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Essex Wildlife Trust provides advice to Local Planning Authorities to inform planning decisions in respect of potential ecological impacts from development. If the applicant or any other interested party requires additional information on the advice we have provided, any such queries should be directed to the Planning Case Officer who will seek further information from us where appropriate and necessary.

Re: Colchester Local Plan Preferred Options (Regulation 18) Consultation

Dear Planning Policy Team,

Essex Wildlife Trust welcomes the opportunity to respond to the Colchester Local Plan Preferred Options (Regulation 18) consultation. Our response focuses on the environmental policies within the draft Plan, assessed against current legislative requirements and national policy, including the Environment Act 2021, the National Planning Policy Framework (December 2024) (NPPF), the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations), the Wildlife and Countryside Act 1981 (as amended), the NERC Act 2006 and the Essex Local Nature Recovery Strategy (Essex LNRS).

1. Overall Assessment

Overall, the draft Plan provides a good framework for protecting and enhancing Colchester's natural environment. The policies align with statutory requirements under the Environment Act 2021, the Habitats Regulations, the Wildlife and Countryside Act and the NERC Act 2006. The integration of the Essex LNRS throughout the policies is welcome and provides a mechanism for coordinating nature recovery efforts at the local level.

Policy EN1 on Nature Conservation Designated Sites provides robust protection for internationally and nationally designated sites, with clear provisions for the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). Policy EN3 on Biodiversity and Geodiversity is comprehensive in scope, covering designated sites, protected species, Priority Habitats and Species, and habitats of local importance, and the policies relating to the Green Network and Waterways establish a strategic framework for multifunctional green infrastructure.

However, our assessment has identified one key strategic omission and several areas where policies could be strengthened to align fully with the most recent national policy updates and government biodiversity commitments. These are set out in detail below.

2. Key Strategic Omission: The 30x30 Target

The most significant gap we have identified is the absence of any reference to the UK Government's commitment to protect 30% of land for nature by 2030, known as the 30x30 target. This is a critical strategic omission that should be addressed before the Plan proceeds to the Regulation 19 stage.

At the UN Biodiversity Summit COP15 in December 2022, the UK Government formally committed to protecting and conserving a minimum of 30% of land and sea for biodiversity by 2030. This commitment was reinforced domestically, with Defra publishing delivery criteria and a map in December 2023 setting out what should count towards the 30x30 target in England. The target has been further emphasised through the UK's National Biodiversity Strategy and Action Plan published in February 2025, which outlines how the UK will meet all 23 Global Biodiversity Framework targets, including 30x30.

The 30x30 target is not merely aspirational; it is a central pillar of the UK's biodiversity strategy and a key driver for reversing nature decline. Local Plans have an important role in contributing to this national commitment by identifying how growth and development will support, rather than undermine, the expansion and improvement of protected areas and other effective area-based conservation measures.

The draft Plan identifies "strategic biodiversity areas" which present the best opportunities for habitat creation and enhancement. Policy GN2 provides explicit support for delivering the Essex LNRS and identifies the Roman River corridor as a nature recovery area. Policy EN2 identifies four strategic offsite Biodiversity Net Gain sites. These policies directly support nature recovery objectives but make no reference to how this contributes to the 30x30 target.

Recommendation: We recommend that explicit reference to the 30x30 target is incorporated into Policy ST2 (Environment and the Green Network and Waterways), Policy GN2 (Strategic Green Spaces and Nature Recovery), and Policy EN2 (Biodiversity Net Gain and Environmental Net Gain). This would demonstrate how the Local Plan contributes to this important national commitment and provide a clear strategic context for the delivery of nature's recovery in Colchester.

3. National Planning Policy Framework December 2024 Updates

The National Planning Policy Framework was updated in December 2024 and includes specific new requirements that should be reflected in the Plan. Paragraph 187(d) now explicitly requires planning policies and decisions to minimise impacts on biodiversity and provide net gains, "including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs."

While the draft Plan includes comprehensive biodiversity policies, the specific reference to swifts, bats, and hedgehogs in national policy should be explicitly reflected in local policies. These species face particular threats from development, and incorporating specific features to support them (such as swift bricks, bat boxes, and hedgehog highways) represents best practice in biodiversity enhancement.

Recommendation: We recommend that Policy EN3 (Biodiversity and Geodiversity), Policy ST8 (Place Shaping Principles), and Policy GN1 (Open Space and Green Network and Waterways Principles) are updated to explicitly reference the requirement to incorporate features supporting priority and threatened species, with particular attention to swifts, bats, and hedgehogs as identified in national policy.

