plan Policy		Status
H4	Affordable Housing	Superseded by Core Strategy Policy H4 (Affordable Housing) – Sets new targets and thresholds for affordable housing sites
H5	Affordable Housing – Rural Exceptions	✓
H6	Gypsy Caravan Sites	Policy not saved for use after 27th Sept 2007. As directed by the Government Office for the East of England
H7	Development within Village Envelopes	✓
H8	Extensions to Dwellings in the Countryside	✓
H9	Replacement Dwellings in Countryside	✓
H10	Agricultural/Forestry Workers' Dwellings	✓
H11	Removal of Occupancy Conditions	✓
H12	Extensions to Gardens in the Countryside	✓
H13	Housing Density	Superseded by Core Strategy Policy H2 (Housing Density)
Employment		
EMP1	Employment Land Provision	Superseded by Core Strategy Policies CE1, CE2, and CE3 (Centres and Employment)
EMP2	Development outside Employment Zones within the Main Urban Areas	Superseded by Core Strategy Policies CE1, and CE2(b) (Centres and Employment)
EMP3	Fingringhoe Ballast Quay	Policy not saved for use after 27th Sept 2007. Policy is too detailed and the issue is covered by EMP1, EMP2 and ECH1. Policy to be deleted from the Development Plan.
EMP4	Employment Uses in the Countryside	✓
EMP5	Rural Business Sites	✓
EMP6	Boxted Straight Road	✓
EMP7	Employment Sites in the Countryside	✓

Local Plan Policy		Status
Town Centre and Shopping		
TCS1	Town Centre Vitality	Superseded by Core Strategy Policies CE1, CE2 and CE3 (Centres and Employment)
TCS2	New Comparison Shopping	Superseded by Core Strategy Policy CE2a (Centres and Employment)
TCS3	Food shopping in the Urban Area	Superseded by Core Strategy Policies CE1, CE2 and CE3 (Centres and Employment)
TCS4	Change of Use in Core Streets	✓
TCS5	Mixed Use Areas A	✓
TCS6	Mixed Use Areas B	✓
TCS7	Mixed Use Areas C	✓
TCS8	Mixed Use Areas D	✓
TCS9	Colchester Town Centre – Local Centres	✓
TCS10	Leisure, Entertainment, Food and Drink	✓
TCS11	Bulky Goods	Superseded by Core Strategy Policies CE1, CE2 and CE3 (Centres and Employment)
TCS12	Rural and Local Shopping Centres	Superseded by Core Strategy Policies CE2b (District Centres) and CE2c (Local Centres)
TCS13	Shopping in Villages and the Countryside	✓
TCS14	Petrol Filling Stations	Policy not saved for use after 27th Sept 2007. Petrol stations can provide a valuable local service but issue is too specific and is to be deleted from the Development Plan. N.b – reference to retailing in the countryside will be carried forward into LDF
TCS15	Visitor Car Parking	✓
TCS16	Private Non-Residential Parking	✓

Local Plan Policy		Status
TCS17	Servicing	✓
TCS18	Town Centre Residential Parking	✓
TCS19	Residential Development in the Town Centre	✓
TCS20	Town Wall	Policy not saved for use after 27th Sept 2007. Issue is covered by English Heritage Schedule of Monuments and therefore can be deleted from the Development Plan
TCS21	Community and Leisure Development	✓
TCS22	Leisure, Culture, and Tourism Development	✓
TCS23	Cinema Development	✓
TCS24	Regeneration Areas	✓
East Colchester and the Hythe		
ECH1	Development in the Regeneration Area – General	✓
ECH2	Area 1 – The Former Mole Works Site	✓
ECH3	Area 2 – Former Gasworks Site, Hythe Quay	✓
ECH4	Area 3 – Albany Laundry Site and Adjacent Land off Haven Road	✓
ECH5	Area 4 – The Hythe Conservation Area	✓
ECH6	Area 5 – King Edward Quay and Adjacent Sites	✓
ECH7	Transport and Access	✓
ECH8	Magdalen Street Special Policy Area	✓
ECH9	Magdalen Street Special Policy Area	✓
ECH10	Magdalen Street Special Policy Area	✓
ECH11	Wilson Marriage Centre and Paxman's Social Club	✓

