

Date: 20 August 2025
Our ref: 518777
Your ref: Duty to Co-operate Colchester Local Plan Preferred Options



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BY EMAIL ONLY

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Dear Colchester Planning Policy Team

Planning consultation: Duty to Co-operate: Colchester City Council Draft Preferred Options Local Plan Regulation 18 consultation 2025

Thank you for your consultation on the above dated 10 July 2025.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Thank you for consulting Natural England on the Local Plan review under the Duty to Cooperate. We have the following high-level comments to make on the draft Preferred Options Local Plan in accordance with our statutory remit which includes biodiversity, landscape and soils.

In general, the Plan is well prepared, comprehensive and satisfactory. We have considered the following draft policies and allocations:

Vision

We are pleased to see that the Plan will preserve and enhance the diverse natural environment of Colchester by providing new open spaces, biodiversity net gain and the creation of wildlife corridors and green networks to create better connections between habitats.

Policy ST2: Environment and the Green Network and Waterways

We support this policy.

Policy ST3: Spatial Strategy

We advise that, where possible, large housing developments should not be sited immediately adjacent to coastal designated sites. Where this is considered necessary, developments are likely to need to provide Suitable Alternative Natural Greenspace (SANG) to mitigate adverse recreational impacts on the Essex Coast Habitats Sites. The review of the Essex Coast RAMS may provide further information about acceptable scales and distance of development from the coast.

Policy ST4: Development in the Countryside

We advise that development should avoid Best and Most Versatile agricultural land where possible.

Policy ST7: Infrastructure Delivery and Impact Mitigation

We would like to see green infrastructure (GI) included in this policy. GI is an important part of infrastructure provision; we would like to see GI reflected in infrastructure planning for Colchester, e.g. included in an Infrastructure Delivery Plan and costed appropriately to ensure that it is delivered as part of new development.

Greenspace is an important asset for people's health and wellbeing (as well as managing recreational pressure impacts) so we wish to see it provided at an appropriate quantity, of high quality, and sustainably managed to meet people's needs and protect vulnerable sites. We note the need for long-term sustainability over time which is critical.

The Policy mentions the need for '*sufficient and appropriate infrastructure capacity to support development*'. The Natural England (NE) Accessible Greenspace Standard recommends that: *Local authorities have at least 3 hectares of publicly accessible greenspace per 1,000 population and there is no net loss or reduction in capacity of accessible greenspace per 1,000 population at an area-wide scale. Local authorities specify capacity targets for all major residential development informed by a local accessible greenspace baseline, and taking into account local needs, opportunities and constraints.*

We recommend having a locally accessible greenspace baseline as there may be some areas that have a greenspace deficit which new developments could help to address. The NE GI mapping tool can help to highlight areas of deficiency. The Policy says that infrastructure needs to be delivered at an appropriate time to meet development requirements; note that this also applies to GI. Note also that new developments may put pressure on existing greenspaces if there is not enough capacity to accommodate new residents.

Policy ST9: The Tendring Colchester Borders Garden Community

This is a major cross-boundary proposal for the Council. We are looking for sufficient Suitable Alternative Natural Greenspace (SANG) to be provided to comply with Policy GN5 and mitigation for loss or disturbance of any land that is considered to be functionally linked to Habitats sites.

Policy EN1: Nature Conservation Designated Sites

We welcome this policy.

Policy EN2: Biodiversity Net Gain (BNG) and Environmental Net Gain

We welcome this policy which encourages Environmental Net Gain, and signposts to the Environmental Benefits from Nature Tool. However, please note that when assigning strategic significance scores in the BNG metric, guidance in the Statutory Metric Guide ('Where an LNRS has been published', page 27) should be followed: [The Statutory Biodiversity Metric](#). Once a Local Nature Recovery Strategy (LNRS) has been published, the baseline strategic significance values for habitat parcels in that area should always be scored as low. The strategic significance uplift in the metric is given to any post-development intervention that is consistent with a mapped potential measure in the LNRS (as per page 28 of Metric guidance).

Policy EN3: Biodiversity and Geodiversity

We welcome this policy.

Policy EN4: Irreplaceable Habitats

Where Irreplaceable Habitats (IH) are present on site, the relevant BNG guidance and processes must be followed: [Irreplaceable habitat - GOV.UK](#). It is important that the wider planning process secures protection for IH's given how rare and vulnerable they are, in line with the mitigation hierarchy, NPPF etc. Guidance on buffer zones around ancient woodland and veteran trees and other planning aspects can be found here: [Ancient woodland, ancient trees and veteran trees: advice for making planning decisions - GOV.UK](#).

