



## Local Plan Committee

30 June 2014

Item  
**10**

Report of	Head of Commercial Services	Author	Sarah Pullin ☎ 508639
Title	Adoption of the Local Plan Focused Review		
Wards affected	All		

**The Local Plan Committee is asked to recommend that Full Council adopts the Local Plan Focused Review, incorporating the Planning Inspector's Main Modifications**

### 1. Decision(s) Required

- 1.1 To recommend to Full Council that it adopts the Focused Review of the Local Plan, incorporating the Planning Inspector's Main Modifications. Once adopted, the Focused Review will become part of Colchester Borough Council's Local Development Plan, replacing some of the policies in the existing Core Strategy and Development Policies DPD.
- 1.2 For the Committee to delegate authority to the Place Strategy Manager to make minor revisions to the document prior to publication.

### 2. Reasons for Decision(s)

- 2.1 To ensure the Council's planning policies provide a robust basis for decisions on future planning applications in the Borough.

### 3. Alternative Options

- 3.1 The alternative would be to recommend to Full Council that it does not adopt the Local Plan Focused Review. The Council would then, however, miss the opportunity to bring selected policies into conformity with national policy.

### 4. Supporting Information

- 4.1 At its 28 January 2013 meeting, the Local Plan Committee agreed, in principle, to undertake a focused review of its planning policies to update them to comply with the National Planning Policy Framework (NPPF). Paragraph 12 of the NPPF states that 'it is highly desirable that local planning authorities should have an up-to-date plan in place.'
- 4.2 Colchester's strategy for maintaining an up-to-date plan entails a two-stage approach. The Focused Review is the first stage of the process; involving a limited review of policies which could be readily amended without the need to prepare extensive new evidence. The second stage is the Full Review, or new Local Plan, which will include amendments to the spatial strategy; housing and employment targets; and site allocations. Evidence base work is now underway for the Full Review, and it is anticipated that Issues and Options consultation will take place in early 2015, with adoption programmed for 2017.

- 4.3 The policies amended by the Focused Review will replace the previous versions of these policies contained within the adopted Core Strategy 2008 and the Development Policies Document (2010). All other policies will remain unchanged and have not been tested as part of the Focused Review examination process. All the policies contained within the Core Strategy, Site Allocations DPD, Development Policies DPD and Local Plan Focused Review will be replaced through the Full Review process, with a new, comprehensive, Local Plan.
- 4.4 On 11 March 2013, the Local Plan Committee approved an Issues and Options consultation for the Local Plan Focused Review process. On 29 July 2013 the Committee agreed the content of the Submission Draft Focused Review of the Local Plan and to the publication and consultation of the document and supporting documents. The Committee also agreed to the submission of the document to the Secretary of State for examination, following the close of consultation.
- 4.5 The Local Plan Focused Review was submitted to the Planning Inspectorate for examination, on behalf of the Secretary of State, on 31 October 2013. Planning Inspector Simon Emerson was appointed to undertake the examination. Following submission, the Council carried out a further pre-hearing consultation at the request of the Planning Inspector, and the consultation responses were sent to the Inspector for his consideration. The examination hearing sessions took place on 8 January 2014 and were followed by a further round of post-hearings consultation. The post-hearing consultation responses were forwarded to the Planning Inspector for his consideration.
- 4.6 On 8 May 2014, the Council received the Planning Inspector's report. The Inspector found the Local Plan Focused Review to be sound, subject to a Schedule of Main Modifications attached to the Inspector's report.
- 4.7 The main change to the Focused Review document, brought about by the Schedule of Main Modifications, is the removal of all the employment and centres/retail policies from the Focused Review. The result of this is that these policies will not be replaced by policies in the Focused Review. The existing employment and centres policies are unchanged, and remain as they exist in the Core Strategy and Development Policies DPD. The Council will continue to use its adopted Centres and Employment policies in the determination of planning applications.
- 4.8 The main changes that the Focused Review (as modified) will bring to the Council's Local Development Plan can be summarised as follows:

**Sustainable development** –the Government's model policy has been added to the policy. This picks up the NPPF's presumption in favour of sustainable development (Core Strategy Policy SD1)