4. Policy EN2: Biodiversity Net Gain and Ambition

Policy EN2 correctly acknowledges that Biodiversity Net Gain is now a mandatory statutory requirement under the Environment Act 2021, with development required to deliver a minimum of 10% BNG. The policy appropriately focuses on maximising onsite delivery and identifies four strategic offsite BNG sites with high strategic significance for biodiversity. This approach is sound and well-justified.

However, we note that the policy focuses on delivering the statutory 10% minimum without exploring whether a higher percentage of BNG would be required to achieve the strategic habitat creation objectives set out in the Essex LNRS. The Essex LNRS aims to significantly increase habitat coverage across the county. There is a question as to whether the cumulative delivery of multiple development schemes each achieving 10% BNG will be sufficient to meet these more ambitious habitat creation targets, or whether higher BNG percentages should be encouraged in strategic locations.

We recognise that BNG requirements are delivered through separate statutory mechanisms and do not need to be repeated in planning policy. However, the Plan could be strengthened by encouraging developers to explore opportunities for higher percentages of BNG delivery where this would support delivery of Essex LNRS habitat creation priorities and contribute to nature recovery objectives.

Recommendation: We recommend that Policy EN2 is revised to clarify the relationship between statutory BNG requirements and the Plan’s strategic approach to BNG delivery, and to encourage BNG delivery beyond the statutory minimum where this would support Essex LNRS priorities. We also recommend that the policy includes reference to how strategic BNG delivery contributes to the 30x30 target.

5. Climate Change Adaptation

The NPPF December 2024 includes updated provisions on climate change, with paragraph 163 requiring planning applications to address the “full range of potential climate change impacts.” The draft Plan includes references to climate change throughout the environmental policies, and Policy EN8 on Flood Risk and Sustainable Drainage Systems provides comprehensive provisions for climate adaptation in the context of water management.

However, the integration of climate adaptation measures into biodiversity and habitat creation policies could be strengthened. Climate change is placing increasing pressure on habitats and species, and nature recovery efforts must consider long-term resilience to changing climatic conditions. This includes consideration of climate-appropriate species selection, habitat design that anticipates future climate conditions, and measures to enhance the climate resilience of designated sites and their supporting habitats.

Recommendation: We recommend that climate adaptation provisions are strengthened across the environmental policies, with particular attention to Policy EN3 (Biodiversity and Geodiversity), Policy EN4 (Irreplaceable Habitats), and Policy EN5 (New and Existing Trees). This should include requirements for climate-adapted habitat creation and species selection that considers future climate projections.

6. Specific Policy Comments

Policy EN1: Nature Conservation Designated Sites

This policy provides robust protection for designated sites and complies with the Habitats Regulations. The integration of the Essex Coast RAMS is comprehensive, and the innovative provisions for nature-based welcome packs for large developments are welcomed.

Policy EN3: Biodiversity and Geodiversity

This is a comprehensive policy covering a range of biodiversity interests including designated sites, protected species, Priority Habitats and Species, and habitats of local importance. The policy properly requires application of the mitigation hierarchy and includes provisions for Local Wildlife Site buffering. The reference to the “creating space for nature” design principles in the Biodiversity Supplementary Planning Document is helpful, although the Council should ensure that the SPD is adopted in a timely manner or that the policy provides sufficient standalone guidance if the SPD is delayed.

Policy EN4: Irreplaceable Habitats

This policy provides protection for irreplaceable habitats in compliance with the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024 and NPPF paragraph 186(c). However, the policy’s approach to buffer zones requires strengthening. While the policy correctly identifies a 15-metre buffer zone for ancient woodland and acknowledges that larger buffer zones may be required where surveys show impacts extending beyond this distance, Natural England guidance is clear that 15 metres represents the minimum requirement for a root protection zone only. Buffers may need to be significantly increased depending on multiple factors including development type, the nature and extent of impacts, and the particular sensitivities of protected species associated with the woodland.

Ancient woodlands support specialist and sensitive wildlife that can be affected by development impacts well beyond the 15-metre root protection zone. These impacts include noise disturbance, light pollution, domestic pet

predation (particularly from cats), recreational pressure from residents, and edge effects such as increased wind exposure and changes to microclimate. For example, ground-nesting birds such as nightingales require buffers sufficient to protect them from disturbance, while bat populations may be affected by artificial lighting many tens of metres from woodland edges. Buffer zones must therefore be designed to address the full range of potential impacts on both the habitat itself and the species it supports, not merely to protect tree roots.

