



REPORT of CHIEF EXECUTIVE

**to
PLANNING AND LICENSING COMMITTEE
20 JULY 2017**

COLCHESTER BOROUGH COUNCIL PUBLICATION DRAFT LOCAL PLAN CONSULTATION

1. PURPOSE OF THE REPORT

- 1.1 Colchester Borough Council has published its Draft Local Plan for consultation. The primary role of the Draft Local Plan is to set out the required housing delivery growth and other land use requirements for the district, to allocate sites to meet that growth, and to produce policies for the determination of planning applications up to 2033. It also includes proposals for strategic development for North Essex. The purpose of this report is to consider the Council's response to this Draft Local Plan.

2. RECOMMENDATION

That this Committee approves the response to the Colchester Borough Council Publication Draft Local Plan consultation.

3. SUMMARY OF KEY ISSUES

- 3.1 The three councils of Braintree, Colchester and Tendring have jointly prepared their draft Local Plans. Each draft Local Plans is in two parts:
- **Section 1** - Strategic Plan for North Essex - including the Garden Communities (This document is shared with Colchester Borough Council and Tendring District Council, as are any consultation representations received);
 - **Section 2** - Policies, maps and sites for development, housing, employment, regeneration etc. within Colchester Borough.
- 3.2 The three Local Plans have been simultaneously published for consultation. The Colchester Publication Draft Local Plan consultation closes on 11 August 2017.
- 3.3 This is the Local Plan which Colchester Borough Council intends to submit to the Planning Inspectorate for an independent examination. All responses to the consultation will be sent on directly to the Inspector to consider in the examination of the Local Plan. The Council is aiming for the new Local Plan to be adopted by mid-2018.

- 3.4 When making a response this Council needs to consider whether the Plan is:
- Legally compliant;
 - Sound;
 - Complies with the Duty to Co-operate.
- 3.5 In order to be considered 'sound' the Inspector must be satisfied that the plan is positively prepared, justified, effective and consistent with national policy. An explanation of soundness can be found in paragraph 182 of the NPPF.
- 3.6 **Examination**
- 3.6.1 The Examination into the joint Strategic Plan (section 1) will be held first, before the Examinations into the individual Districts' section 2 plans. The broad timetable is for the Section 1 Examination to occur in late 2017 / early 2018. The section 2 Examinations would follow in 2018. The Plans could potentially be adopted by the end of 2018.

4. SECTION 1

- 4.1 The section 1 proposals that are specific to Colchester Borough are highlighted in this report. The main purposes of the strategic chapter of the Local Plan are to:
- Articulate a spatial portrait of the area, including its main settlements and strategic infrastructure, as a framework for accommodating future planned growth;
 - Provide a strategic vision for how planned growth in North Essex will be realised; set strategic objectives and policies for key growth topics;
 - Set out the numbers of additional homes and jobs across the area that will be needed covering the period to 2033. The choices made, particularly in relation to the location of garden communities, will also set the framework for development well beyond the plan period; and
 - Highlight the key strategic growth locations across the area and the necessary new or upgraded infrastructure to support this growth.
- 4.2 **Spatial Strategy**
- 4.2.1 In Colchester Borough, the urban area of Colchester will continue to be a focus for growth due to its pre-eminent role as a centre for jobs, services and transport, with 4,000 new homes expected to be delivered over the Local Plan period, over and above that already planned. The urban area of Colchester, however, has a limited and diminishing supply of available brownfield sites, so new communities are included in the spatial hierarchy as a sustainable option for further growth of homes and jobs, in locations both to the east and west of Colchester on the borders with Tendring and Braintree Districts

4.3 **Housing**

- 4.3.1 The Colchester draft LP has a total minimum housing supply (2013– 2033) of 18,400, equating to 920 housing units per annum (policy SP3). Approximately 1,200 new homes will be allocated in the Rural District Centres of Tiptree, West Mersea and Wivenhoe. Smaller sustainable settlements will receive limited allocations proportionate to their role in the spatial hierarchy (paragraph 3.4).

