

Colchester Borough Council

Local Plan Focused Review

Summary of responses to Consultation on proposed Main Modifications

December 2013

Mod number	Representor	Summary
All major mods	Mersea Homes	Support all of the proposed major modifications
All mods	ECC	Include an SA screening of the modifications.
Maj1 (and 2)	Churchmanor Estates	Concern that adequate rigor has not been applied to the review of many of the policies. With the impact that whilst some parts of a policy may become NPPF compliant, other, large parts of those policies are non-compliant. These concerns are detailed in paragraphs 3-8 of the Statement submitted in response to the Inspector's questions.
Maj3	Churchmanor Estates	Agree with the proposed deletion of text, but are concerned that the changes to DP7 are not sufficient to make the policy sound in terms of NPPF compliance. These concerns are detailed in paragraphs 20-21 of the Statement responding to the Inspector's questions.
Maj4	Churchmanor Estates	Agree with the deletion of the words "and Local Shops" from Table CE1a but consider that there are other fundamental non-compliance issues with the table. Details of these concerns are set out in paragraphs 1-11 of the representor's Retail Statement.
Maj5	Churchmanor Estates	Agree with the change, but do not consider that it makes Policy CE1, Table CE1a and CE1b compliant with the NPPF as a whole.
Maj7	Churchmanor Estates	Agree with the proposed change, but do not consider that it makes Policy CE1, Table CE1a and CE1b compliant with the NPPF as a whole. In particular it is considered that the words "and other accessible" should be added to the Centres hierarchy as detailed in paragraph 10 of the Retail Statement.
Maj8	Churchmanor Estates	Object to the proposed wording as detailed in paragraphs 1-4 of the Statement on Employment Policies.
Maj 9	Churchmanor Estates	No objections to this change to the policy but have made representations elsewhere highlighting deficiencies in the policy.
Maj10	Churchmanor Estates	No objections to this change to the policy but have made representations elsewhere highlighting deficiencies in the policy.

Maj14	Churchmanor Estates	Object with the proposed changes. Consider the words “should be located” to be out of place. Explanation of this objection is provided in paragraphs 1-19 (17-19 in particular) of the representor’s Statement on Retail Policies.
Maj16	Churchmanor Estates	Support the specific changes to the wording suggested and do not accept that it raises matters that stray into the spatial strategy. The change would address a fundamental non-compliance issue with the NPPF. Paragraph 23 of the representor’s Statement on Retail Policies provides more detail. The Council has responded correctly to Government policy as set out in the reasons for the proposed Focused Review changes at paragraphs 4.2 and 4.3 of the examination document.
Maj1	Tollgate Partnership	Welcomes the clarity provided in terms of the status of the Local Plan post-examination. However, object to the uncertainty that will arise as a result of some policies remaining unchanged and inconsistent with national policy and changed policies in the Local Plan.
Maj2	Tollgate Partnership	This relates to and is replaced by the proposed text of Maj1.
Maj4	Tollgate Partnership	Object to the fact that minor changes are being made to the hierarchy. The Centres Hierarchy should be looked at in its entirety at this stage.
Maj7	Tollgate Partnership	Object to the fact that minor changes are being made to the hierarchy. The Centres Hierarchy should be looked at in its entirety at this stage. Table CE1a continues to identify ‘Edge of Centre Locations’ as a ‘Centre Type’ within the defined retail hierarchy. This is not consistent with the requirements of paragraph 23 of the NPPF or the definition of ‘Town Centre’ / ‘Edge of Centre’ in Annex 2 of the NPPF glossary.
Maj8	Tollgate Partnership	Support the change – it is considered to be consistent with paragraph 22 of the NPPF. Clarification provided by MIN3 is also supported.
Maj14	Tollgate Partnership	Object. This is not consistent with the NPPF – there are two areas of conflict. Firstly, town centre uses should be located in Town Centres, not just the ‘Town Centre’ as is proposed. Secondly, paragraph 24 looks to Edge of Centre and Out of Centre sites together where no sites are available in Town Centres.
Maj16	Tollgate Partnership	Supports these deletions as they make this element of Policy CE2b consistent with the NPPF, paragraph 26. In the absence of any justification for this to be dealt with in any other way, this deletion is considered necessary.

Maj10	Environment Agency	It is important that Anglian Water speak to your authority about any specific requirements for CIL. From what we understand of your discussions with Anglian Water to date they are confident that waste water infrastructure can be funded outside of CIL.
All mods	Natural England	No substantive comments to make on the proposed modifications and therefore have no objections.
Maj14	Schroeder UK Property Fund	Revised wording suggested within Maj14 still fails to fully reflect the NPPF insofar as it relates to the development of town centres uses within lower order centres and is therefore unsound, not justified and not consistent with national policy. Reference should be to centres rather than just the town centre.
Maj16	Schroeder UK Property Fund	Consider that the revised wording outlined in Maj16 is sound and make Policy CE2b consistent with national policy. Schroeder UK Property Fund support proposed Major Modification 16.
Maj6	Gladman Developments	Generally supportive of the change proposed in Maj6.
Maj9	Gladman Developments	Local Plan should be clear on the circumstances in which planning obligations can be sought in accordance with the 2010 CIL Regulations. Contributions must be based on up-to-date robust evidence of needs and cannot be used to make up the funding gap for desirable infrastructure of support the provision of unrelated items.
All mods	English Heritage	No comments to make on either the main or minor modifications proposed.
All mods	Marine Management Organisation	No comments to make in relation to this consultation.