



## **Magdalen Street Development Brief**

**Colchester Borough Council**

**February 2014**

## **MAGDALEN STREET DEVELOPMENT BRIEF**

### **1 INTRODUCTION**

- 1.1 This development brief focuses on land at the western end of Magdalen Street on both sides of the road and includes vacant sites and large inefficient land uses, along the southern side. The extent of the brief extends south to Military Road to provide opportunity for comprehensive redevelopment of the area.
- 1.2 Colchester Borough Council has a strong record in producing development briefs and guidance notes to inform development proposals on a variety of sites across the borough. These documents provide a greater understanding of the issues and constraints the Council has identified for the site as well as an indication of how adopted policies will be interpreted.
- 1.3 The purpose of the document is to:
  - Provide a sustainable and coherent development framework for the area that promotes comprehensive redevelopment of the sites;
  - Provide details of the local and national policies relevant to this area;
  - Outline the key constraints in the area and the opportunities that exist;
  - Promote a mix of uses that can co-exist and complement uses elsewhere in the vicinity;
  - Outline the Council's expectations of delivering improvements to accessibility of the area by walking and cycling, community infrastructure, the public realm and streetscape, and improving the air quality through the redevelopment of the area; and
  - Outline the design and development principles and the parameters of expected design quality.
- 1.4 The development brief will provide the basis for a coordinated and comprehensive approach to future development that can achieve greater economic, social and environmental value in the area. Prospective developers should use this document alongside adopted local and national policies to guide their proposals, and as a starting point for pre-application discussions with the local authority.
- 1.5 This brief is not intended to be prescriptive, but is to be used to guide future development in the area. The development brief will become part of the decision making process and weight will be given to the details during the determination of relevant planning applications.
- 1.6 This document will also provide general information for members of the public about possible future changes in the area and what type and form development may take.

## **2. POLICY CONTEXT**

### **2.1 National Planning Policy Framework**

Any development at the site should have regard to relevant national planning policy, primarily found within the National Planning Policy Framework (NPPF) which was published in March 2012.

2.2 The NPPF promotes social, environmental and economic objectives to respond to the different opportunities for achieving sustainable development in different areas.

2.3 Within these roles outlined in the NPPF, a set of core land use planning principles underpin plan making and decision making. In total the NPPF contains 12 core planning principles and the ones most relevant to this development brief are outlined below:

- Planning should be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
- It should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Planning should proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places.
- Take account of the different roles and character of different areas, promoting vitality of main urban areas;
- Support the transition to a low carbon future in a changing climate, and encourage the reuse of existing resources, including conversion of existing buildings and encourage the reuse of renewable resources;
- Encourage the effective use of land by reusing land that has been previously developed;
- Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas,
- Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

2.4 All planning applications should have regard to the NPPF and the guidance contained within it.

2.5 At the local level, the Colchester Local Plan provides further policy guidance for the redevelopment of the area and should be considered

fully as part of any future planning application(s). The most relevant sections are detailed below;

## 2.6 **Core Strategy**

Within the adopted Core Strategy (December 2008) Policy SD1 (Sustainable Development Locations) identifies the “East Growth Area” (which includes land the subject of this development brief) as a strategic area for new development. Policy H1 (Housing Delivery) confirms that housing development will be focused in strategic areas, to meet the borough’s housing target – with 2,600 new homes to be provided in the East Growth Area up to 2021. Under Policy SD2 (Delivering Facilities and Infrastructure), new development will be required to provide relevant infrastructure, community facilities, and open space, as appropriate.

## 2.7 In addition to the overall strategic objectives of the Core Strategy, the following planning policies are also relevant to consideration of this site:

- Policy CE1 (Centres and Employment Classification and Hierarchy) encourages employment and economic diversity throughout the borough, as structured by a Centres and Employment Classification and Hierarchy;
- Policy H2 (Housing Density) indicates that a housing density of over 75 units would be appropriate for an accessible town centre site;
- Policy H4 (Affordable Housing) sets a target of 35% of new dwellings on sites of 10 or more dwellings in Colchester Town;
- Policy UR1 (Regeneration Areas) identifies East Colchester, which includes Magdalen Street, as a priority area for regeneration where new developments will be encouraged;
- Policy UR2 (Built Design and Character) – provides for high quality and inclusive design in all developments;
- Policy PR1 (Open Spaces) – provides that new development should ensure access to public and private open space;
- Policy TA1 (Accessibility and Changing Travel Behaviour) – Future development in the borough will be focused on highly accessible locations and travel behaviour change towards sustainable modes will be encouraged;
- Policy TA2 (Walking and Cycling) – provides that development shall contribute to walking and cycling improvements as appropriate;
- Policy TA3 (Public Transport) – states that the Council will work with partners to deliver the East Transit Corridor;
- Policy ER1 (Energy, Resources, Waste, Water and Recycling) – encourages new development to incorporate measure to reduce carbon emissions.