4.4 **Garden Communities**

- 4.4.1 A key element of the spatial growth strategy for North Essex is the development of three new sustainable garden communities in the north Essex area. These new communities will accommodate a substantial amount of the housing and employment growth planned for North Essex within the plan period and beyond.(policies SP7 – SP10)
- Tendring / Colchester Borders, a new garden community will deliver 2,500 homes within the Plan period (as part of an overall total of between 7,000- 9,000 homes to be delivered beyond 2033)
 - Colchester / Braintree Borders, a new garden community will deliver 2,500 within the Plan period (as part of an overall total of between 15,000 – 24,000 homes to be delivered beyond 2033)
 - West of Braintree in Braintree District Council, a new garden community will deliver 2,500 homes within the Plan period (as part of an overall total of between 7,000- 10,000 homes to be delivered beyond 2033)
- 4.4.2 The Garden Communities will be planned and developed drawing on Garden City principles, with necessary infrastructure and facilities provided and a high quality of place-making and urban design. Joint Local Plans between Braintree, Colchester and Tendring Councils will allocate land to specific uses within Garden Communities. They also provide relevant policy guidance, and set out policies for the management of development.
- 4.4.3 The policies maps only show ‘strategic areas for development’ for the Garden Communities. As the planning of the Garden Communities has been delegated down to a Strategic Growth Development Plan Document (DPD), the strategic areas as shown on the policies maps can be indicative only. For example, the potential area of the Marks Tey Garden Community (with the long term target of 24,000 homes) stretches from the eastern outskirts of Coggeshall and Feering (western boundary being the Coggeshall Road, which links the two villages), to just west of Copford, and north-south from Roman River (approx ½ mile south of Great Tey) to Feering (effectively an area of search of approximately 4 miles x 2 miles). It is arguable, as to whether it is sufficient to allocate 7,500 homes to these Garden Communities in this plan period, based on indicative areas only. To provide more certainty, these areas could be defined more clearly on the Local Plan policies maps.

4.5 **Employment**

- 4.5.1 Employment forecasts have been developed using two standard models (East of England Forecasting Model (EEFM) and Experian 2016) which forecast total job growth for each of the local authorities based on past trends. For Colchester Borough

the annual jobs forecast is 928. Colchester Borough's employment land requirements for the period 2016 – 33 are set out for two plausible scenarios, baseline and higher growth; this approach is intended to provide flexibility. The amount of B uses employment land required is between 22-55.8ha (policy SP4).

4.6 Infrastructure and Connectivity

4.6.1 The LP identifies strategic priorities for infrastructure provision or improvements within the strategic area, including (policy SP5):

- Improved road infrastructure and strategic highway connections to reduce congestion and provide more reliable journey times along the A12, A120, and A133 to improve access to markets and suppliers for business, widen employment opportunities and support growth
- Improved junctions on the A12 and other main roads to reduce congestion and address safety
- A dualled A120 between the A12 and Braintree

4.6.2 To maximise the use of public transport new forms of high quality rapid transit networks will be provided to serve existing urban centres such as Colchester and Braintree; key destinations such as the University of Essex; and major transport interchanges in North Essex. To achieve the desired step change in sustainable transport this infrastructure will need to be funded and provided early in the development phase (paragraph 6.22).

5. SECTION 2 – COLCHESTER SPECIFIC POLICIES

5.1 The broad spatial strategy for Colchester Borough concentrates development on the growth locations of the Colchester urban area, the planned new garden communities and existing Sustainable Settlements (including Tiptree and West Mersea) which are planned for appropriate growth (policy SG1).

5.2 Housing Delivery

5.2.1 The Strategic Plan for North Essex sets out the objectively assessed need. For Colchester as 920 new homes per year across the Local Plan period, 14,720 new homes overall (2017-2033) (policy SG2). Around half of these will be delivered in the Colchester Urban area (pg 72).

5.2.2 Within the new Local Plan period new allocations account for approximately 5,200 new dwellings. Of these, 2,018 will be delivered in the Colchester Urban Area. The two broad locations for Garden Communities are expected to collectively contribute 2,600 new dwellings to Colchester Borough's housing supply within the plan period. Overall, the housing trajectory (the existing commitments and new housing allocations) identifies capacity for 15,063 dwellings (pg 72).

5.3 Neighbourhood Plans

5.3.1 The draft Local Plan allocates 870 dwellings to three Neighbourhood Plans (Eight Ash Green 150, Tiptree 600 & West Bergholt 120). These Neighbourhood Plans will

identify and allocate sites for development. Neighbourhood Plans are being prepared for other parishes, where housing development will occur, but for these areas, the sites are identified and allocated in the draft Local Plan (e.g. West Mersea 200 dwellings on two sites; Wivenhoe 250 on four sites). Policy SG8 provides LPA support for Neighbourhood Plan preparation, with the proviso that if a Neighbourhood Plan fails at any time prior to being made, responsibility for all planning policy matters within that plan area would revert back to the Local Planning Authority. The Neighbourhood Plans are at different stages of preparation. However, it is reasonable to expect that they will be ‘made’ within the first five years of the Local Plan period, with the housing being delivered before the end of the plan period (2033).