Policy EN5: New and Existing Trees

We suggest that the urban tree canopy cover standard could be included in this policy: [Urban Tree Canopy Standard](#).

Policy GN1: Open Space and Green Network and Waterways Principles

We are concerned that a spatial criterion of 10% of gross site area may not work as well as a site capacity criterion based on hectares per new residents at ensuring the right level of greenspace provision.

Points a-i reflect our GI principles (although we note that there is a bespoke approach to Colchester and the plan uses the Essex Standards as its framework). The requirement for major development to provide a Green Networks plan aligns with our GI Strategy standard. Maintenance and management for a 30-year period should be set out, which is also consistent with NE's recommendations. Certain allocations have to provide '*substantially in excess of 10%*' but it is unclear what this means in terms of actual provision, e.g. greenspace provision for PP9 North East Colchester is not specified although that is a major development of 2000 homes. Smaller allocations (PP28, with 200 homes) are given a figure (8 ha). We are unclear how that that is worked out.

Policy GN2: Strategic Green Spaces and Nature Recovery

We welcome this policy. Cooperation between LPAs on Local Nature Partnership priorities may be important for the delivery of cross-boundary strategic priorities for the natural environment.

Policy GN5: Suitable Alternative Natural Greenspace

We are pleased to see this policy and we advise inserting the following underlined words '*All SANGs that are required must meet the Natural England standard of **a minimum of** 8 hectares per 1,000 head of new population*'. The [NE SANG Guidelines \(2021\)](#) must be met in full. We advise that Policy GN5 includes a requirement to consult NE via the pre-application service for bespoke advice on SANG proposals, to ensure that the planning application does not get held up at the consultation stage.

Policy LC1: Landscape

Natural England has published the narrative around the National Character Areas (NCAs) [Natural England - National Character Area Profiles - National Character Area Profiles](#). This provides a basis for recognising local and cross boundary issues, for the development of local policies and projects and for delivering landscape scale change and ecosystem networks/services. We advise that NCAs should be referenced in this policy.

Policy LC2: Dedham Vale National Landscape

We welcome this policy and strongly recommend seeking the views of Dedham Vale National Landscape team on this policy, if this has not already been done. We also advise checking with Dedham Vale National Landscape whether contributions ought to be to Dedham Vale National Landscape Fund, rather than Stour Valley Environment Fund. We have the following comments:

(c) Add '*quality **of** views within*' and add '*adverse impacts to water resources.*'

(e) Add '*as defined by section 245 of the Levelling Up and Regeneration Act 2023*' (known as the LURA) as per the legal test.'

We suggest adding '*Where policy LC2 applies, a Landscape and Visual Impact Assessment (LVIA) **must** be carried out and evidence provided by that assessment and any evidence and / or advice provided by Dedham Vale National Landscape shall be taken into account in determining whether a development meets the conditions set out in points a-e.*'

Policy wording needs to clarify that '*exceptional circumstances*' refers to the Exceptional Circumstances test within the NPPF.

For proposals '*in or near*' we suggest alternative wording '*within the setting*'. We suggest replacing '*to help protect the*' with '*to conserve and enhance the natural beauty and special qualities of the area.*'

6.8: Add '*statutory*' in front of '*purpose*'.

6.10: For '*landscape quality*', we propose '*landscape and scenic quality*' (to bring the policy into line with designation guidance wording).

6.11: We agree with this statement. Guidance on section 245 of LURA confirms the requirement for relevant authorities to seek to further the purposes of PLs is an **active** not a passive duty.

Therefore, putting in place a dedicated local plan policy for Dedham Vale National Landscape is consistent with the requirement to be proactive and commensurate with the status of a nationally designated landscape.

Policy LC3: Coastal Areas

We advise that, in addition to the stated policy requirements, there is recognition that any construction work or development extending below Mean High Water will need to be done in consultation with the Marine Management Organisation (MMO) and that any development with the potential to impact the Marine Protected Areas network would need to be done in line with The Conservation of Habitats and Species Regulations 2017 (as amended) and The Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) and Marine and Coastal Access Act 2009 (Marine Conservation Zones). We suggest including a reference to the fact that developments will need to comply with intertidal Biodiversity Net Gain.