Local Plan Policy		Status
Colchester Garrison		
G1	Garrison Regeneration Area – General	✓
Mile End		
ME1	Mile End General	✓
ME2	High Woods Country Park	✓
Stanway		
STA1	South Side of London Road	✓
STA2	Land between Essex Yeomanry Way and South of Church Lane	✓
STA3	Recreational Zone South of Church Lane	✓
STA4	Peartree Road Mixed Use Area	✓
Tiptree		
TIP1	Tiptree Central Area Enhancement	✓
TIP2	Tiptree Book Services Site	✓
TIP3	Employment Land	✓

Appendix 3

Annexe to Policy DP2: List of Other Assessments and Evaluations

The following list is not exhaustive, but is indicative of the range of documents that might be required alongside any application: affordable housing statement, air quality assessment, archaeological evaluation assessment, biodiversity/protected species survey assessments, daylight/sunlight assessments, design and access statement, economic assessment, environment statement, flood risk assessment, foul sewage and utilities assessment, heritage statement, land contamination assessment, landfill statement, landscaping details, lighting assessment, noise impact assessment, open space assessment, parking provision, planning statement, retail impact assessment, site waste management plan, statement of community involvement, structural survey, sustainability statement, town centre survey, tree survey/arboricultural implications assessment and ventilation extraction statement. Further details of these assessments are available on the Council's website under the Making a Planning Application Page.

Arboricultural Assessments

Arboricultural Assessments will be required for any development affecting trees that are worthy of retention. Where a proposal is likely to affect a tree or group of trees, the applicant is advised to consult the Council prior to submitting a planning application to determine whether a Tree Survey will be required. This information should be prepared by a suitably qualified and experienced arboriculturist. Full guidance on the survey information, protection plan and method statement that should be provided with an application is set out in the current BS5837 'Trees in relation to construction – Recommendations'. Where there are larger impacts on the landscape the Council might require a Landscape Impact Assessment;

Sustainability Statements

Sustainability Statements will be required for major applications of residential proposals of 10 dwellings or more, or on sites of 0.5ha or more. For all other developments or uses a Sustainability Statement will be required where proposals create floorspace over 1,000 square metres or more and where the site area is 1 hectare or more, or that the Council considers to be likely to have significant sustainability implications.

Drainage Assessments

Drainage Assessments will be required with any application where non-mains foul drainage is proposed. Drainage Assessments must justify why a mains connection cannot be made, and assess the environmental impact of the proposed drainage. All developments must accord with DETR Circular 3/99 which sets out the broad principles.

Consultation Statements

Consultation Statements will be required for major applications detailing what community involvement has been undertaken and how the responses have been taken into account.

Protected Species Surveys

Protected Species Surveys will be required for any application likely to affect protected species. These must inform mitigation measures sufficient to ensure that no adverse effect on the species will result.

Retail Impact Assessments

Retail Impact Assessments will be required for retail schemes of over 2500 square metres (gross) outside town or borough centres to assess its impact on the vitality and viability of existing centres.

Heritage Statements

Heritage Statements, the scope and detail necessary varying according to the particular circumstances of each application, will be required for proposals either related to or impacting on the setting of heritage assets a written statement that includes plans showing historic features that may exist on or adjacent to the application site including listed buildings and structures, historic parks and gardens, scheduled ancient monuments and an analysis of the significance of archaeology, history and character, the principles of and justification for the proposed works and their impact on the special character of the listed building or structure, its setting and the setting of adjacent listed buildings may be required. For applications adjacent to a conservation area, an assessment of the impact of the development on the character and appearance of the area may be required.