5.4 Tiptree and West Mersea

5.4.1 The level of development proposed for Tiptree and West Mersea is summarised below, as they are villages close to the border with Maldon District. The housing allocation for Tiptree is 600 units. This is in addition to the planning permissions for 416 dwellings included in the housing trajectory (2016 / 17 to 2032 / 33). This allocation is not shown on the policies map, as the sites will be allocated through the Tiptree Neighbourhood Plan. The draft Local Plan indicates that the broad areas for expansion would be to the south west (towards the gravel pits) and north west (towards Inworth) of the village.

5.4.2 The draft Local Plan identifies constraints to development in Tiptree:

- Development to the south east is constrained by Tiptree Jam Factory and Birch Wood Local Wildlife Site. Development in this direction would also reduce the green gap between the village and Tolleshunt Knights. It is also constrained by Layer Brook which is Flood Zone 2.
- Expansion to the north east of Tiptree is constrained by Thurstable School and Warriors Rest (sports ground).
- Expansion to the south west is constrained by Tiptree Heath Site of Special Scientific Interest (SSSI) (paragraph 14.218).

5.4.3 For West Mersea the allocation is for 200 units on two sites at Brierley Lane and Dawes Paddocks, as identified in the draft. Local Plan.

5.5 Economic Delivery Policies

5.5.1 Colchester Council has identified the Strategic Economic Areas (SEAs) as the best employment sites in the Borough and should be retained for employment purposes. Evidence however suggests that not all the land previously allocated for employment will be required and, accordingly, the boundary of each SEA has been reassessed. The SEAs are:

- The Knowledge Gateway and University SEA reflects opportunities associated with the growth plans for the University of Essex and the benefits linked to the new Garden Community to the east of Colchester. Additional land to expand the Knowledge Gateway is expected to be allocated within the Garden Community to the east.
- The Northern Gateway and Severalls SEA responds to the potential to maximise its prime location adjacent to Junctions 28 and 29 of the A12, for

the retention and expansion of the Business Park and for opportunities to deliver an enhanced sports and leisure hub. A reconfiguration on the previous allocation has taken place to reflect approvals and the changing economic market which has seen a reducing demand for land for B uses.

- The third SEA at Stanway continues to be a favoured location for strategic economic opportunities taking advantage of good access to the A12 and A120. The Stanway SEA has been reviewed and reflects planning approvals and the decreasing demand for traditional employment land.

5.5.2 The Plan protects 39.7ha of employment land identified as either Strategic or Local Economic Areas (SEA / LEA), and allocates a further 4.5ha of employment land within Garden Communities (policy SG3, SG4). SG4 identifies four LEA sites in Tiptree and three sites in West Mersea (pg 79).

5.5.3 Colchester Town Centre is identified as the primary location for main town centre uses, supported by the District Centres, including Tiptree and West Mersea (policy SG5). Each of the new gardens Communities will have its own District Centre.

5.6 Water supply

5.6.1 Colchester Borough is in an area classified as having serious water stress (Environment Agency 2013) (paragraph 15.148 – 15.151). The Plan recognises the importance of ensuring a continual water supply for new developments is secured, and the need to move towards a more water neutral position to enhance the sustainability of new development coming forward, with policy DM25 requiring new development to incorporate water saving measures. Section 1 policy SP7 (Development and Delivery of New Garden Communities in North Essex) criterion (xi) requires the Garden Communities to incorporate the highest standards of water efficiency, with the aim of being water neutral in areas of serious water stress. The Plan does not refer to the source of the water supply for the Borough's growth, nor whether existing resources will need to be upgraded to supply the future demand.

5.7 Are there any issues which could affect Maldon District?

5.7.1 Transport infrastructure

5.7.1.1 The level of development will increase the level of traffic on the A12, and the number of passengers on the GEML and local bus routes. However, the level of growth is such that improvements to sustainable transport can be achieved, which should mitigate the impacts on the transport network, for example the proposed rapid transit systems to serve the new Garden Communities, linking them to the existing urban centres. However, the A12 junction improvements proposed as part of Highways England's A12 widening scheme, must be designed and built to accommodate the total proposed 24,000 homes in the Marks Tey Garden Community, not just the level of housing proposed for this Plan period, as well as the growth proposed in the other A12 communities in Braintree to minimise the impact on Maldon District.

