



Local Plan Committee

Item
7

18 August 2014

Report of	Head of Commercial Services	Author	Karen Syrett ☎ 506477
Title	Local Plan Development		
Wards affected	All		

The Local Plan Committee is asked to note the key plan making principles which will guide development of the Colchester Local Plan to 2032.

1. Decision(s) Required

- 1.1 To note the changes that have been implemented at a national level since the last local plan/local development framework was produced.

2. Reasons for Decision(s)

- 2.1 To ensure members have a thorough understanding of key plan-making principles and the steps that need to be taken to ensure the Council prepares a robust plan which will guide development over the next 15 years.

3. Alternative Options

- 3.1 There is no alternative option; the report is for information only.

4. Supporting Information

- 4.1 There has been a clear message from Government that it wants the planning system to be plan-led. This is reflected in the National Planning Policy Framework (NPPF) which states that "Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise."
- 4.2 Whilst Colchester was pro-active in producing a full suite of Local Development Framework documents, they were produced under an old set of national regulations, policy and guidance. The Focused Review of the Core Strategy allowed us to review certain policies but the remainder of the documents have not been assessed for compliance with the NPPF, other than when they have been used in appeals.
- 4.3 Since the Local Plan was produced there have been significant changes at national level including the publication of the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG); the abolition of Regional Spatial Strategies, which means local authorities are responsible for determining housing numbers; the Localism Act including the Duty to Cooperate and the introduction of Neighbourhood planning.

- 4.4 The NPPF explicitly states planning's principal role as being to help achieve sustainable development. It states that "At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking"
- 4.5 The Committee will be provided with a presentation on these issues which will be key to preparing the new local plan. The presentation will also focus on engagement and the stages that the plan must go through before submission and examination.

5. Proposals

- 5.1 Members are asked to note the changes that have been made to the plan making system in recent years and to use this information when they are considering the plan at different stages of development.

6. Strategic Plan References

- 6.1 The Strategic Plan Action Plan includes a commitment to being cleaner and greener; listening and responding and promoting sustainability and reducing congestion.

7. Consultation

- 7.1 Not applicable at this stage.

8. Publicity Considerations

- 8.1 Not applicable at this stage.

9. Financial Implications

- 9.1 A budget has been provided for producing a new Local Plan.

10. Equality, Diversity and Human Rights/Health and Safety and Community Safety Implications

- 10.1 None identified.

11. Risk Management Implications

- 11.1 Ensuring members are fully briefed on planning issues will help reduce the risk of an unsound plan.

12. Disclaimer

- 12.1 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.



Getting your Plan in Place

Colchester Borough Council

www.pas.gov.uk

Context

“Local Plans are the key to delivering sustainable development that reflects the vision and aspirations of local communities. Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise”

National Planning Policy Framework

Potential implications?



VS



"End of NPPF transition period is no cause for alarm"

Nick Boles

Source: Planning Resource,
March 2013

Why good plan-making matters

- Having a robust Local Plan in place helps to:
 - Move from plan-making to place-shaping;
 - Provide certainty for communities and developers;
 - Focus council on delivery;
 - Access more funding and attract investment;
 - Manage conflict!

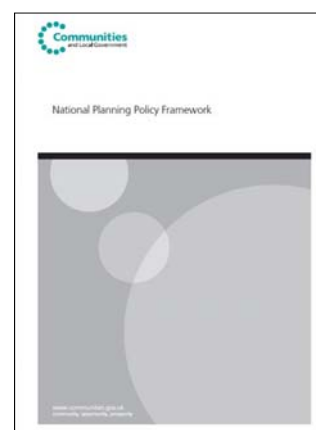


Planning reform

- National Planning Policy Framework (NPPF)
 - National Planning Policy Guidance (NPPG)
 - Abolition of Regional Spatial Strategies → local authorities responsible for determining housing numbers
 - Localism Act including the Duty to Cooperate
 - Neighbourhood planning
-

NPPF and planning

- Emphasises that sustainable development should be about positive growth – making economic, environmental and social progress for this and future generations
- Emphasises central role of Local Plans in planning system



Key principles of the NPPF

- Local plans should:

“meet **objectively assessed needs**, with sufficient flexibility to adapt to rapid change”

NPPF

Unless....

