



Colchester Preferred Options Local Plan - Regulation 18 Representation

Policy ST7: Infrastructure Delivery and Impact Mitigation

We consider that Policy ST7, as currently drafted, is overly complex, lacks clarity in places, and duplicates national policy without adding meaningful local specificity. As a result, the policy risks undermining flexibility and deliverability.

1. Requirement for “Sufficient and Appropriate Infrastructure Capacity”

The opening paragraph of the policy requires applicants to demonstrate that infrastructure capacity is sufficient, will be delivered at the appropriate time, and will be “sustainable over time in physical and financial terms.”

This requirement is unclear and unnecessary. It is not evident:

- What is meant by “sustainable over time in physical and financial terms”;
- How applicants are expected to evidence this; or
- How this goes beyond existing national policy requirements.

National policy already requires development to be supported by appropriate infrastructure and allows refusal where impacts cannot be mitigated. This additional wording introduces ambiguity without adding clarity or certainty and risks inconsistent interpretation. We therefore recommend that this element of the policy is removed or significantly simplified.

2. Infrastructure Contributions and Evidence Base

The policy appropriately identifies the mechanisms by which infrastructure may be secured, including financial contributions, on-site provision, off-site works, and land. However, the policy places heavy reliance on the Infrastructure Audit Delivery Plan (IADP) and other evolving evidence sources.

While it is reasonable to reference such documents in the supporting text, the policy should avoid giving them undue policy weight. These documents are not part of the statutory development plan and are subject to change. Over-reliance on them risks uncertainty and reduced transparency for applicants.

The policy would benefit from being more succinct and clearly stating that infrastructure requirements must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind, in line with established national tests.

3. Viability and Duplication of National Policy

The section dealing with viability exceptions largely repeats national policy and guidance, particularly the principles set out in paragraph 59 of the NPPF, which states that all viability assessments should:

- Reflect the recommended approach in national planning practice guidance;
- Use standardised inputs; and
- Be made publicly available.

Given that viability is already comprehensively addressed through national policy and guidance, this element of Policy ST7 is unnecessary. Introducing additional local criteria risks:

- Undermining consistency with national policy;
- Creating uncertainty; and
- Reducing flexibility to respond to site-specific circumstances.

We therefore recommend that this section is removed or significantly reduced, relying instead on national policy to guide decision-making on viability matters.

4. Consideration of the Alternative Approach

The alternative option suggests that reliance on national policy would risk infrastructure not being delivered. We do not agree with this conclusion.

National policy already provides a clear and robust framework for securing infrastructure, supported by well-established legal and regulatory mechanisms. A highly detailed local policy is not required to achieve infrastructure delivery and, in practice, risks reducing flexibility and responsiveness to changing circumstances.

A more concise policy, focused on Colchester-specific issues where genuinely necessary, with cross-referring to site specific site allocations, would be preferable and more effective.