



Colchester's Local Development Scheme

2016 – 2019

August 2016

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1. Introduction

The Local Development Scheme (LDS) sets out the council's timetable for adopting new plans to guide development in the Borough. This LDS covers the period 2016 to 2019.

Colchester Borough Council first adopted a Local Development Scheme (LDS) in May 2005 with various revisions published since then. The latest revision was in September 2013 which this current version (December 2015) now supersedes. Earlier versions of the Colchester LDS were prepared under the requirements of the 2004 Planning and Compulsory Purchase Act and The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.

Since 2011, the production of an LDS has been guided by the requirements of the Localism Act 2011, section 111 which amended section 15 of the 2004 Planning and Compulsory Purchase Act and is supported by the Town and Country Planning (Local Planning) (England) Regulations 2012.

Documents to be produced

The Local Development Scheme will;

- Provide a brief description of all the Local Plan documents, and Neighbourhood Plans to be prepared and the content and geographical area to which they relate.
- Explain how the different documents relate to each other, and especially how they relate to the adopted and forthcoming Local Plan.
- Set out the timetable for producing Local Plan documents – giving the timings for the achievement of the following milestones:
 - consulting statutory bodies on the scope of the Sustainability Appraisal
 - publication of the document
 - submission of the document
 - adoption of the document
- Provide information on related planning documents outside the formal Local Plan, including the Statement of Community Involvement, Authority Monitoring Report and adopted guidance.

Review of the LDS

Progress of the scheme is reviewed at least annually as part of the Colchester Borough Council Authority Monitoring Report (usually published each December).

2. Planning context

The Council has a good record in meeting the milestones set out in the earlier versions of the LDS and our past delivery rates inform the future programme for the preparation of Local Plan documents up the end of 2019.

Earlier plans were completed further to the provisions of the Planning and Compulsory Framework Act 2004 and were known as Local Development Framework documents. Under this Act, Colchester adopted a full suite of Local Development Framework documents, including a Core Strategy (2008), Development Policies (2010) and Site Allocations (2010).

Following a change of government in 2010, a new set of Town and County Planning (Local Planning) (England) Regulations came into force in April 2012 (and amended in November 2012) and these revert to the former terminology of a 'Local Plan'. The purpose of the documents, however, remains the same whether they are called Local Development Frameworks or Local Plans.

Local Plans need to be in conformity with national policy as set out in the National Planning Policy Framework (March 2012), with further guidance in the regularly updated Planning Practice Guidance available online.
<http://planningguidance.planningportal.gov.uk/>

The Council completed a Focussed Review of its Local Plan documents in July 2014 to bring selected policies into conformity with the NPPF.

For minerals and waste matters, Essex County Council are the authority responsible for production of the Waste and Minerals Local Plans, which form part of the Development Plan. At present the adopted plan for Essex is;

- The Essex Minerals Local Plan (2014)
- Waste Local Plan (2001) (pre-submission consultation for Revised Waste Plan programmed 2016)

More details on the waste and minerals development document can be found on the Essex County Council website www.essex.gov.uk following the links from planning to minerals and waste policy.

3. Documents to be prepared during 2016 to 2019- overview

(see separate table – to be inserted)

Phasing of work for Local Plan documents

The Project Chart at the front of this document shows the main milestones as set out in the Regulations for the production of each of the documents we intend to prepare in the next three years. The tables later in the document set out each stage of plan preparation and the amount of time the Council expects each stage to be completed. The LDS is kept under review to reflect any changes in local circumstance and/or Government policy.

The Town and Country Planning (Local Planning) (England) Regulations 2012 came into force on 6 April 2012 and provide the guidance for the production of Local Plans and associated documents in England.

New Local Plan

The Council is undertaking a thorough review of its adopted policies and allocations which will result in a new Local Plan to guide development until 2033 and beyond. An Issues and Options consultation was carried out in January/February 2015, with Preferred Options consultation in summer 2016 and submission in 2017.

Community Infrastructure Levy

Colchester Borough Council expects to progress adoption of a Community Infrastructure Levy Charging Schedule in tandem with the Local Plan. Adoption of a Charging Schedule will allow the Council to charge a standard levy to some developments to fund additional infrastructure.