**Changes to the system of planning obligations and introduction of the Community Infrastructure Levy** – the text has been modified to reflect latest guidance on planning contributions to both on-site and strategic infrastructure improvements (Core Strategy Policies SD2, SD3 and Development Policy DP3)

**Affordable housing** –the policy on affordable housing will be modified to comply with the NPPF's requirements to pay careful attention to viability and costs in plan-making and decision-taking. Viability also relates to the changing economic circumstances since the policy was adopted in 2008 (Core Strategy Policy H4)

**Housing density and mix** - tables on density and housing mix are proposed for deletion since they do not adequately reflect particular site constraints and requirements and accordingly may not fully accord with the greater flexibility provided in the NPPF (Core Strategy Policies H2 and H3).

**Neighbourhood Planning** – policies now include references where appropriate to the new system of Neighbourhood Plans (Core Strategy Policy ENV2)

**Rural exception sites** – policies have been modified to allow for a limited degree of market housing on rural exception sites to enable the delivery of affordable housing (Core Strategy Policy H4 and ENV2)

**Rural workers' housing**—a new Core Strategy Policy on rural workers housing has been included to provide guidance that is no longer provided nationally (Core Strategy Policy H6)

**Equestrian uses** -The changes to the rural policies noted above are considered to address the issues previously covered in the detailed policy on equestrian uses (DP24) so the policy is proposed for deletion.

**Minor changes** - a number of references to Planning Policy Statements and other documents that have since been revoked and/or replaced have been removed or updated.

4.9 The Focused Review of the Local Plan is underpinned by a Sustainability Appraisal (SA) which tested the environmental, social and economic performance of the Focused Review policies against a set of sustainability objectives. A Habitats Regulations Assessment (HRA) screening opinion was also prepared to assess the likely significant effects of the Focused Review policies on European Sites. The SA Scoping Report and the HRA Screening Opinion were made available for consultation alongside the Focused Review document.

4.10 Following adoption of the Local Plan Focused Review, notice will be given of its adoption and the document will be published on the Council's website, incorporating the Inspector's Main Modifications, along with supporting documents. Revised versions of the Core Strategy and Development Policies DPD will be produced and published, incorporating the changes resulting from the adoption of the Focused Review. This will clarify and help to simplify Colchester's planning policy position for all those involved in the planning process.

## **5. Proposals**

5.1 It is proposed that the Focused Review of the Local Plan be adopted to form part of the Council's Adopted Local Plan. Following adoption, revised versions of the Core Strategy and Development Policies DPD will be published, incorporating the changes brought into effect by adoption of the Local Plan Focused Review.

## **6. Strategic Plan References**

6.1 The Strategic Plan Action Plan includes a commitment to regenerating the Borough through buildings, employment, leisure and infrastructure. There are also commitments to attract investment and provide more affordable homes. The

Focused Review of the Local Plan will contribute towards achieving these objectives.

## **7. Consultation**

- 7.1 Consultation on the Focused Review was carried out in line with the Council's Statement of Community Involvement and The Town and Country Planning (Local Planning) (England) Regulations 2012, and the consultation process was documented in a Statement of Consultation submitted along with the Focused Review document. No further consultation is required as part of the Focused Review process. On adoption, the document will be made available, and stakeholders will be notified, in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

## **8. Publicity Considerations**

- 8.1 Press releases have been issued at every significant milestone in the Local Plan Focused Review process. News of the adoption of the Local Plan will also be issued for publication and will be published on the Council's website.

## **9. Financial Implications**

- 9.1 The Focused Review has been undertaken within a budget allocated for its production, including updating of evidence documents, consultation and examination.

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

- 10.1 An Equality Impact Assessment has been prepared for the Local Development Framework and is available to view on the Colchester Borough Council website by following this pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Equality and Diversity > Equality Impact Assessments > Commercial Services > Local Development Framework.
- 10.2 There are no particular Human Rights implications.

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

- 11.1 None identified.

## **12. Risk Management Implications**

- 12.1 The Focused Review of the Local Plan will help ensure that the Council's planning policies are robust and up-to-date and help to reduce the risk of inappropriate development being permitted.

## **14. Disclaimer**

- 14.1 The information in this report was, as far as is known, correct at the date of publication. Colchester Borough Council cannot accept responsibility for any error or omissions.