- “...any adverse impacts of allowing development would **significantly and demonstrably** outweigh the benefits, when assessed against the policies in the Framework taken as a whole”

NPPF

Remember – still a presumption in favour of the plan

Implications / risks of not having an up-to-date Local Plan in place

- Difficult to defend inappropriate development
 - Priority in favour of 'sustainable development'
 - Increased 'planning by appeal' likely
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Duty to Cooperate

- Introduced by Localism Act
 - New tool for delivering strategic planning at local level
 - **Requires** councils and public bodies to engage constructively, actively and on an ongoing basis in relation to planning for strategic issues
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Neighbourhood planning

- Localism Act introduced new right for communities to draw up neighbourhood plans
- “Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible”

NPPF

The role of Elected Members



The role of Members

- A vital **leadership** role to play to produce a **robust** Local Plan for your area that has **buy in** from all parties
 - Key challenge is to listen to the views and aspirations of your constituents and **balance** this with the professional advice of your planning staff in order to **plan** for, and **meet**, the **development needs of your area**
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The role of Members

- Leadership
 - Understanding your issues
 - Setting the vision & objectives
 - Setting priorities
 - Making decisions & understanding implications
 - Agreeing programmes & resources
 - Engagement / community accountability
 - Working with other authorities and agencies
 - Scrutiny and monitoring
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Key relationships

- Key relationships:
 - Local Plan Committee
 - Cabinet Members esp. Portfolio Holder
 - Other Members and officers



Developing a sound plan

- ✓ Address the key priorities for the area
- ✓ Plan positively
- ✓ Develop a robust and credible evidence base
- ✓ Co-operate with neighbouring areas
- ✓ Focus on reasonable alternatives
- ✓ Undertake comprehensive Sustainability Appraisal
- ✓ Stakeholder engagement
- ✓ Viable and deliverable in practice

Plan Making Stages

- Effective project planning is critical to delivery of robust Local Plan
 - A good project plan should identify:
 - Key stages
 - Actions
 - Roles & Responsibilities
 - Indicative timetable
 - Resources
 - Costs
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Stakeholder Engagement

- Requirement of planning legislation
 - Helps to create more realistic & deliverable plans
 - Views & knowledge of community form an important part of the Local Plan evidence
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Benefits to Engagement

- Address conflicts early on
 - Build wider sense of plan ownership
 - Local people = local area experts
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Engagement

“A lot of people object to new development because they assume that the outcome will be buildings that are at best characterless, cheap in everything except price”.

Policy Exchange

Who to engage?

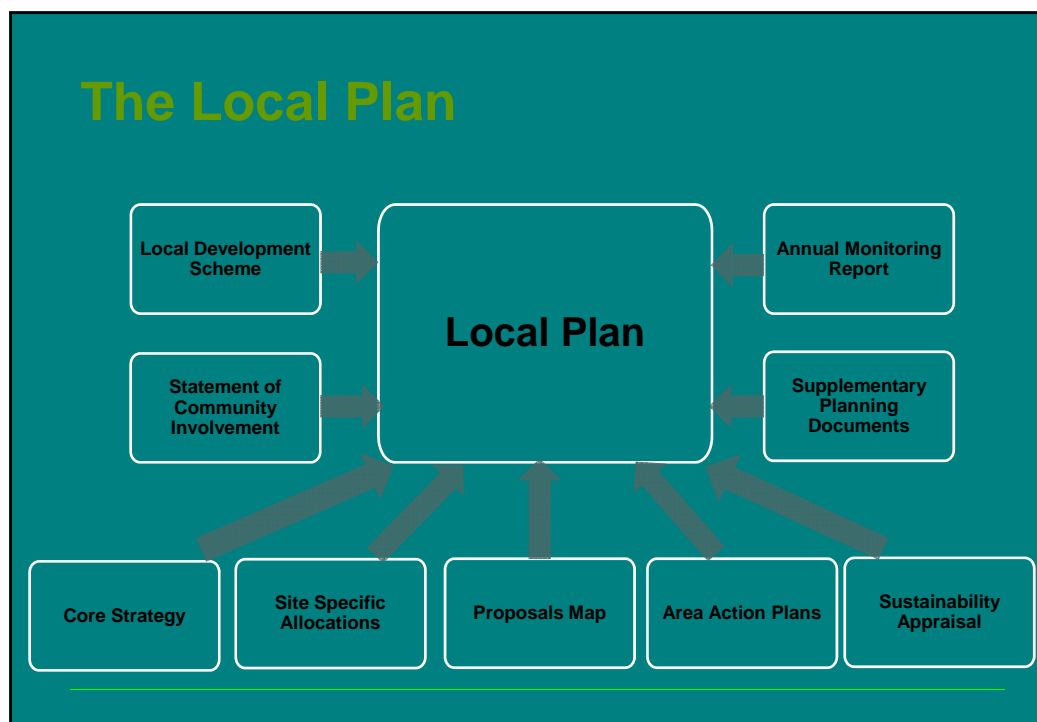
- **Neighbouring Planning Authorities:** DtC
 - **Regulatory agencies:** The Environment Agency, English Heritage, Natural England
 - **Physical infrastructure delivery agencies:** highways authority, Highways Agency, utilities companies, Network Rail, public transport providers, airport operators
 - **Social infrastructure delivery agencies:** local authority education dept, social services, primary care trust, strategic health authority, the Police, charities/NGOs
 - **Major landowners** including the local authority itself and government departments and agencies
 - **Housebuilders** and other developers
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How to Engage