Neighbourhood Planning

The Localism Act 2011 and the publication of the NPPF in March 2012 placed greater emphasis on developing plans at the local level through Neighbourhood Planning. Neighbourhood Plans are to be produced by local communities and once complete (subject to examination and local referendum) they can become part of the local authorities' development plan and have a significant influence on the future growth and development of particular areas.

The first stage of developing a Neighbourhood Plan is to designate a neighbourhood area. A number of parishes in Colchester have now achieved this stage, as shown below. Once a neighbourhood area has been agreed, preparation of a neighbourhood plan can be carried out by a parish or town council, or in the case of unparished areas, a neighbourhood forum. Further Neighbourhood Plans will be added as required when they are brought forward by local communities when the LDS is revised in future.

Area	Date Area agreed	Current Stage
Boxted	October 2012	Referendum scheduled 15.9.16
Myland and Braiswick	January 2013	Referendum scheduled

		15.9.16
West Bergholt	July 2013	Preparation of draft plan
Wivenhoe	July 2013	Pre-submission plan published
Tiptree	February 2015	Preparation of draft plan
Stanway	June 2014	Preparation of draft plan
Eight Ash Green	June 2015	Preparation of draft plan
Copford	August 2015	Preparation of draft plan
Marks Tey	September 2015	Preparation of draft plan

Supplementary Planning Documents

Supplementary Planning Documents supplement policy contained in the Local Plan. They cannot set new policy but are treated as a material consideration in the determination of planning applications across the Borough. Although SPD's are not subject to examination, they are produced in consultation with the community and other interested parties and are still subject to regulations regarding their consultations. In earlier versions of the LDS, the Council was required to specify details of each Supplementary Planning Document intended to be produced. Changes to the Regulations no longer require Supplementary Planning Documents to be included on the LDS. Currently, the only SPD programmed for the next three year period is one on Planning Obligations. Future additional SPDs may however be produced by the Spatial Policy Team, if approved by Local Plan Committee, without formal modification of the LDS because they do not form part of the development plan. Appendix 1 lists the existing SPD documents and the proposed Planning Obligations SPD.

Other Local Development Documents

Statement of Community Involvement (SCI)

The Statement of Community Involvement (SCI) provides a first step in plan making as it outlines the processes for consultation and engagement during the production of future documents of all types. The SCI was originally submitted to the Planning Inspectorate in October 2005 and adopted by the Council in June 2006. It was subject to minor amendments in 2008 following changes to the regulations and was also revised further early in 2011. In January 2013 a further revised SCI was published for consultation which focused primarily on consultation procedures for planning applications. The latest SCI revision was adopted in March 2013 following consideration of the consultation responses.

The production of an SCI is in part governed and directed by guidance and requirements at the national level. Should the regulations change or new examples of best practice be introduced the Council will update the SCI accordingly. At this time, the Council is not aware of any need to update the SCI during the next three year period.

Authority Monitoring Report

The Authority Monitoring Report (AMR) is published each December to show progress with Local Plan targets.

Adopted Guidance Notes

Guidance notes and other documents are produced as required by the Council to assist in explaining protocols, and other technical matters. They are non-statutory documents that are essentially informative and may be used to assist the determination of planning applications or in other areas where planning decisions are required. These include guidance on topics such as air quality, contaminated land and archaeology. They may also contain site specific guidance. The current Guidance Notes are listed in Appendix 1 and information on additional guidance will be added as it is completed to the Council's Adopted Guidance webpage.

This chart illustrates the amount of time assumed to be required for each phase of plan making. (Please note the timings below are indicative only and reference should be made to the LDS Project Chart and profiles for specific details and timescales)

4. Local Plan Documents to be prepared during 2016 to 2019- detailed profiles

Details of the documents we intend to produce in the next three years follow in the tables below. The timetable for the production of documents reflects previous experience. The Planning Inspectorate (PINS) are also consulted about the production timetable specifically with regards to documents which require submission of the document to the Secretary of State and a formal examination in public.

