

# Local Development Framework Core Strategy

*Examination - 24 June to 11 July, 2008*



Hearing Statement in respect of Matter 9

Essex County Council



## **MATTER 9**

### **PUBLIC REALM, BUILT DESIGN AND CHARACTER, OPEN SPACE AND COMMUNITY FACILITIES**

**Whether the policies will promote and maintain a quality environment consistent with underlying national and regional policies. Whether they will contribute to sustainable and inclusive communities. Are the policies appropriate to Colchester Borough, soundly based and fully justified.**

**Tests:** 4-9

**Policies:** SD2, SD3, UR2, PR1, PR2 & Chapter 6

#### **ISSUES**

- (a) Should conservation areas be mentioned?

National policy provides for the establishment and review of conservation areas in PPG15 (CBC/NAT/029). This guidance is considered to be largely sufficient to address conservation area issues at the strategic level, bearing in mind that LDF documents are not meant to duplicate national guidance. The Council has agreed a Statement of Common Ground with English Heritage which provides for a number of minor changes to strengthen the protection of the historic environment, including a specific reference to the protection of conservation areas. The Council has recently completed an appraisal of the Town Centre Conservation Area and has also commissioned an Historic Environment Characterisation Assessment which will provide a comprehensive assessment of the Borough's historic assets to underpin future conservation area reviews. Further development of policy for conservation areas can be provided through the Development Policies and Site Allocation DPD preparation process.

- (b) Should UR2 be altered to include more about protecting archaeological sites? Should there be more text about townscape character and context and references to PPG15 and PPG16?

Similarly to the response to a) above, the policy on archaeology and townscape character is considered to be largely sufficient to address issues at the strategic level given the existence of detailed guidance on archaeology in PPG16 (CBC/NAT/030) and protection of townscape character in PPG15 (CBC/NAT/029). The various wording changes in the Statement of Common Ground agreed with English Heritage strengthen the protection of the historic environment and include a specific mention of protection for archaeological assets in Stanway in the Spatial Strategy section.

- (c) Is there overlap between PR1 and NE1 regarding the protection of the network of green links? Would minor re-wording make this element sound?

There is overlap between Policies PR1 and NE1 regarding the protection of the network of open space. This however reflects the multiple functions that greenlinks network deliver. In Policy PR1 emphasis is placed on the protection of the green links network because of the opportunities they provide for informal recreation and also for the role they provide as strategic alternative access routes across urban Colchester and out into the surrounding rural areas. In Policy NE1, emphasis is placed on protecting the greenlinks network reflecting their importance as biodiversity corridors as well as features that help define local landscape character between the urban and rural areas of the Borough.

Minor amendments are needed to the explanatory text (paragraph 2) of Policy ENV1. The text needs to be re-worded to place greater emphasis on the protection and enhancement of the greenlinks network as a way to help conserve the boroughs biodiversity resource and its attractive landscape and delete reference to its contribution to the Borough's open space resource as this issue is dealt with adequately in Policy PR1.

- (d) Is the open space element of the Core Strategy underpinned by robust evidence? How does the PPS17 report contribute?

The open space element of the Core Strategy is underpinned by robust evidence provided by the PPG17 study and the Haven Gateway Green Infrastructure Strategy (CBC/EB/040 and CBC/EB/067).

The Council commissioned PMP Ltd in early 2007 to undertake a PPG17 study to assess local needs in terms of open space, sport and recreation facilities provision across the Borough. The emerging findings were used to inform the Core Strategy and the study will continue to form an important part of the evidence base for Site Allocations and Development Policies DPD's.

The study involved extensive consultation with parish councils, local residents groups, schools, local authority members, council officers in leisure services and a questionnaire survey of 5000 households randomly selected off the electoral registrar. As part of this work PMP also completed an audit of the existing open space, sport and recreation facilities borough wide.

Information from an audit of existing open space sites and the public consultation exercises was used to identify current open space, sport and recreation facilities surpluses and deficiencies across rural and urban Colchester.

The study assessed current provision levels of a wide range of open space typologies, including locally important open space typologies e.g. estuaries and beaches to reflect the local situation.

The current level of provision of indoor and outdoor sport and recreational facilities was also assessed in accordance with PPG17.

Existing standards defined in the current Open Space Sport and Recreation SPD were tested in terms of quantity, quality and accessibility against existing population numbers and estimated population growth for the Borough to identify where surpluses or deficiencies currently exist and where these are likely to improve or become worse in response to population change in the borough.

As a result, new accessibility, quantity and quality standards have been proposed to ensure that there is adequate provision of open space, sport and recreation facilities to meet the existing and future population needs of the Borough to 2021.

The PPG17 study identified key areas of deficiencies of open space and sport and recreational facilities across different catchment areas across the Borough which can be addressed through developer's contributions.