Place Policies

NE consider that the following site allocations are within the setting of Dedham Vale National Landscape and therefore policy LC2 would apply; however, that list is not exhaustive and we may also consider other allocations to be within LC2 policy area:

Policy PP26: Land North of Boxted Straight Road, Boxted Cross: 150 dwellings

Policy PP30: Land South of Long Road, Dedham: 15 dwellings

Policy PP37: Land north of Park Lane, Langham: 900 dwellings

Policy PP38: Land opposite Wick Road, Langham : 10 dwellings

Policy PP34: Land North of Coach Road, Great Horkeley: 400 dwellings

Policy PP35: The Old School, Great Horkeley: 13 dwellings

Policy PP26 (f) should refer to Local LCAs and National Character Areas (NCAs) to inform the design of landscape screening. There should be a requirement for LVIA to be carried out to inform design considerations listed in points (e) and (f).

Policy PP37 We query the quantum of development proposed for Langham as it seems high for the size of the existing settlement and proximity to Dedham Vale National Landscape. We advise that an additional requirement should be added as follows: *Screening comprising locally appropriate tree belts, hedgerows and/or woodland will be required along the site boundaries to ensure that development is sensitively integrated into the landscape to reflect and reinforce rural character.* There should be a requirement for LVIA to be carried out to inform design considerations.

Habitats Regulations Assessment

We agree with the findings of the Habitats Regulations Assessment (HRA) and we support the Next Steps which are to provide an update of the HRA to include findings from an AADT traffic modelling study and the completed Water Cycle Study. We have the following additional comments and observations:

4.81: Note that review of Essex Coast RAMS may amend Zones of Influence (ZOIs).

Table 4.1: We agree with the summary of the screening assessment.

We have not checked all allocations, but we recommend that all allocations which have been identified as having potential for functionally-linked land should include policy wording which specifies the need for a wintering bird survey (section 5.30). A wintering bird survey normally comprises two winter seasons, and both diurnal and nocturnal surveys. This should be made clear in the relevant policy. Natural England should be contacted for further advice about functionally-linked land and how to determine whether mitigation is required based on the strength of the functional link. We consider that requiring a wintering birds survey will safeguard birds if any functionally-linked land is identified rather than relying on other habitats in the area to accommodate any displaced birds, see for example Policy PP10: Land South of Berechurch Hall Road, Colchester which requires a wintering bird survey (section 5.17). This also applies to non-physical disturbance of FLL (5.49).

5.60 We agree that ‘AADT traffic modelling data, which calculates the change in trips that would result from the Local Plan, over the plan period is required of the A137 to inform the Appropriate Assessment’.

5.83 The review of the Essex Coast RAMS may provide further clarity on the requirement for accessible natural greenspace when development is considered to have a likely significant effect taken alone.

5.100/5.111 We await the findings of the Water Cycle Study which should be used to inform policy and allocations for water quantity and quality.

Site allocations need to reference the policy numbers in the Local Plan throughout the document for ease of reference.

Sustainability Appraisal

We have not looked at this in detail. We note the SEA concluded that ‘*Significant negative effects were identified for the draft Local Plan in relation to SA objective 8: Biodiversity and geodiversity (combined with a minor positive effect)*’.

The Conclusions also reference ‘*the potential for negative effects in relation to the Blackwater Estuary, Colne Estuary and Essex Estuaries nationally and internationally designated biodiversity sites. There are further areas of SSSIs to the south of the Colchester urban area (including Abberton Reservoir, Upper Colne Marshes and Roman River) and to the east of the urban area (Bullock Wood) as well as towards Marks Tey (Marks Tey Brickpit). While the spatial strategy limits development to the south of the District, it includes development at Mersea at Dawes Lane and two further relatively small sites at Abberton and Peldon*’.

We note that ‘*The plan also makes substantial contributions to the protection, conservation, and/or enhancement of Colchester’s green and open spaces and natural environment, including support for the delivery of the Essex LNRS, and delivery of suitable SANGs to mitigate effects relating to the Colne and Blackwater Estuaries SPAs and Essex Estuaries SAC. Specific policy text is included to ensure the protection of the purpose, natural beauty, and special qualities of the Dedham Vale National Landscape*’.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk .

Yours faithfully

Alison Collins
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