Local Plan

Subject and Scope	This document will develop the overall strategic objectives and areas for growth in the Borough. The Local Plan will combine the policies and allocations currently found within the Core Strategy, Development Policies and Site Allocations documents. The Local plan is split into Part 1 (joint strategic plan with Braintree DC and Tendring DC) and Part 2 (specific to Colchester)
Geographical area	All Colchester Borough and cross border work with Tendring and Braintree
Status	Local Plan document
Chain of conformity	Must be in conformity with the National Planning Policy Framework.
Timetable for production	
Document preparation-overall timeframe including work to date	January 2014 – October 2017
Member approval – Preferred Options	July 2016
Consultation on Preferred Options and Sustainability Appraisal	July - September 2016
Member approval – Submission Draft	January 2017
Publication Draft of Local Plan document and Sustainability Appraisal for consultation	February/March 2017
Submission of DPD and summary of comments received to Secretary of State	May 2017
Independent examination of Part 1	September 2017
Publication of Interim Report	December 2017

Independent examination of Part 2	January/February 2018
Inspector's report	April 2018
Consultation on modifications	July/August 2018
Adoption	September 2018
Production arrangements	Led by Spatial Policy group; input from all internal CBC service groups and Essex County Council as appropriate. The SCI outlines how external parties and members of the public will be involved.
Timetable for review	The Local Plan Full review will set the overall spatial strategy for the Borough and will be reviewed within 5 – 10 years of adoption.

Strategic Growth Development Plan Document(s)

Subject and Scope	This document(s) will include policies and allocations to support strategic allocations for new development. These are likely to be Joint Plans produced with Tendring DC and/or Braintree DC
Geographical area	As specified in the Local Plan. Preferred Options show broad locations to the east and west of Colchester
Status	Local Development Plan Document
Chain of conformity	Must conform with the broad allocations in the Colchester Local Plan and the relevant Local Plan of adjacent local authorities if appropriate. The plan will update the allocations for the relevant area of the Borough. .
Timetable for production	
Document preparation	January 2016 – April 2017. Some community engagement in this period.
Member Approval – Preferred options	May 2017
Publication and 6 week consultation	June/July 2017
Member Approval – Submission document	January 2018
Pre-Submission consultation	February/March 2018
Submission of DPD and summary of comments received to Secretary of State	May 2018
Independent examination	August/September 2018
Inspector's report	November 2018
Consultation on modifications	January/February 2019
Adoption	March 2019
Production arrangements	Spatial Policy group in CBC will lead with input from internal CBC service groups, adjacent local authorities and Essex County Council as appropriate. The SCI has determined how external parties and members of the public will be involved.
Timetable for review	The Authority Monitoring Report (AMR) will assess the effectiveness of the policies and allocations.

Community Infrastructure Levy

Subject and Scope	Community Infrastructure Levy
Geographical area	Colchester Borough
Status	CIL charging schedule, governance arrangements, implementation plan, installment policy and other associated documents
Chain of conformity	Must conform with Local Plan as well as the NPPF.
Timetable for production	
Previous consultation on draft documents	July – September 2011 and November – December 2011
Member Approval of draft Schedule	February 2016
Publication and 6 week consultation	March/April 2016
Submission of Charging Schedule and summary of comments received to Secretary of State	May 2017 to align with Local Plan submission timeframe
Independent examination	March 2018
Inspector's report	April 2018
Consult on Modifications	July/August 2018
Adoption	September 2018
Production arrangements	Spatial Policy group. Input from internal CBC service groups and Essex County Council as required.
Timetable for review	It is anticipated that the regulation 123 list (infrastructure items) will be reviewed and updated as required on an annual basis. The charging schedule and other CIL documents will be reviewed as required. The Annual Monitoring Report (AMR) will assess the effectiveness of CIL charges.

Authority Monitoring Report

Subject and Scope	This document provides an analysis of how the Colchester planning policies are performing against a range of established indicators.
Geographical area	Colchester Borough
Status	Annual production, non-statutory but meets need to show evaluation of policies.
Chain of conformity	None
Timetable for production – same process followed each year	
Project work	September – November
Member Approval	December
Publication	December
Production arrangements	Spatial Policy group. Input from internal CBC service groups and Essex County Council as required.
Timetable for review	The AMR is produced in the autumn of each year and is presented to the last Local Plan Committee meeting in the calendar year.