Recommendation: We recommend that the policy is strengthened to make clear that 15 metres is the minimum buffer for root protection only, and that significantly larger buffers will be required to address the full range of potential impacts including noise, light pollution, recreational pressure, and disturbance to protected species. The policy should require applicants to assess all potential impacts and design buffer zones accordingly, with clear justification required where buffer widths are proposed. Additionally, the justification text would benefit from clarification that loss of irreplaceable habitats requires bespoke compensation in addition to any Biodiversity Net Gain requirements that apply to the remainder of a development site, and that off-site biodiversity units and statutory biodiversity credits cannot be used to compensate for the loss of irreplaceable habitat.

Policy EN8: Flood Risk and Sustainable Drainage Systems

This policy provides strong coverage of flood risk management and sustainable drainage, with a welcome emphasis on nature-based solutions. The requirement for multifunctional SuDS that enhance biodiversity and provide amenity value is strongly supported. The policy would benefit from explicit clarification that SuDS features can contribute to Biodiversity Net Gain delivery, and where they do so, they must meet the 30-year habitat management and monitoring requirements of the BNG regulations.

Policy GN2: Strategic Green Spaces and Nature Recovery

This policy provides strong support for delivering the Essex LNRS and identifies the Roman River corridor as a specific nature recovery area. This strategic approach to landscape-scale nature recovery is welcome. However, as noted above, the policy would be significantly strengthened by explicit reference to the 30x30 target and how strategic green space and nature recovery delivery in Colchester will contribute to this national commitment.

Policy GN4: Tree Canopy Cover

The requirement for a 10% tree canopy cover target for major applications is supported. We note that the justification text references research concluding that an average tree canopy cover of 20% should be set as the minimum standard for most UK towns and cities. While we recognise the practical challenges of achieving higher targets, we encourage the Council to review whether a more ambitious target could be appropriate for Colchester, particularly given the multiple benefits that trees provide for biodiversity, climate adaptation, air quality, and human health and wellbeing.

7. Essex Wildlife Trust's Biodiversity Net Gain Proposals

Essex Wildlife Trust welcomes the identification of our proposals at Abbots Hall Farm, Great Wigborough as one of the Council's preferred strategic offsite BNG sites in Policy EN2. As set out in the policy justification, the creation of a BNG habitat bank at Abbots Hall will contribute to the Trust's wider ambitions to rewild the site and establish a nature reserve, which will be open to the public in 2026. The site is strategically significant, being adjacent to the Blackwater Estuary SPA, Ramsar and SSSI and the Essex Estuaries SAC, while also connected to other coastal nature conservation sites including Old Hall Marshes (RSPB) and Copt Hall (National Trust).

Proposed habitats at Abbots Hall include lowland mixed deciduous woodland, ponds, medium distinctiveness scrub, individual trees, species-rich native hedgerow, grassland, ditches, and saltmarsh. There are opportunities for extensive habitat creation on formerly cultivated fields including grassland, wetland and woodland. Habitat creation measures will integrate with adjacent and nearby internationally designated sites and will prioritise locally relevant species including Nightingale and Turtle Dove.

The Trust is committed to working with the Council to deliver high-quality biodiversity net gain through this site, ensuring that development in Colchester makes a meaningful contribution to nature's recovery at a landscape scale.

8. Conclusion

The draft Regulation 18 policies generally align with current statutory requirements and overall provide an acceptable framework for protecting and enhancing the natural environment. The integration of the Essex LNRS throughout the Plan is particularly welcomed and should provide an effective mechanism for coordinating local nature recovery efforts with county-wide objectives.

However, the absence of any reference to the UK Government's 30x30 target represents a strategic omission that should be addressed before the Plan proceeds to the Regulation 19 stage. The 30x30 commitment is a central pillar of the UK's biodiversity strategy and Local Plans have an important role in demonstrating how growth and development will support, rather than undermine, the achievement of this national target.

We also recommend that the Plan is updated to explicitly reflect the requirements of the NPPF December 2024, particularly the specific provisions relating to priority and threatened species such as swifts, bats, and hedgehogs. Climate adaptation provisions could be strengthened across the environmental policies, and Policy EN2 would benefit from greater ambition in encouraging BNG delivery beyond the statutory minimum where this would support Essex LNRS priorities. Policy EN4 requires strengthening to clarify that 15 metres is the minimum buffer for tree root protection, and that significantly larger buffers around ancient woodlands may be required to address the full range of potential impacts.

Essex Wildlife Trust looks forward to continuing to work constructively with Colchester City Council as the Local Plan progresses through the plan-making process. Should you require any clarification on the points raised in this response, or wish to discuss any aspect of nature conservation and recovery in Colchester, please do not hesitate to contact us.

Kind regards,



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