

19 March 2018

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Dear Sandra,

**RE: WIVENHOE NEIGHBOURHOOD PLAN SUBMISSION CONSULTATION**

Thank you for consulting Essex County Council (ECC) on the Wivenhoe Neighbourhood Plan submission version (the Plan). Comments are provided below on relevant policies together with general information that may aid plan delivery prior to submission.

**Minerals and Waste**

ECC is responsible for minerals and waste planning in the area proposed to be covered by the Plan. In respect of mineral planning issues, extant policy is set out within the Essex Minerals Local Plan (MLP) (adopted 2014). In respect of waste planning issues, extant policy is set out within the Essex and Southend-on-Sea Waste Local Plan (WLP) (adopted 2017). The WLP includes site allocations and policies to guide future waste development in Essex up to 2032.

During preparation of the WLP, Site W13 - Wivenhoe Quarry Plan Area was considered for allocation as a permanent site suitable for recycling of inert waste. This allocation was removed at the request of the operator, and instead a section of the neighbouring mineral site (Sunnymead, Elmstead and Heath Farms – WLP reference L(i)5) was instead allocated for this purpose. See appendix A for a map of this site and the relevant policy allocations and planning permissions.

The following comments are made on the Plan policies.

#### Policy WIV 1

The MLP and WLP are part of the development plan in Essex. Therefore in addition to the need for future development to be in accordance with the Neighbourhood Plan and the Colchester Local Plan, it is necessary to include reference to the Essex MLP and the Essex and Southend-on-Sea WLP.

#### Land off Croquet Gardens (p 78)

ECC welcome the amended text included in para 17.17 as this reflects previous comments from the County Council.

#### Policy WIV 28

Reflecting the changes to para 17.17, ECC welcomes the update to clause iv).

#### Draft Policy WIV 29

ECC welcome the amended text included in para 17.42 as this reflects previous comments from the County Council.

### **Education**

#### Policy WIV7 and Table 2 (pp 43-44)

The inclusion of the two primary schools in Table 2 and the restrictions policy WIV7 place on these sites are unacceptable as they would hinder any necessary expansion of these facilities to meet future demand.

#### Paragraph 12.13 (p 57)

It is strongly recommended that a policy supportive of meeting education need and improving the environment around schools should follow paragraph 12.13. Guidance regarding content can be found in section 6 of the ECC [‘Local and Neighbourhood Planners’ Guide to School Organisation’](#).

#### Policy WIV 24 (p 71)

Policy WIV24 should recognise that ECC’s expectations are set out in [our ‘Developers’ Guide to Infrastructure Contributions’](#) and it should be clear that these developer contributions are in addition to any specifically mentioned in policies WIV28-31.

The need for additional school places should be monitored by reference to forecasts set out in ECC’s document [‘Commissioning School Places in Essex’](#). For information, 250 houses would likely generate demand for approximately 75 primary and 50 secondary school places.

### **Sustainable Travel**

It is recommended that the Plan include information regarding Travel Planning.

### *Residential Travel Plans (RTPs)*

- Ensure that travel plan conditions are applied to all development applications in line with ECC's RTP thresholds. The current thresholds are as follows, however are subject to change in conjunction with updates/amendments to the ECC Developers' Guide to Infrastructure Contributions:
  - 1 to 249 dwellings – Residential Travel Information Pack (including bus/train tickets/vouchers where applicable)
  - 250+ dwellings – TP Monitoring Fee, Full Residential Travel Plan, and Travel Information Pack (plus tickets/vouchers where applicable)
- All sites above the full RTP threshold should appoint a Travel Plan Coordinator to deliver/manage the Travel Plan.
- Residential sites should provide on-site electric vehicle charge points where possible.
- Neighbourhood Car Club(s) should be considered.

### *Workplace Travel Plans*

- Travel Plan conditions should to be applied to workplace/commercial applications of 50 employees or above, with the addition of Travel Plan Monitoring Fees.
- Workplaces should appoint a Travel Plan Coordinator to manage/deliver Travel Plans.

### *General Comments (Residential and Workplace Travel Plans)*

- Travel Plan targets should be agreed with ECC.
- Regular travel/traffic surveys should be conducted in line with ECC protocol.
- Undertake regular review of Travel Plans.
- Promote walking, cycling, public transport, electric vehicles, car sharing and other sustainable modes of travel.
- Conduct Personalised Travel Planning to help inform residents/employees of sustainable alternatives.