Supplementary Planning Documents to be adopted

Planning Obligations SPD	
Title	Planning Obligations SPD
Role and content	To provide further details on the collection of the planning obligations received by the Council as a result of planned developments across the Borough.
Status	SPD
Chain of conformity	The SPD will support the policies within the Local Plan and the Community Infrastructure Levy
Geographic coverage	Whole Borough
Timetable and milestones in months:	<ul style="list-style-type: none">• Member approval for consultation – Feb. 2016• Public consultation – February/March 2017• Adoption – July 2017
Arrangements for production	Colchester Borough Council (CBC) to lead with significant input from Essex County Council. Public consultation to include a press release, advertisement and letters/emails.
Post production - Monitoring and review mechanisms	CBC to monitor after adoption through a review of planning applications.

5. Evidence Base

The 'evidence base' is a key feature of the Colchester Local Plan. It seeks to ensure that the development plan's proposals and policies are soundly based. To ensure this a number of specialist studies and other research projects are, or will be undertaken. These will also be important in monitoring and review, as required by the AMR.

Some documents will also be published that are not specifically for planning purposes but are important in informing the process (eg. the Colchester Borough Council's Strategic Plan and other service strategies).

Each document will be made publically available at the appropriate time in the process, usually on the Council's website (www.colchester.gov.uk). All will be made available at the relevant examination. These documents will be reviewed in the AMR to see if they need to be reviewed or withdrawn. Other documents may also be produced as needed during the process.

The table on the following pages identifies the reports and studies that will be used to provide a robust and credible evidence base for the Local Plan. This list will be added to if additional work is required.

Integration with other Strategies

The Local Plan has a key role in providing a spatial dimension for many other strategies and helping their co-ordination and delivery. The Council works closely with other public bodies and stakeholders to satisfy the Duty to Co-operate on strategic matters and the evidence base reflects collaborative working with other authorities and stakeholders as needed.

Documents to be produced as Evidence Base for Local Plan Documents

Title	Purpose and Scope	Timescale and review
Strategic Environmental Assessment & Sustainability Appraisal	To provide sound evidence base for all documents (except some guidance notes).	Sustainability Appraisal work will be undertaken alongside the formulation of policy documents.
Townscape Character Study	To provide a sound basis for the SHLAA and built environment policies.	Completed June 2006.
Strategic Housing Land Availability Assessment	To provide evidence for housing land availability and distribution in relation to Local Plan requirements.	Completed Dec. 2015
Strategic Housing Market Assessment (SHMA)	Joint study with Braintree, Tendring and Chelmsford Councils. This updates the SHMA for Colchester undertaken in 2008. It assesses local housing markets and provides evidence on Objectively Assessed Housing Need. Ongoing work as required.	Completed July 2015. Further work on Affordable Housing need completed Dec. 2015.
Employment Land Needs Assessment	The study looks at existing sites and future needs to at least 2032. Further detailed work to be undertaken to inform Local plan production	Completed January 2015 2016
Retail study	The study analyses retail catchment areas and capacity to assess shopping patterns and assess the future capacity for retail floorspace in the Borough. Further work required to inform the Local Plan and ensure most up to date information is used.	Report completed March 2013 2016
Infrastructure Delivery Plan	To assess capacity and requirements for infrastructure to support growth to 2032	Work to be completed in phases- initial work to inform Preferred Options June 2016, further phase to inform submission document January 2017
Landscape Character Assessment	To provide evidence for countryside strategies and housing allocations.	Assessment completed November 2005.
Haven Gateway Green Infrastructure Study (HAGGIS).	To ensure there are sufficient open space, sport and recreational facilities, that they are in the right places, are of high quality, attractive to users and well managed and maintained.	Study completed April 2008.

