



## **Colchester Preferred Options Local Plan - Regulation 18 Representation**

### **Policy ST2: Environment and the Green Network and Waterways**

The importance of halting biodiversity loss, improving habitat connectivity, and delivering multifunctional green infrastructure is fully recognised. However, we consider that aspects of the policy, as currently drafted, lack clarity, introduce unnecessary complexity, and duplicate national policy without adding sufficient local specificity.

#### **1. Reliance on Non-Policy Technical Documents**

The policy requires proposals to “have regard to” the Essex Local Nature Recovery Strategy (LNRS), RAMS, and the Colchester City Strategic Biodiversity Assessment (SBA).

While it is appropriate to refer to statutory strategies such as the LNRS and RAMS, we object to the inclusion of the Colchester City Strategic Biodiversity Assessment as a policy hook. The SBA is a technical evidence document rather than a policy document, and it is not designed to be used directly by applicants to determine development mitigation or design responses. It is also not user-friendly for development management purposes.

We recommend that:

- The policy relies primarily on national policy and statutory requirements for biodiversity protection and enhancement; and
- The Colchester City Strategic Biodiversity Assessment is referenced within the supporting text as background information, rather than forming part of the policy requirements.

This would improve clarity, certainty, and usability for applicants and decision-makers, while maintaining an evidence-led approach.

#### **2. Strategic Biodiversity Areas – Delivery and Funding**

The identification of “strategic biodiversity areas” is supported in principle. However, the policy is unclear as to how enhancement, protection, and connectivity improvements within these areas will be delivered and funded and how this approach interacts with Biodiversity Net Gain (BNG) requirements.

Without this clarity, there is a risk that development proposals are expected to address strategic, landscape-scale objectives without a clear or viable delivery mechanism.

### **3. Green Network and Waterways Plan – Scope and Thresholds**

The requirement for all “major” residential development to submit a Green Network and Waterways Plan is a significant and potentially onerous requirement.

We recommend that this requirement is limited to **strategic residential development exceeding 50 dwellings**, to ensure proportionality and to avoid placing undue burdens on smaller schemes.

Secondly, it is not sufficiently clear what a Green Network and Waterways Plan is expected to contain beyond general references to the Council’s Guiding Principles. In particular:

- The level of detail required is unclear;
- The relationship with other required documents (Design and Access Statement, Landscape Strategy, BNG Plan, Drainage Strategy) is not well defined; and
- The requirement to set out detailed phasing, quality standards, and maintenance arrangements risks unnecessary duplication and complexity.

We recommend that the policy is amended to state that the Green Network and Waterways will need to be considered within the relevant technical documents at the development management stage.

### **4. Duplication of National Policy**

Much of Policy ST2 reflects requirements already set out in national policy, including:

- Section 15 of the adopted NPPF (Conserving and enhancing the natural environment);
- The Environment Act 2021, including mandatory BNG; and
- The emerging NPPF, which further strengthens expectations around nature recovery and green infrastructure.

While local policy can and should add value, this policy largely repeats national requirements without clearly articulating a Colchester-specific approach or locally justified standards. As a result, it risks increasing regulatory burden without delivering materially different outcomes.

### **5. Consideration of the Alternative Approach**

The “alternative” presented dismisses a business-as-usual approach on the basis that it would fail to respond to the “planning for a better environment agenda.” However, national policy already provides a robust framework for delivering environmental protection and enhancement, including mandatory BNG and strengthened national guidance on ecological networks.

A more appropriate alternative would be:

- To rely more explicitly on national policy and statutory requirements; and
- To limit local policy to genuinely Colchester-specific issues supported by clear evidence and delivery mechanisms.

This would achieve the Plan’s environmental objectives while ensuring the policy framework remains streamlined, proportionate, and effective.