

10 June 2021

Report of	Assistant Director of Place and Client	Author	Bethany Jones
Title	Local Development Scheme		☎ 01206 282541
Wards affected	N/A		

1. Executive Summary

- 1.1 The plan making process is regulated by the Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011 (part 6, Planning, section 111 Local Development Schemes) which governs the production of Development Plan Documents including the Local Development Scheme (LDS) through the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.2 The LDS is an essential 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 February 2019. This reflected changes to the timetable of the Local Plan and Strategic Development DPD as well as several changes to Neighbourhood Plan preparation.
- 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 addition of new Supplementary Planning Documents to be produced following adoption of the Local Plan covering the following topics, Planning Obligations, Affordable Housing, Self and Custom Build and Specialist Housing, Climate Change and Biodiversity.

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 publication on 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 Borough Council first adopted an LDS in May 2005, with various revisions published at regular intervals to reflect changes in governing regulations and work programmes. The LDS was last reviewed by Local Plan Committee in February 2019.
- 5.3 The LDS sets out which documents will form part of the Colchester Local 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.
- 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 three years. Below is a summary of the key dates for planning documents which are further explained within the LDS itself:

- Local Plan
 - Submission – October 2017
 - Examination of Section 1 - January and May 2018, January 2020
 - Modifications Consultation Section 1 – August to October 2020
 - Inspector's Report Section 1 – December 2020
 - Adoption Section 1 – February 2021
 - Examination Section 2 – April 2021
 - Modifications Consultation Section 2 – Summer/Autumn 2021
 - Inspector's Report Section 2 – Autumn/Winter 2021
 - Adoption of Section 2 - Winter 2021
- Planning Obligations SPD – Autumn 2022
- Affordable Housing SPD – Autumn 2022
- Self and Custom Build and Specialist Housing SPD – Autumn 2022
- Climate Change SPD – Winter 2023
- Biodiversity SPD – Winter 2023
- Joint Development Plan Document for Tendring Colchester Borders Garden Community;
 - Issues and Options consultation – Nov 2017- Jan 2018
 - Preferred Options consultation – Winter 2021/22
 - Submission version consultation – Autumn 2022
 - Submission – Winter 2022/23
 - Examination – Winter 2022/23
 - Adoption – Summer/Autumn 2023
- Neighbourhood Planning;

- Boxted – NP Adopted December 2016
- Myland and Braiswick– NP Adopted December 2016
- Myland and Braiswick NP Review –expected adoption date currently unknown
- Wivenhoe – NP Adopted May 2019
- West Bergholt – NP Adopted October 2019
- Eight Ash Green – NP Adopted December 2019
- Marks Tey – Adoption expected Summer 2021
- West Mersea – Adoption expected Autumn 2021
- Tiptree – Adoption expected Spring 2022
- Copford – Adoption expected Summer 2022
- Great Tey – Adoption expected Summer 2022

5.5 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 Local Plan. There are five SPDs programmed for the next three year period, these cover the following topics, Planning Obligations, Affordable Housing, Self and Custom Build and Specialist Housing, Climate Change and Biodiversity. 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. Further SPDs will be considered following adoption of the Local Plan. SPD's cannot come forward in advance of 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 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 Councils 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 June 2021