## 2.8 **Site Allocations**

The Site Allocations Development Plan Document was adopted in December 2010 and provides further detail to support the Core Strategy Policies. East Colchester is identified as a Regeneration Area because the area has experienced considerable change in recent years with regards to both residential and commercial developments. The policy which is most relevant to this development brief is:

- Policy SA EC5 Area 3: Magdalen Street - This policy provides that 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. 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. The policy refers to the more detailed guidance set out in the Magdalen Street SPD adopted in 2005.

## 2.9 **Development Policies**

The Development Policies DPD also adopted in December 2010 provides detail to guide the determination of planning applications and the following policies are relevant for this site:

- Policy DP1 (Design and Amenity) - all development to be designed to a high standard, with regard to social, economic and environmental sustainability;
- Policy DP3 (Planning Obligations and the Community Infrastructure Levy) - planning obligations will be sought where appropriate, in accordance with details set out in supporting policy documents
- Policy DP12 (Dwelling Standards) – Residential development will be guided by high standards for design, construction and layout
- Policy DP16 (Private Amenity Space and Open Space Provision for New Residential Development) – sets standard for the provision of private amenity space and public open space.
- Policy DP17 (Accessibility and Access) – development should enhance accessibility to sustainable modes of transport
- Policy DP19 (Parking Standards) - sets minimum parking standards for residential development of 1 space for every 1-bed dwelling and 2 spaces for every 2-bed or more dwellings with 0.25 visitor spaces per unit (lower standards may be accessible in highly accessible locations)

- Policy DP25 (Renewable Energy) - applicants are encouraged to incorporate renewable energy technologies into development

## 2.10 **Local Plan Review**

The Council is undertaking a two-stage review of its Local Plan. The first stage is a partial Focused Review of those selected policies that can be brought into compliance with the National Planning Policy Framework without the development of an extensive evidence base. This will then be followed by the development of a new Local Plan including new policies and site allocations based on an update evidence base.

The Council submitted the Local Plan Focused Review to the Planning Inspectorate in October 2013. A Public Examination is expected in 2014 which is expected to result in a number of revised policies being adopted by the Council. The revised policies within the Local Plan Focused Review and subsequent new Local Plan will be relevant to the Magdalen Street area once formally adopted.

## 2.11 **Magdalen Street Development Brief**

A Development Brief for Magdalen Street was adopted as a Supplementary Planning Document in 2005. While that document was linked to policies within the 2004 Local Plan which have since been updated by the Local Development Framework, the general design and planning issues set out in the document remain relevant. The earlier brief established the aspiration for new pedestrian links between Magdalen Street and Military Road through the site along with the desire to keep the existing retaining walls.

## 2.12 **Other Adopted Guidance**

The Council has developed a series of topic based Supplementary Planning Documents and Guidance Notes which have been adopted and are material planning considerations.. These documents build on the policies contained within the Core Strategy, Site Allocations and Development Policies documents and provide more detail on various subjects. A full list of the Supplementary Planning Documents and Guidance Notes that have been adopted to date can be found on the Council's website but specific focus should be given to the following documents:

- Street Services SPD, adopted October 2012,
- Air Quality Management Guidance Note, adopted August 2012,
- Colchester Cycling Delivery Strategy SPD, adopted January 2012,
- Affordable Housing SPD, adopted August 2011,
- Sustainable Construction SPD, adopted June 2011,
- Backland and Infill SPD, adopted December 2010,

- Community Facilities SPD, adopted September 2009 and revised in July 2012,
- Vehicle Parking Standards SPD, adopted September 2009,
- Provision of Open Space, Sport and Recreational Facilities SPD, adopted July 2006.