Colchester Green Infrastructure Study	To provide additional detail at the local level	Work completed in October 2011.
PPG17 Study	To assess provision and requirements for open space and indoor/outdoor recreational facilities to 2021	PPG17 Study completed February 2008.
Sports Pitches and Indoor Sports Facilities Strategy	To update the PPG17 study and assess requirements for playing pitches and indoor sports facilities	July 2015
Strategic Flood Risk Assessment	To update 2007 and recommend mitigation measures	Completed December 2015
Water Cycle Study	To assess provision and need for water and waste infrastructure	Spring 2016
Transport Model for Colchester	To enable area-wide traffic and public transport modelling to take place including the future traffic scenarios to be predicted and transport solution to be tested Further work required for Preferred Options	December 2015 2016
East Transit Corridor study	To investigate options for a high-speed, high-frequency public transport link between the University, East Colchester regeneration area and the Town Centre.	Initial stage of feasibility study complete Nov. 2015
Review of Local Wildlife Sites	Update 2008 review of existing local wildlife sites	Review of 2008 work to be completed December 2015
Historic Environment Characterisation	This project design presents a programme of work to characterise the historic environment of Colchester Borough	Work completed November 2008.
CIL Viability work	To assess the impact of a Community Infrastructure Levy on the viability of schemes across the Borough	Initial work commenced in 2011, further analysis to be completed in 2016
Demographic and Household Projections	To inform decisions on future Borough growth and Objectively Assessed Housing Need. Joint Essex project led by Essex Planning Officers Association	Phase 7 work published May 2015
Essex Wide Gypsy and Traveller Accommodation Needs Assessment	An Essex wide study commissioned by the Essex Planning Officers Association to provide information on the appropriate number of gypsy and traveller pitches to be provided	Completed in Nov 2009. Review completed Summer 2014. Further work underway reflecting national changes.

6. Monitoring and review

Monitoring

The development plan system is a continuous process with monitoring and review being fundamental aspects to the delivery of a successful plan. Since the introduction of the Planning and Compulsory Purchase Act 2004, it has been a requirement that an Authority Monitoring Report (AMR) will be published by the end of December each year. The AMR has been used to inform the review of this Local Development Scheme.

The AMR will analyse the period of the previous April to March of the current year. The report will:

- Set out how the Council is performing in the production of documents against the timescales and milestones set out in the previous years LDS;
- Provide information on how the strategies/policies/targets in the Local Plan are being achieved;
- Advise on whether any documents need reviewing;
- Review progress on SPDs and whether any new ones are required or old ones withdrawn or reviewed;
- Advise on the need to update the LDS as appropriate; and
- Provide information on the ‘State of the Borough’.

As required by the Regulations, the LDS will be monitored annually, informed by the AMR and a report produced and submitted to the Local Plan Committee for revision should changes be required.

Review of Local Plan Documents

Following the initial adoption of development plan document, it is anticipated that subsequent reviews will be in the form of a rolling programme following recommendations from the Local Plan Committee.

The AMR will provide information regarding the performance of each document as well as identifying areas where strategies/policies/targets are not being achieved. The outcomes will be dependent on a variety of influences such as changes to Government policy or pressures for development(s) across the Borough.

7. Resources and Risk Assessment

Professional Officer Input

The Local Plan process will be led by the Spatial Policy Team as part of Commercial Services at Colchester Borough Council.

The Spatial Policy Team consists of Planning Policy and Transportation Policy, lead by the Place Strategy Manager who will be responsible for the overall project and policy direction. The team also includes a planning policy manager and four planning officers, who will be responsible for various elements of the Local Plan process and policy. Transportation officers will also be heavily involved in the production of the Local Plan, working alongside colleagues from Essex County Council.

Additional staff resources will be brought in to the process from time to time as required from other professional groups within the Council and outside agencies as follows:

Commercial Services

Housing Policy,
Enterprise,
Regeneration,
Leisure, Tourism and Cultural services.

Other CBC Services

Development Management,
Environmental Protection,
Research and Engagement,
Community Strategies,
Operational Services,
Elections.

Others

Highways England (strategic highways matters)
Essex County Council (other highway matters, education, planning etc)
Rural Community Council for Essex (to promote/facilitate links with parish councils)
Consultants have been commissioned to develop elements of the evidence base and this is continuing.

Consultee groups

The Statement of Community Involvement sets out in detail who we will consult and at what stage in the production of all documents. The SCI covers both plan making and decision taking so all aspects of the Council's statutory planning functions have been included within the SCI.