Archaeological Evaluations

Archaeological Evaluations will be required for all development proposals that might affect a known or possible archaeological site in order to satisfactorily inform the proposals. Archaeological Evaluations must determine whether or not the site merits preservation in situ, preservation by record, or no action is required. Where an archaeological site merits preservation in situ the application must demonstrate how this will be achieved in a satisfactory manner. If an archaeological site merits preservation by record, applications must demonstrate that adequate provision will be made for an appropriate level of archaeological investigation prior to development commencing. In all cases, development that would adversely affect significant archaeological remains or information will not be permitted.

Development Policies Representation Form

The Development Policies Development Plan Document (DPD) will set out the criteria against which planning applications for the development and use of land and buildings will be considered as well as setting standards for the development of sites.

In response to the consultation Colchester Borough Council would like you to tell us what you think about:

- Our approach to managing development, given the guidelines set by national and regional policy and our Core Strategy
- Specific comments on the proposed policies
- Comments on any additional policy areas which you feel should be covered

The consultation period runs from Friday 16 January until Friday 27 February 2009. All comments and representation forms should be returned to the Planning Policy Team by 5pm on the 27 February.

Our website (www.colchester.gov.uk/ldf) also has details of the consultation including an electronic response form. Comments can be returned through the website, via email or posted 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 this document further then please contact a member of the Planning Policy Team on 01206 282473/6 or alternatively e-mail planning.policy@colchester.gov.uk

Colchester Borough Council Development Policies

Regulation 25 Consultation Period

16 January – 27 February 2009

If you would like to comment on any part of the Regulation 25 Development Policies document then please complete the representation form below.

All comments received in response to this consultation period will be taken into account and used to develop/produce the next stage of the Development Policies document over the coming months. All representations will be reported to the LDF Committee in due course following the closure of the consultation period.

CONTACT DETAILS

Title: Name:

Organisation (if relevant):

Address:

.....

..... Post Code:

Email:

Tel:

Preferred Method of Contact:

Postal ☐

E-mail ☐

Telephone ☐

Policy Number

Are you supporting or objecting to the Council's preferred policy?

Support ☐

Object ☐

Please use the space below to provide detailed comments to support your representation. You may also use the space to provide general comments or to suggest additional policies that should be included that would not conflict with or be duplicated by national, regional or Core Strategy policies. Additional pages may be added as required.

MONITORING QUESTIONS

The following questions are optional and will help us ensure that we are including all sectors of the community.

Ethnic Group

White

- ☐ Welsh
- ☐ Other British
- ☐ Irish
- ☐ Other White

Mixed

- ☐ White and Black Caribbean
- ☐ White and Black African
- ☐ White and Asian
- ☐ Other Mixed

Asian and Asian British

- ☐ Indian
- ☐ Pakistani
- ☐ Bangladeshi
- ☐ Chinese
- ☐ Other Asian

Black and Black British

- ☐ Caribbean
- ☐ African
- ☐ Other Black

Other ethnic group

- ☐ Arab
- ☐ Gypsy/Romany/Irish Traveller
- ☐ Other ethnic group

Age

- ☐ 15-19
- ☐ 20-29
- ☐ 30-39
- ☐ 40-49
- ☐ 50-59
- ☐ 60-69
- ☐ 70-79
- ☐ 80+

Gender

- ☐ Male
- ☐ Female

Do you consider that you have a disability?

- ☐ Yes
- ☐ No

Thank you for completing this form. Your comments will be recorded and taken forward to progress the Development Policies document further. This consultation ends on 27 February 2009 and if you have any enquiries, please contact the Planning Policy Team (01206) 282473/6 or alternatively email planning.policy@colchester.gov.uk

All comments must be received no later than 5pm on Friday 27 February 2009.

If you need help reading or understanding
this document, please take it to our
Customer Service Centre, High Street, Colchester.
Textphone users should
dial 18001 followed by 01206 282222.

We will try to provide a reading service,
a translation, or any other format you need.