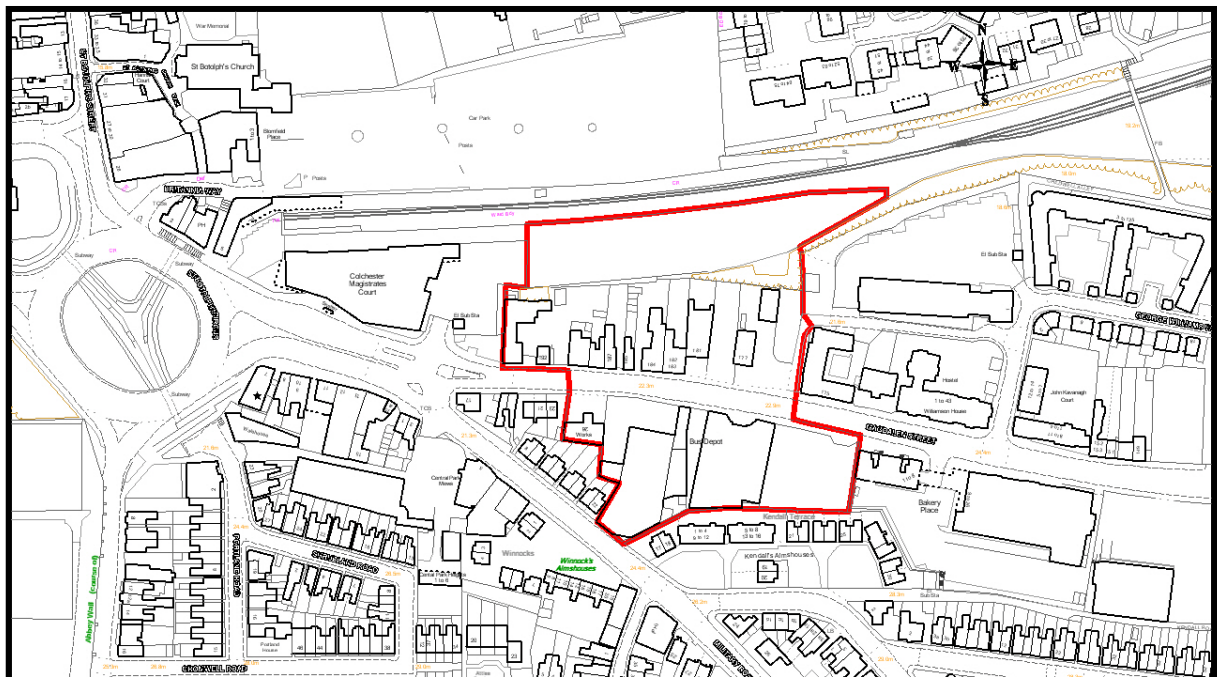
### 3. SITE AREA and AREA ANALYSIS

#### 3.1 Site and Surroundings

The first area subject to this development brief is located at the western end of Magdalen Street, just before it joins the south eastern corner of the town centre at St. Botolphs roundabout. Since medieval times it has served as a primary route into the town from the Hythe and towns and villages to the east of Colchester. The land adjacent to the railway line is significantly lower than the gardens of the properties on the north side of Magdalen Street. The bus depot on the south side of Magdalen Street was built on a site which sloped up to the south, resulted in a retaining wall up to approximately 3m high between it and the higher land behind containing the almshouses on Military and Kendall Roads.

The Development Brief considers sites on the edge of the town centre which currently have relatively inefficient land uses and considered suitable for regeneration. This is largely because the edge of centre sites can be of great benefit if redeveloped as mixed use sites.

#### Map of area subject to this Development Brief:



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In recent years Magdalen Street has become a key centre for community facilities and community support organisations such as the YMCA and Emmaus as well as the Wilson Marriage Centre further to the east in Barrack Street. The Bus Depot building has been used on occasions for a number of community events organised by local groups which have proved popular and further promotes the strong community focus within this area.

### **3.2 Movement and Accessibility**

#### Vehicles

Magdalen Street is a key route into Colchester from the east. It experiences heavy traffic volumes and movements which are typical of locations such as this on the edge of the town centre. Vehicular access to the sites within the brief area is currently via Magdalen Street and it is expected that these arrangements will continue following the redevelopment of these sites.