Risk Assessment

Risks

There are several factors which may impact upon the ability of the Council to keep to the timetable for the production of documents. The table below considers and deals with the main risks.

Issue and level of Risk	Comment and proposed mitigating measures
Significant public opposition to plan proposals. High Risk, Medium Impact	The production of the Local Plan and specifically the allocation of land is likely to be contentious. Whilst every effort will be made to build cross-community consensus, there is a high risk of significant public opposition.
Inability of PINS to deliver examinations/reports to timetable. Low Risk, Medium Impact	The capacity of the Planning Inspectorate is an issue given the demands on its limited resources. There is also uncertainty as to the Government's plans for planning policy. PINS may not be able to provide Inspectors at the appropriate times. If problems do occur, caused by factors outside the council's control, we may have to accept some slippage of the timetable. The LDS would need to be amended accordingly.
Loss/turnover of staff Medium Risk, High Impact	The Spatial Policy Team have benefitted from low turnover in recent years, but there is currently a national shortage of planning officers.
Financial shortfall Medium Risk, High Impact	Any review of documents is a costly exercise, involving preparation of an evidence base, production of documents, consultation and examination. In previous years the Council has allocated funds through the Housing & Planning Delivery Grant (HPDG) and its Service and Financial Planning process to allow for the preparation of the Local Plan. In the longer term no HPDG funding is available. Additional Council expenditure will be subject to scrutiny. Examination costs may inflate due to the length/complexity of the Examination. This will be kept under review.
Changing Political Priorities High Risk, Medium Impact	This document has been considered and approved by Local Plan Committee which has a cross party representation of members. Elections in the borough could result in political changes and/or there could be changing priorities. Any future changes in the documents to be produced can be dealt with at the annual review.

Legal Challenge	A legal challenge may be lodged to any document within six week of adoption. The degree to which this will happen is uncertain due to the untried nature of the system emerging. However, a challenge will only succeed if the Council (or Inspector) has made a mistake in procedure or in fact.
Low Risk, High Impact	To avoid a legal challenge, every effort will be made to ensure that procedures are followed and facts are correct.

Appendix 1

SUPPLEMENTARY PLANNING GUIDANCE/DOCUMENTS AND PLANNING GUIDANCE NOTES Status and Programme as at December 2015

Existing Supplementary Planning Documents

Subject	Approval Date
Extending Your House	November 2005
Provision of Open Space, Sport and Recreational Facilities	July 2006
Backland and Infill Development	December 2010
Community Facilities	September 2009, revised July 2013
Car Parking Standards (ECC)	September 2009
Shop front Design Guide	June 2011
Affordable Housing	August 2011
Cycling Delivery Strategy	January 2012
North Colchester Growth Area	June 2012
Street Services	October 2012
Better Town Centre	December 2012
Sustainable Drainage Systems Design Guide	April 2015

Proposed Supplementary Planning Documents

Planning Obligations Guidance (to align with Community Infrastructure Levy Charging Schedule)	Adoption 2017
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Existing Guidance Notes

Subject	Approval Date
Dedham Village Design Statement	November 2007
Langham Village Design Statement	November 2007
Wivenhoe Town Plan	October 2008
Boxted Joint VDS and Parish Plan	June 2010
Little Horkesley Village Design Statement	August 2010
Myland Design Statement	August 2010
West Bergholt Parish Plan	December 2010
Stanway Joint Design Statement and Parish Plan	March 2011
West Bergholt Village Design Statement	December 2010
Dedham Parish Plan	December 2011
Eight Ash Green Parish Plan	July 2011

Eight Ash Green Village Design Statement	November 2013
Essex Design Guide and Urban Place Supplement (ECC)	Published 1997 (Design Guide), Urban Plan Supplement (2005)
Dedham Vale AONB Management Plan	2004, revised 2010
Essex County Council Rights of Way Guidance	January 2011
Air Quality Management Guidance Note	August 2012
Tollgate Vision Statement	July 2013
Stanway Southern Sites Access Development Brief	December 2013
Developing a Landscape for the Future	September 2013
Essex County Hospital Design Brief	December 2014
Magdalen Street Development Brief	February 2014
Magdalen Street Sidings Development Brief	August 2014
Archaeology Guidance	October 2015