5.8 Recreation & leisure

5.8.1 The recreational and leisure pressures resulting from the 24,000 dwelling Garden Community at Marks Tey could have an impact on the District. Due to the expected

increase in leisure & recreation pressure on adjoining Districts (in particular the Dedham Vale AONB (Area of Outstanding Natural Beauty) and the River Blackwater), arising from the strategic growth and Garden Communities planned in North Essex, Section 106 (S106) / Community Infrastructure Levy (CIL) contributions from these developments should include contributions towards cycle and footpath routes to enable non-car access to leisure and recreation destinations in adjoining districts.

- 5.8.2 The draft Plan's Appropriate Assessment identified the need to prepare a Recreational Avoidance and Mitigation Strategy covering the Colne and Blackwater Estuaries Special Protection Areas and Ramsar sites and the Essex Estuaries Special Area of Conservation and a separate Recreational Avoidance and Mitigation Strategy for the Stour Estuary, with a view to their subsequent adoption as Supplementary Planning Documents. The Recreational Avoidance and Mitigation Strategy (RAMS) must cover the relevant designated sites in adjoining districts, as the recreation & leisure impacts of the strategic growth and Garden Communities will extend beyond the Borough's borders. As the recreational and leisure impacts will be cross boundary, the RAMS should also be cross boundary, not solely focused on designated sites within the Borough. The impact of the Marks Tey Garden Community on the Blackwater Estuary should be included within the scope of the Strategy.

5.9 Education

- 5.9.1 School pupils are shared across district boundaries. S106 agreements in Braintree/Colchester for education provision must take into account the impact on schools in Maldon District. Funding should be directed to the schools affected by the strategic growth in North Essex, even if the schools concerned are in adjacent districts.

5.10 Tiptree expansion – impact on the local road network:

- 5.10.1 The B1022 through Tiptree is a through route to Colchester from Maldon District, and provides a vital alternative route when the A12 is closed. The B1023 (Inworth Road) provides access to the A12 via Feering and Kelvedon from the north of Maldon District. To the south of Tiptree, Braxted Park Road gives access to Rivenhall End and the A12. Off Braxted Park Road, Maldon Road, via a narrow, one-way Grade II listed bridge, gives access to Kelvedon and the A12. The proposed 600 dwelling allocation(s) in the village, to be brought forward in the Neighbourhood Plan, must not compromise these transport routes.
- 5.10.2 Increased use of Maldon Road into Kelvedon, as a result of the expansion of Tiptree, should not cause harm to the listed bridge over the River Blackwater.
- 5.10.3 Officers' draft comments on the Colchester Publication Draft Local Plan, covering the above points, are set out in Appendix 1 to this report. The comments on Strategic Section 1 of the draft LP only need to be submitted once. They will be submitted alongside the comments on the Colchester draft Local Plan.

6. CONCLUSION

- 6.1 The Councils of Braintree, Colchester and Tendring have developed a joint Strategic Plan for the three districts, including three new Garden Communities. The Borough specific allocations are detailed in the Colchester draft Local Plan, which aims to provide 14,720 homes by 2033. The Plan identifies and protects 39.7ha of employment land and identifies three Strategic Economic Areas where the majority of further employment development will occur. Officers' draft comments on the Colchester Publication Draft Local Plan, covering the above points, are set out in **APPENDIX 1** to this report.

7. IMPACT ON CORPORATE GOALS

- 7.1 The level of development proposed in Colchester Borough has the potential to affect the corporate goals of protecting and shaping the District, and creating opportunities for economic growth and prosperity.

8. IMPLICATIONS

- (i) **Impact on Customers** – The proposals may impact on residents and businesses using either the A12 or train services, through increased traffic flows and passenger numbers. The proposed level of growth in Tiptree may impact on the transport routes through and around the village.
- (ii) **Impact on Equalities** – The proposals would not have a direct impact on equalities.
- (iii) **Impact on Risk** – The proposals would not have a direct impact on risk.
- (iv) **Impact on Resources (financial and human)** – The proposals would not have a direct impact on resources.
- (v) **Impact on the Environment** – The proposals would not have a direct impact on Maldon District's environment.

Background Papers: The Colchester Borough Draft Publication Local Plan is available at: <http://www.colchester.gov.uk/article/20074/3-Publication-Draft-Local-Plan>

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