### **Historic Environment**

The Plan discusses ways in which to conserve and enhance Wivenhoe's heritage assets, and protect and improve positive features which contribute to the townscape (Objective 4). This is applauded, however the remainder of the document largely concentrates on specific built heritage assets with no reference to the Historic Environment and specifically non-designated heritage assets, including below ground archaeological remains.

A summary of the historic environment of Wivenhoe should be included within the document. Wivenhoe contains sand and gravel deposits that have high potential for Palaeolithic archaeological remains and there is aerial photographic evidence for linear features and enclosures of unknown date which are indicative of historic or prehistoric activity. The HER for Colchester should be consulted for further information.

Within Chapter 11 Heritage and Townscape Policies a summary of the historic environment of Wivenhoe should be added, and it is recommended that the additional text below would bring the document in line with NPPF requirements:

*‘Any designated heritage assets or their equivalent in the Parish and their settings, will be conserved and enhanced for their historic significance and their importance with particular regard to their local distinctiveness, character and sense of place.’*

*‘Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset.’*

Historic Buildings

Section	Comment
Policy WIV1 (v)	<p>To allow better protection of both the natural and historic environment, it is recommended that this is split into two policies, particularly if the policy is being tested at a public inquiry. It might also be more NPPF compliant to phrase the historic environment policy as:</p> <p><i>‘Preserve or better reveal the significance of designated and non-designated heritage assets, including the contribution made to the assets’ significance by their setting.’</i></p>
Policy WIV 10	<p>The building was clearly considered to be of national importance for its architectural and historic significance, reflected in the fact that it was historically listed grade II. In its current state it is still a building of historic and architectural significance, albeit diminished, and must be considered to be a non-designated heritage asset. The current policy as proposed would seem to be contrary to paragraph 135 of the NPPF, and does not encourage the preservation of the heritage asset in a manner appropriate to its significance. A more appropriate suggestion would be to suggest the adoption of an SPD, and whilst the current proposed uses might be the most appropriate, this should not preclude other uses would preserve the architectural or historic significance of the building.</p>
Policy WIV 11	<p>The policy is supported from a heritage perspective, but in the necessary works to improve pedestrian/cycle use etc., consideration should be given to ensuring that any revised hard and soft landscaping and public realm improvements are done in a palette and design which best reflects and enhances the significance of the area. In particular, care should be taken that repairs works to pot holes etc., is done as part of a holistic plan for re-landscaping, and does not use generic materials such as black tarmac.</p>
Policy WIV12	<p>It would be beneficial to specifically include subsections requiring that all backland or infill development:</p> <ol style="list-style-type: none"> <li>1) Where applicable, preserves or enhances the character and appearance of the Conservation Area</li> </ol>

Section	Comment
	2) Does not have a detrimental impact on the contribution made by their setting to the significance of designated and non-designated heritage assets.
Paragraph 17.7	The assessment of the proposed site allocations needs to have shown that it has considered the impact of proposed allocations on the significance of the significance of heritage assets (designated and non-designated) and on the wider historic environment.

## Housing

Mention is made in paragraph 16.5 on page 69 that housing design should achieve Code for Sustainable Homes Level 6, whilst the Policy WIV 27 refers to Lifetime Homes design standards. It should be noted that the Code was withdrawn by Government in March 2015 and should no longer be used as a planning condition for new approvals.

All energy/sustainable development requirements are now contained within the Building Regulations which are set at a level equivalent to the former Code for Sustainable Homes Level 4. This includes all new homes to be 'zero carbon' in terms of their 'regulated' emissions (space & water heating, fixed internal lighting). Therefore the reference to Codes for Sustainable Homes should be removed and replaced with '*should be in line with Building regulations with the aim to be zero carbon and to meet Lifetime homes standard*'.

## Renewables and Energy Efficiency

It is positive that Policy WIV 26: Flooding risk and climate resilience (p 73) includes and supports proposals that incorporate the use of technologies, such as solar panels to reduce the reliance on fossil fuels at the build stage. The NPPF states that it recognises all communities have a responsibility "to contribute to energy generation from renewable or low carbon sources" and supports community-led initiatives. The Plan could mention other renewable energy technology for domestic and commercial developments, such as wind turbines, battery pods and community renewable heat initiative.

