

**06 February 2023**

<b>Report of</b>	<b>Lucy Massey</b>
<b>Title</b>	<b>Local Development Scheme (LDS)</b>
<b>Wards affected</b>	<b>All</b>

## **1. Executive Summary**

- 1.1 Local Planning Authorities (LPAs) are required to prepare a Local Development Scheme (LDS) in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and Localism Act 2011.
- 1.2 The LDS is an essential project planning tool used to keep the Local Plan up to date and provide details of consultation periods, public examinations and expected dates of adoption and publication for each document. The Council has previously reviewed the LDS on a number of occasions with the last update being in June 2021.
- 1.3 The LDS now requires updating to reflect further consultation and timetable variations for the Local Plan and the Strategic Development DPD for the Tendring Colchester Borders Garden Community as well as the Supplementary Planning Documents to be produced which cover the following topics; Planning Obligations, Affordable Housing, Self and Custom Build & Specialist Housing, Climate Change, Biodiversity, Active Travel, Shop Front Design Guide and City Centre Masterplan.

## **2. Recommended Decision**

- 2.1 To agree changes to the Local Development Scheme.

## **3. Reason for Recommended Decision**

- 3.1 The Council is required under the Localism Act 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012 to publish up to date information for the preparation and revision of Development Plan Documents.

## **4. Alternative Options**

- 4.1 The Committee could decide not to update the Local Development Scheme or to make amendments to it. The Council however is required under the Localism Act 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012 to publish up to date information for the public on the preparation and revision of Development Plan Documents through the LDS.

## **5. Background Information**

- 5.1 A Local Development Scheme (LDS) is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008, the Localism Act 2011 and the Housing and Planning Act 2016). This must specify (among other matters) the local development documents which are to be Development Plan Documents, the subject matter and geographical area to which each Development Plan Document is to relate, and the timetable for the preparation and revision of the Development Plan Documents. It must be made available publicly and kept up to date. It is important that local communities and interested parties can keep track of progress. Local planning authorities should publish their Local Development Scheme on their website.
- 5.2 Colchester City Council first adopted an LDS in May 2005, with various revisions published at regular intervals to reflect changes in government regulations and work programmes. The LDS was last reviewed by Local Plan Committee in June 2021.
- 5.3 The LDS sets out which documents will form part of the Colchester Development Plan along with the timetable for the preparation and review of each document. The LDS is also reviewed annually as part of the Council's Authority Monitoring Report (AMR).
- 5.4 The revised LDS (which can be found in Appendix A) provides the scope and further details with regards to each document and includes the Project Chart which outlines the timescales proposed and shows how each document will be progressed over the next six years. Below is a summary of the key dates for planning documents which are further explained within the LDS itself:

- **Local Plan Review**

- Initial preparation to begin July 2023
- Issues & Options Consultation – September - October 2024
- Preferred Options Consultation – September-October 2025
- Submission Version Consultation- May-June 2026
- Submission to Secretary of State – Autumn 2026
- Independent Examination - Winter 2026
- Adoption - Spring 2027

As outlined under a separate report to Local Plan Committee, the Government are currently consulting on changes to the National Planning Policy Framework (NPPF) which includes proposed changes to the Plan Making Process. The timetable in the LDS reflects the current local plan system, and in the event that new style Local Plans are brought in, this timetable will be amended.

- **Joint Development Plan Document (DPD) for Tendring Colchester Borders Garden Community**

- Issues and Options consultation – Nov 2017- Jan 2018
- Preferred Options consultation – Winter 2021/22
- Submission version consultation – Spring/Summer 2023
- Submission – Summer 2023
- Examination – Autumn 2023
- Adoption –Winter 2023/24

The timetable for the Tendring Colchester Borders Garden Community DPD has been updated to reflect the latest position.

- **Supplementary Planning Documents (SPD)**

- Planning Obligations – Adoption Winter 2024
- Affordable Housing – Adoption Spring 2023
- Self and Custom Build and Specialist Housing – Adoption Autumn 2024
- Climate Change – Adoption - Winter 2023
- Biodiversity – Adoption - Spring 2023
- Active Travel – Adoption – Winter 2023
- Shop Front Design Guide – Adoption Winter 2023
- City Centre Masterplan – Autumn 2023

Timescales have been updated for the Planning Obligations, Affordable Housing, Self and Custom Build and Specialist Housing, Climate Change and Biodiversity SPDs. Three new SPDs have been included, these are Active Travel, Shop Front Design Guide and the City Centre Masterplan.

- 5.5 The LDS has also been updated to reflect adoption of the Colchester Local Plan Section 1 and Section 2 and to the latest progress of Neighbourhood Plans across the Council's administrative area. As the Council's role is to advise and support Neighbourhood Plan Groups to deliver their Plans, timetables of their production are not required to be included within the LDS.
- 5.6 In earlier versions of the LDS, the Council were required to specify details of each Supplementary Planning Document (SPD) intended to be produced. Changes to the Regulations no longer require Supplementary Planning Documents to be included in an LDS, but the Council has chosen to show them to demonstrate the links between all the documents which contribute to the Colchester Development Plan. There are currently eight SPDs programmed for the next six year period. Future additional SPDs as well as further guidance notes and development brief documents may however be produced by the Planning Policy Team without formal modification of the LDS because of their non-statutory status in the decision making process. SPD's could not be produced in advance of the adoption of the Local Plan because they cannot introduce new policy in their own right but only add detail to adopted policies.

## **6. Equality, Diversity and Human Rights implications**

- 6.1 An Equality Impact Assessment has been prepared for the Local Plan and is available to here - [Equality Impact Assessment June 2017.pdf \(windows.net\)](#)
- 6.2 There are no particular Human Rights implications.

## **7. Standard References**

- 7.1 There are no particular references to the Strategic Plan; consultation or publicity considerations or financial; community safety; health and safety or risk management implications.

## **7. Strategic Plan References**

- 7.1 The Strategic Plan is relevant, in particular in contributing towards priorities under the themes:
- Creating safe, healthy and active communities;
  - Growing a fair economy so everyone benefits; and
  - Delivering homes for people who need them.

## **8. Consultation**

- 8.1 Public consultation on the LDS is not specifically required by the Regulations. Each document highlighted in the LDS will be subject to specific public consultation in line with the statutory regulations and the Council's Statement of Community Involvement (SCI) at the appropriate time. Attention could well be focused on plans listed in the LDS resulting in publicity for the Council.

## **9. Publicity Considerations**

- 9.1 The LDS will be published on the Council's website but is not expected to generate publicity for the Council.

## **10. Financial implications**

- 10.1 None.

## **11. Health, Wellbeing and Community Safety Implications**

- 11.1 None.

## **12. Health and Safety Implications**

- 12.1 None.

## **13. Risk Management Implications**

- 13.1 None.

## **14. Environmental and Sustainable Implications**

- 14.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. The purpose of the planning system is to contribute to the achievement of sustainable development as defined in the National Planning Policy Framework. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social and environmental objectives.
- 14.2 Each Development Plan Document will take into account the Climate Emergency sustainable developments objectives set out in the NPPF.

## **Appendices**

### **Appendix A – Local Development Scheme February 2023**