

8 February 2021

Report of	Assistant Director of Place and Client Services	Author	Karen Syrett
Title	Local Plan Update		☎ 506477
Wards affected	All		

1. Executive Summary

- 1.1 This report is for Members' information and provides an update on the Local Plan.
- 1.2 If the strategic Section 1 of the emerging Local Plan is adopted by Full Council on 1 February 2021 it will provide the basis for proceeding to examination of the Colchester-specific policies and allocations in Section 2 of the Local Plan.
- 1.3 PINS has appointed two Inspectors to deal sequentially with the Section 2 Local Plans of Braintree, Colchester and Tendring. It is expected that the Inspectors will adopt a consistent approach to process and issues raised for each authority. Tendring's examination is scheduled first and will run over 5 sessions, with 2 reserve days, during the weeks commencing 23 February and 2 March 2021. Colchester's examination is provisionally programmed to run over two weeks in April 2021.
- 1.4 Given the expected commonalities between Tendring and Colchester's Section 2 examination, guidance and questions provided to date by the Inspectors for Tendring's examination have been attached as appendices for information.
- 1.5 Alongside work for the Section 2 examination, officers are also commencing work on a framework to guide development in the Tendring Colchester Borders (TCB) Garden Community. The Development Plan Document will determine the boundary of the Garden Community and provide details further to the principles in Section 1 of the Local Plan. The Development Plan Document for TCB will be prepared jointly with Tendring and will become part of the Colchester Local Plan when adopted. It will go through the same formal consultation processes that Sections 1 and 2 of the Local Plan have done and must meet the same high standards of soundness.
- 1.6 Officers are currently agreeing and programming the detailed evidence base and masterplanning work needed to inform the DPD alongside informal engagement, with formal consultation (Regulation 18) programmed for the end of 2021.

2. Recommended Decision

- 2.1 No decision is required since the report is for information only.

3. Reason for Recommended Decision

- 3.1 The Report provides an update on the ongoing project and no decision is required.

4. Alternative Options

- 4.1 The option of not updating Members was rejected given the importance of Members needing to understand the latest position on Local Plan issues.

5. Background Information

- 5.1 Section 1 of the Colchester Local Plan sets out the overarching strategy for future growth across Braintree, Colchester and Tendring, as well as including policies setting the overall housing and employment requirements for North Essex up to 2033. Section 2 of each of the three Local Plans contain more specific local policies and allocations relevant to each individual area. Adoption of the strategic Section 1 of the emerging Local Plan by Full Council on February 2021 provides the basis for proceeding to examination of the Colchester-specific policies and allocations in Section 2 of the Local Plan. As with Section 1, it is expected that examination of Section 2 of the plan will be followed by a six-week consultation on proposed main modifications, as suggested by the Inspectors, and subsequent adoption of the whole plan later in 2021.
- 5.2 The Planning Inspectorate (PINS) has appointed two Inspectors to lead the examinations of the three NEA Section 2 plans, Jameson Bridgwater and Anne Jordan. It is expected that the Inspectors will adopt a consistent approach to process and issues raised for each authority.
- 5.3 Tendring's examination dates have been agreed for five sessions with two reserve sessions to run on the weeks commencing 23 February and 2 March 2021. PINS has provisionally suggested that the Colchester examination sessions will be held over a similar number of sessions during April 2021. These dates are not yet confirmed though and could be subject to change. The Council will contact all those on its Local Plan database as required to update them on the examination and will also ensure the Council's website is updated.
- 5.3 Given the expected commonalities between Tendring and Colchester's Section 2 examination, guidance and questions provided to date by the Inspectors for Tendring's examination have been attached as appendices for information:
- Appendix 1: Examination Guidance Note from the Inspectors
The guidance note sets out standard procedure for examination hearings, which applies nationally to all hearings. In light of COVID-19 restrictions, hearings are now being held virtually.
 - Appendix 2: Virtual Hearings – Inspector's Note to Participants, provides details on procedures for virtual hearings
 - Appendix 3: Matters, Issues And Questions sets out the issues that will be covered at the Tendring examination. These reflect the Inspector's views on matters which require further exploration following their review of the plan and comments made in representations submitted on the plan. The Inspectors will expect the Council to reply to all questions, and for participant replies to be confined to the questions which directly relate to their previously submitted written representations. The first set of questions on Legal Compliance and Overarching Issues directly reflect national requirements for Local Plans and would be expected to be repeated for Colchester's examination. While the questions that follow for Tendring are specific to the issues their policies and allocations raised, the general principles contained in the questions will apply to Colchester policies and allocations as well. The Council will need to demonstrate that the plan is sound using the following criteria found in paragraph 182 of the 2012 National Planning Policy Framework:
 - Positively Prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure

requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

- Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

5.4 Alongside work for the Section 2 examination, officers are also commencing work on a framework to guide development in the Tendring Colchester Borders (TCB) Garden Community. The DPD will determine the boundary of the Garden Community and provide details further to the principles in Section 1 of the Local Plan. The Development Plan Document for TCB will be prepared jointly with Tendring and will become part of the Colchester Local Plan when adopted. It will go through the same formal consultation processes that Sections 1 and 2 of the Local Plan have done and must meet the same high standards of soundness.

5.5 The Council's first step in the DPD process has been the publication in December of a Consultation and Engagement Strategy (attached as Appendix 4). The Strategy outlines the Councils' commitment to involve a wide range of people in the development of planning policies by engaging in a new way – a way that expands on formal consultation requirements and embraces modern, efficient and accessible activities.

5.6 Officers are currently agreeing and programming the detailed evidence base and masterplanning work needed to inform the DPD alongside informal consultation, with formal consultation (Regulation 18) programmed for 2022. A dedicated webpage has been established to provide a central source of information on the Garden Community. [HOME - Tendring/Colchester Borders Garden Community \(tcbgardencommunity.co.uk\)](https://tcbgardencommunity.co.uk)

6. Equality, Diversity and Human Rights implications

6.1 An Equality Impact Assessment has been prepared for the Local Plan, and is available to view by clicking on this link:

<https://cbccrmdata.blob.core.windows.net/noteattachment/Equality%20Impact%20Assessment%20June%202017.pdf>

7. Strategic Plan References

7.1 The Strategic Plan is relevant in particular contributing to priorities under the themes:

- Delivering homes for people who need them; and
- Growing a fair economy so everyone benefits.

8. Consultation

8.1 Consultation on the Local Plan is governed by a comprehensive consultation programme as set out in the Council's Statement of Community Involvement (SCI) and reflecting national regulations.

9. Publicity Considerations

- 9.1 The Council ensures a coordinated and proactive approach to press releases on Local Plan issues given their high level of importance for guiding the future of the Borough and consequential high level of press attention.

10. Financial implications

- 10.1 Staffing, consultation/engagement and evidence base consultant resources for Local Plan work are provided in the Council's budget. Costs for the preparation of the Tendring Colchester Borders Development Plan Document are being shared with Tendring District Council.

11. Health, Wellbeing and Community Safety Implications

- 11.1 Local Plan policies provide a basis for future development that is intended to support the health, wellbeing and community safety of Borough residents.

12. Health and Safety Implications

- 12.1 No direct implications.

13. Risk Management Implications

- 13.1 Development of policies to guide future development in the Borough is intended to reduce the risk of inappropriate development. It will provide consistent advice to landowners, developers, officers, Councillors and members of the public.

Appendices

- Appendix 1- [Examination Guidance Note From The Inspectors](#)
- Appendix 2- [Virtual Hearings - Inspectors' Note to Participants](#)
- Appendix 3 -[Matters, Issues And Questions](#)
- Appendix 4 – Tendring Colchester Borders Consultation and Engagement Strategy

[USEFUL INFORMATION - Tendring/Colchester Borders Garden Community \(tcbgardencommunity.co.uk\)](http://tcbgardencommunity.co.uk)