#### Walking and cycling

Pedestrian and cycle access to the site from the town centre and bus station is poor due to the narrow and busy footways as well as the busy St Botolph's roundabout and heavily trafficked Magdalen Street. However there are opportunities to improve pedestrian and cycle accessibility from all directions as outlined in the Colchester Cycling Delivery Strategy SPD (adopted January 2012). Within the development measures should be taken to ensure that cycle links are created to encourage the link to this network and any future links which are brought forward between the site and the surrounding network.

#### Public transport

The development brief area is well served by public transport as it is within short walking distance of Colchester Town rail station and the recently opened bus station at Osborne Street which are both within walking distance. Regular bus services which stop in Magdalen Street serve the east side of Colchester and the University which provides good connections with the town centre.

#### Sustainable Location

The edge of centre location together with the range of local facilities and existing uses makes this part of the borough a sustainable location. As the whole area falls within the Air Quality Management Zone it will be necessary to consider a reduced parking standard for all uses that come forward

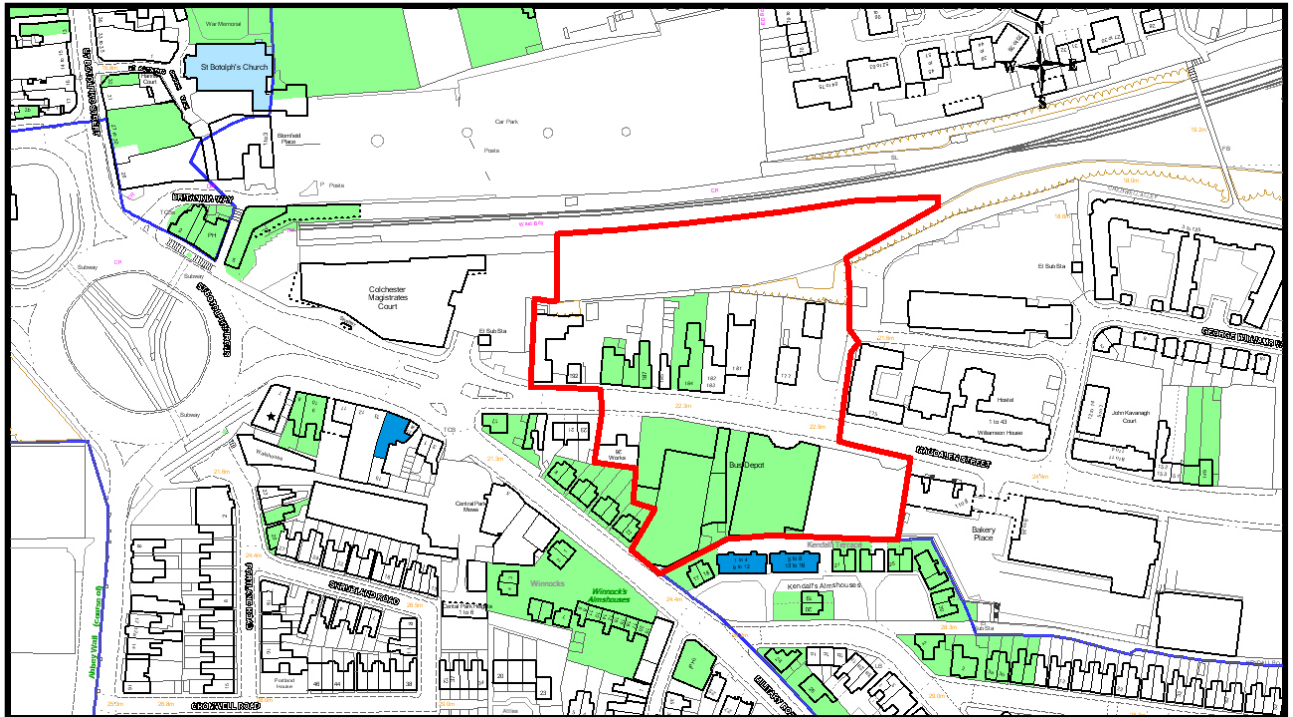
### **3.4 Context**

The area is located in a mixed-use area of predominantly commercial buildings interspersed with some residential units. Building styles at the western end of Magdalen Street largely reflect its development in the late 19<sup>th</sup> and early 20<sup>th</sup> century and are of primarily red brick construction. Various nationally and locally listed buildings are found



within this area which provide an important historical context that should be enhanced and incorporated into any future design and site layout.