A separate renewable policy is a way of communicating the communities' position for renewable energy and the type of technology that could be considered. The Plan policies can provide and add detail to the policy on renewables within Colchester's Local Development Plan.

Useful documents and guidance include

- Low Carbon Neighbourhood Planning guidebook updated January 2018 produced by the Centre for Sustainable Energy  
<https://www.cse.org.uk/downloads/reports-and-publications/policy/community-energy/energy-advice/planning/renewables/low-carbon-neighbourhood-planning-guidebook.pdf>

- Planning practice guidance for renewable and low carbon energy – Department of communities and Local Government –  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/225689/Planning\\_Practice\\_Guidance\\_for\\_Renewable\\_and\\_Low\\_Carbon\\_Energy.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/225689/Planning_Practice_Guidance_for_Renewable_and_Low_Carbon_Energy.pdf)

### **Electric Vehicles**

Under Chapter 14: Getting Around Wivenhoe (page 60) there could be mention of the provision for electric vehicles charging points within the new developments. Paragraph 35 of the NPPF promotes sustainable transport under the Sustainability Objectives states that “*developments should be located and designed where practical to...*” (bullet point 4) “*incorporate facilities for charging plug-in and other ultra-low emission vehicles*”.

The installation of wiring (installed at the same time as the general wiring for any new dwelling e.g. utilities) can provide provision for external EV charging facilities. This will not only help to mitigate potential air pollution from the growth of cars, but will represent a measure of “future proofing” to meet the growing demand as Government is committed to ban the sale of new diesel and petrol vehicles from 2040 in UK. Several car manufactures have announced they will only produce electric vehicles from 2019/20 onwards, such as Volvo and Jaguar/Land Rover. Currently just over 2% of all new car sales are either plug-in hybrid vehicles or pure electric vehicles. This figure is expected to be around 10% by 2025. The industry anticipates that by 2025 it will be cheaper to buy an EV than an internal combustion vehicle so at that point even without Government subsidies the share of EVs will continue to rise.

The Neighbourhood Plan could consider including a statement that supports the installation of a certain percentage of active spaces and passive provision for all developments. Active spaces are fully wired and connected, ready to use, EV charging points at parking spaces. While passive provision requires the necessary underlying infrastructure wiring (e.g. the capacity in the connection to the local electricity network and electricity distribution board, as well as cabling to parking spaces) to enable simple installation and activation of a charge point at a later date.

To address this point, the plan could include either a separate policy or an additional bullet point within the Policy WIV17 on page 60 as:

*‘The installation of EV charging point’s infrastructure (active or passive) in accordance with agreed minimum standards will be strongly encouraged and supported at all developments (domestic and commercial) with parking facilities.’*

### **Green Infrastructure**

Although the plan has policies that can be recognised as being part of the Green Infrastructure (GI) network, there is an opportunity to include a policy encompassing the GI as a whole, recognising the value of wider multi-functional GI for both people and wildlife. An opportunity to identify GI deficiencies, which can be addressed through planning, such as improved connectivity to existing and new green spaces and types of

green facilities in need (i.e. play park, Sustainable Urban Drainage), as well as the provision of new open space as part of the new development. The Neighbourhood Plan has already identified GI of value on page 43. This will provide opportunity to improve and enhance existing green spaces. It also gives scope for any developments to contribute to improvements to a green space based on community need. An example policy is provided below.

***Policy WIV: Green infrastructure and development***

*Proposals will be encouraged that seek to enhance the green infrastructure of the parish, demonstrating how they:*

- *Protect and enhance designated green spaces (listed on page 43) and/or create new green/open spaces where appropriate.*
- *Improve the connectivity between wildlife areas and green spaces through green corridors and/or improvements to the Public, Rights of Way, and cycle and footpath networks.*
- *Enhance the visual characteristics and biodiversity of green spaces in close proximity to the development.*
- *Ensure their landscape schemes, layouts, access and public open space provision and other amenity requirements contribute to the connectivity, maintenance and improvement of the GI Network.*
- *Take into consideration the principles of Sustainable Urban Drainage (SUDs), which will enhance biodiversity and ecosystems.*
- *Consider the multi-functional use of local green spaces as part of the GI network.*

Neighbourhood Planning: Local Green Spaces by My Community is a useful guide on how Neighbourhood Plans can address green spaces and GI.