The current Open Space, Sport and Recreation SPD will need to be reviewed to reflect the new standards. The existing SPD sets out the current level of contributions required from developers to provide new or upgraded open space, sport and recreational facilities to meet current and future population needs. The revised SPD will therefore remain an important tool for securing/negotiating new open space, sport and recreational facilities contributions to meet both local needs close to where people live and to also ensure that alternative areas of open space are provided to alleviate pressure on Natura 2000 sites.

The Haven Gateway Green Infrastructure Study (HGGIS) (CBC/EB/067) assessed open space deficiencies at the neighbourhood, district, sub-regional and regional level across the Haven Gateway based on size and function and the size of population requiring access to accessible green space. The mapping identified where deficiencies within the Borough and in neighbouring authorities needs to be addressed. A list of potential projects was also produced for implementation in the future to help tackle these deficiencies. Suitable projects from HGGIS will be considered in more detail during the development of the Site Allocation DPD.

- (e) Is there justification for the 25 sq m per dwelling of private/communal open space for flats and maisonettes?

The figure of 25 sqm per dwelling of private/communal open space for flats and maisonettes is contained in the explanation for Policy PR1 rather than in the policy itself. This reinforces the fact that the figure provides guidance rather than a prescriptive target. The Council makes clear its intent to secure open space for flats, but acknowledges the need for some flexibility in provision to account for site constraints, design considerations, and neighbourhood character.

An indicative target for private communal open space for flats and gardens is included in the Essex Design Guide (EDG) (CBC/EB/015). The EDG proposes that for flats with two or more bedrooms, 25 square metres (sq m) of private/ communal areas per flat must be provided as a minimum. It suggests that balconies over 5 sq m may provide outdoor amenity space in close proximity to upper storey dwellings and count towards the overall garden provision for flats.

Colchester Borough Council has adopted the EDG as Supplementary Planning Guidance and therefore uses the standards as a guide in negotiations with developers. (CBC/EB/015 pp 79 & 80.)

The Urban Place Supplement to the Essex Design Guide (CBC/EB/008 pp75&78) expands guidance on intensive urban development and suggests that 'At densities above 50dph an outside space of at least 25 sq m would be required for all homes. This shall primarily be provided as shared communal gardens.' This requirement is intended to be handled with a variety of design solutions appropriate to the context and is intended to promote a creative response to the provision of open space.

- (f) How should existing deficiencies in facilities be met, bearing in mind national guidance on developer contributions?

The relevance and scope of developer contributions is limited by the tests set out in Circular 05/05. In particular, the tests that developer contributions must be relevant to planning and directly related to the proposed development.

Although the planning system is focussed on securing developer contributions to support new development, existing deficiencies in facilities can to some extent be addressed by the provision of facilities which benefit the wider community as well as a development itself. Colchester Borough Council currently has a good track record of securing a high level of planning gain contributions, with over £55 million in planning gain contributions negotiated by May 2008. This figure represents financial contributions only and does not include additional

benefits such as affordable housing and highways infrastructure delivered and built by developers. This process is coordinated by the Councils Development Team which considers all relevant planning applications (described further in 10 (b) 2ii below) and is supported by Supplementary Planning Guidance and Documents on affordable housing, open space, sport and recreation and community facilities. These policies will be updated as necessary to accord with evolving national policy. The Council has commissioned a Community Facilities Audit to update its knowledge of the level of existing provision for a wide range of community facilities and to inform requests for developer contributions. It will incorporate evidence from the PPG17 Open Space Study (CBC/EB/40).

Of equal importance in improving facilities is the Council's good working relationship with a variety of partners, as detailed in the response to 10(b).

**(g) Will the northern growth area deliver community facilities for Mile End?**

Colchester's North Growth Area has been the subject of housing growth over recent years much of which has been associated with the Northern Approaches road links and the Community Stadium. Mile End Parish Council (MPC) have been foremost in expressing concerns that the impact of new development on the local community should always be mitigated by new facilities to ensure the quality of life for existing residents is not adversely affected.

The Council acknowledges that whilst the area is well provided with large-scale facilities such as healthcare and employment, there are pressures on local amenities that need to be identified and met. The proposed new neighbourhood at Mile End represents an important opportunity to take stock of the current situation and ensure the Council's sustainable community objectives reflect the needs of both new and existing communities.

MPC established the Community Action for Mile End (CAM) to investigate community needs and we understand they are currently preparing a document, which will quantify existing facilities highlighting both acknowledged shortfalls and future opportunities. Mapping data will identify areas of need, which will inform future masterplans for the area so that community facilities are placed to serve both existing and new neighbourhoods. In addition MPC has recently set out their own list of new community facilities (in their response to the Site Allocations Issues & Options consultation) which they would like to see within the new development to serve the local neighbourhood.

The Council understands these local concerns and consider that national guidance on developer contributions should support the use of developer contributions to protect existing communities from the pressures of growth and help create a wider sustainable neighbourhood.

- (h) Should the Key Community Facilities in Table Sd3 be supported with costings, priorities and timings, as part of an infrastructure trajectory?

Refer to answer (a) for Matter 10 (Infrastructure).