### Map of the area covered by the Magdalen Street Development Brief



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	Nationally Listed Building
	Locally Listed Building
	Development Brief Area
	Conservation Area

#### 3.5 Access to facilities and shopping

The area is well located in relation to a wide range of facilities and services within a short walking distance into the town centre. The development brief area is also within close proximity to a range of other facilities found within the Garrison and East Colchester Growth Areas.

#### 3.6 Constraints

An Air Quality Management Area extends along Magdalen Street, which reflects high levels of traffic congestion in the area. Applications for development adding to traffic levels in the area accordingly will need to be accompanied by an Air Quality Assessment which establishes how the development will mitigate negative effects on air quality. The designation of the AQMA places greater emphasis onto the consideration and removal of the impacts any proposed development will have on air quality. Measures to reduce emissions

and improve air quality within the Magdalen Street area will be expected as part of any future development.

The southern boundary to Winnock Road and Kendal Foley has a height difference which will make additional connections difficult to achieve without stairs or ramps. In certain locations providing open access to Kendal Foley is desirable as the increased permeability will benefit users and provide a better perception of the currently enclosed length of the Foley.

The most topographically challenged part of the site is the former Station car park. This piece of land is much lower than the land to the south and being at the same level as the railway line is not considered suitable for residential uses where good quality amenity space cannot be provided.

#### **4. DESIGN RESPONSE and DEVELOPMENT PROPOSALS**

4.1 The vision for Magdalen Street is to regenerate this street as a 21<sup>st</sup> century gateway to the town centre. In virtually every town and city there is a pattern of small scale mixed use environments combined with houses and flats. For Magdalen Street we see the opportunity to create a vibrant community and small scale, compatible uses associated with an edge of centre gateway. Architecturally the council will seek contemporary responses to the existing character and densities appropriate to the edge of centre location. In most sites the expectation will be for three storey development with ground floors that offer a robust range of small scale use opportunities.

4.2 The AQMA designation will require mitigation and the council will expect development to be set back from the carriageway with large scale forecourts and tree planting. Servicing for commercial uses should be provided in laybys and private parking provided at not less than 100%.

##### **4.3 Principle of use**

The adopted Core Strategy and Site Allocations Documents provide for the ongoing regenerations of Magdalen Street primarily in Policies SD1 and SA EC3. Policy SA EC3 included the intention to retain the current mix of commercial, local service and residential uses. Currently there is a range of inefficient and inappropriate uses in this area which provide opportunity for comprehensive and sustainable redevelopment.

##### **4.4 Level of development**

The specific density for any proposal would need to be governed by policy objectives such as achieving high quality design and an appropriate mix of tenures and housing types, balanced against individual site constraints and viability issues. The 2005 Magdalen Street Development Brief proposed large scale block type development

along the road frontage which resulted in developments such as the Aldi food store and the Emmaus building being brought forward in recent years. This revised brief takes account of those already established principles but introduces new policy constraints such as air quality, density and residential amenity to provide a comprehensive development. Density will be governed by the provision of appropriate levels of amenity space and car parking. These factors together with design, scale and massing which is sympathetic to the context of the area should dictate the amount of development appropriate.

#### **4.5 Design Issues**

The adjacent areas provide a valuable context which future developments must take account of and be sympathetic towards as part of any future proposals. A number of nationally and locally listed buildings have been identified and these are important assets to retain and be sympathetic towards.

The air quality within this part of the borough is a concern and needs to be addressed through appropriate design and other mitigation techniques. In order to overcome these issues the Council will expect to see air quality improvement measures at the heart of any design layout. Setting the buildings back from the road edge will help to improve the air quality as well as reducing the “tunnel effect” of Magdalen Street. Moving buildings back also allows space for a series of street trees to be introduced on both sides of the road and thus improve the environment and make this area more attractive with a unique character.

#### **4.6 Affordable Housing**

The delivery of Affordable Housing across the borough is a key strategic priority for the Council. The level of Affordable Housing required on each development is outlined within Core Strategy Policy H4 which is subject to revision as part of the Local Plan Focused Review.

Future redevelopment of sites within the Brief Area will be expected to deliver the required level of Affordable Housing as outlined within the adopted policies. Affordable Housing should be brought forward in partnership with the developer, Registered Providers and the Council to ensure that provision is made. The Council’s Housing Officer’s should be involved with pre application discussions to determine the most appropriate way to deliver the required provision as part of any future developments.