[https://mycommunity.org.uk/wp-content/uploads/2017/02/NP\\_Green-Space\\_0217.pdf](https://mycommunity.org.uk/wp-content/uploads/2017/02/NP_Green-Space_0217.pdf) .

**Conclusion**

Please contact me if you require further information or would like to discuss this response in more detail.

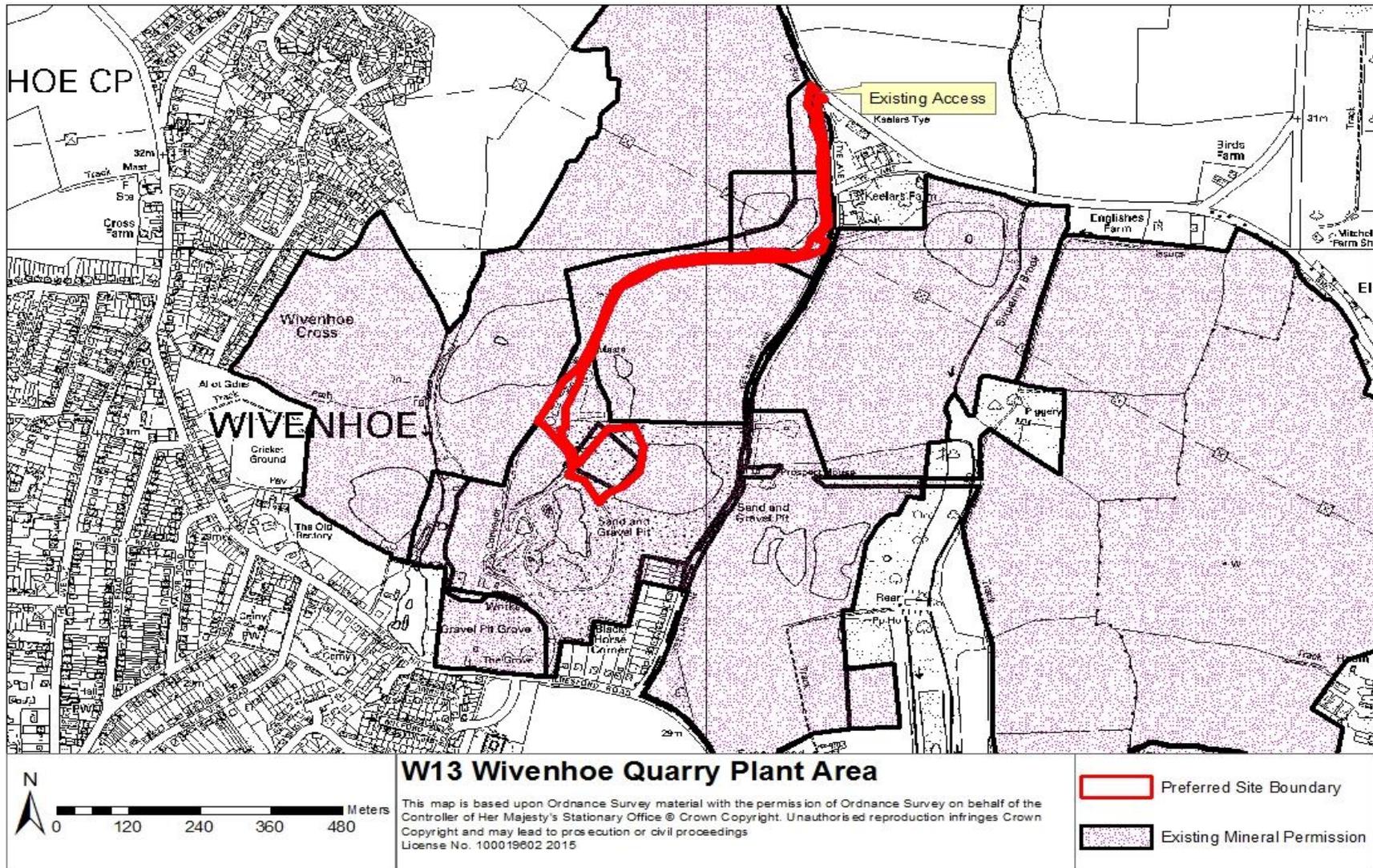
Yours sincerely,

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APPENDIX A : Figure 1: Replacement Waste Local Plan Site Allocation W13: Wivenhoe Quarry Plant Area, Colchester



# Minerals and Waste planning designations for Wivenhoe