#### **4.7 Access**

Vehicular access to the sites will only be available via Magdalen Street. No vehicular access will be allowed between Military Road and Magdalen Street through the site. Pedestrian and cycle access will also be provided via Military Road and the east west cycle link which is planned to run from east Colchester to the town centre.

The Council believe there is an opportunity to introduce an access road between Magdalen Street and the railway line adjacent to 175 Magdalen Street (Emmaus building) which will open up the part of the site adjacent to the railway line. Any new access road will have to be designed to meet the required highway design standards through consultation with Essex County Council Highways Department as part of any pre-application discussions.

Pedestrian and cycle opportunities also need to be addressed as part of any future design and site layout. The creation of a walking and cycling entrance point will be required to access to the site from Military Road which will improve the accessibility and connectivity of the site. The site also has the opportunity to link into the wider East Colchester transport improvements by providing off road walking and cycling routes adjacent to the railway line as detailed within the Development Policies Development Plan Document and the Cycling Delivery Strategy SPD.

#### **4.8 Parking**

The Council will expect all parking provision to be provided in accordance with the relevant CBC/ECC parking standards as outlined primarily within the Essex County Council Vehicle Parking Standards document. The area is in very close proximity to the town centre and public transport connections so opportunities for no or low car developments should be explored and are justified accordingly. The introduction of a car club should also be considered and justified as appropriate in an AQMA and sustainable location.

Cycle parking will also be required as set out within the Vehicle Parking Standards document and must be suitably located and suitably accessible to encourage this form of transport.

#### **4.9 Open Space and Public Realm**

The areas location on a key route adjacent to the town centre supports careful attention to the provision of open space and enhancement of the public realm. It is important that open space provision is appropriately tailored to the proposed development, to reflect the way that the likely occupiers would want to use the open space. For example, while unfenced open space / gardens may be appropriate where the development is targeted at older people, this will not be appropriate for development targeted at families. Family housing will require the provision of space that can be used by children of all ages; this includes the ability to play ball games safely, without negatively impacting on neighbours.

Providing open space as part of future development proposals will promote a good design and an attractive place to live and enjoy as supported by the NPPF and the Colchester Local Plan. Open Space is an important aspect in urban areas and along with the street trees,

required under AQMA arrangements will result in a good standard of amenity.

Comprehensive redevelopment of this area will provide opportunity to improve the public realm in this part of Colchester. Improving the attractiveness through improved open space alongside new development will create an exciting addition to the town centre which will encourage greater use of the area through a mix of opportunities and the creation of a sustainable community.

#### 4.10 Indicative Site Layout

A number of design issues and site constraints have been identified by the Council which has dictated the indicative site layout as seen below. The layout sketch takes into account the derelict sites and vacant land found in this area as well as other buildings which provide opportunity for comprehensive redevelopment.

##### Indicative Scheme Layout



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The Council is considering an adjacent site at the Magdalen Street Railway Sidings as part of a separate Development Brief.

Opportunities may exist in the future to link these two areas as future development comes forward within east Colchester.

## **5. APPLICATION PROCESS**

### **5.1 Pre-application discussion**

Developers are encouraged to take advantage of the Council's pre-application advice procedures at an early stage. Advice on this is available on the Council's website. ([www.colchester.gov.uk](http://www.colchester.gov.uk))

### **5.2 Supporting documentation**

Any planning application for the re-development of these sites should be accompanied by a range of supporting documents, which may include:

- Design & Access Statement
- Topographical Survey
- Transport Assessment or Transport Statement
- Archaeological Assessment
- Air Quality Assessment
- Ground Quality Assessment/ Contamination report
- Noise Survey.

### **5.3 Developer contributions**

Any future developments may be required to make a financial contribution towards the provision of additional infrastructure, educational facilities and affordable housing. The precise details will be negotiated between the future developer/applicant and the Council, taking into account the economic and site circumstances at the time of the application. Colchester Borough Council is considering introducing a Community Infrastructure Levy which will apply to most new developments across the borough. Should development of this site come forward following the adoption of the Colchester Community Infrastructure Levy a payment will be required in line with the adopted charges at that time.

### **5.4 Contact**

Further information about the details of this Development Brief or any aspect of developing on this site can be obtained from Planning Services on 01206 282424 or via email to [planning.services@colchester.gov.uk](mailto:planning.services@colchester.gov.uk)