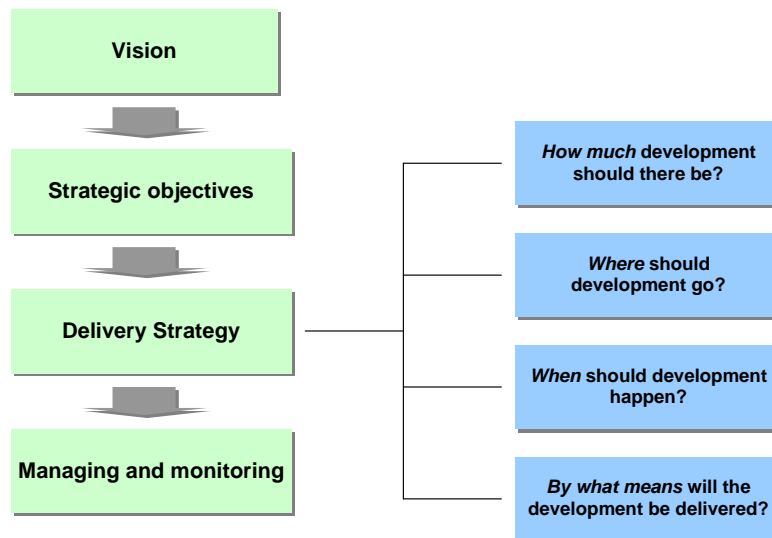
- **Early** and **continuous** engagement
 - Understand the organisation
 - Identify responsible individuals
 - Invest in creating partnerships
 - Find out what others feel the Local Plan can do for them
 - Use interactive sessions
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What should the plan look like?

- Aspirational but realistic
- Address the **spatial** implications of economic, social and environmental change
- Set out the **opportunities** for development
- Contain **clear** policies on what will or will not be permitted and where



What should the plan contain?



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Address the key priorities for the area

- Local Plans should “reflect a **collective vision** and a set of **agreed priorities** for the sustainable development of the area”
- “Local Plans should be **aspirational but realistic**”



Source: www.landscapeinstitute.org

NPPF

Useful policies

- “Local Plans should set out the opportunities for development and clear policies on what will or will not be permitted and where. Only policies that provide a **clear indication of how a decision maker should react** to a development proposal should be included in the plan”

NPPF

Policies should cover...

- “the homes and jobs needed in the area”
- “the provision of retail, leisure and other commercial development”
- “the provision of infrastructure”
- “the provision of health, security, community and cultural infrastructure and other local facilities”
- “climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape”

NPPF

Plan philosophy

- Local Plans should “**plan positively** for the development and infrastructure required in the area”

NPPF



Source: www.nottingham.ac.uk/transportissues/

Reasonable alternatives

- In March 2011, the UK High Court ruled that part of the Forest Heath District Core Strategy must be quashed because the Environmental Report failed to present... **“an accurate picture of what reasonable alternatives there are and why they are not considered to be the best option”**...in relation to an urban extension to the district’s main town

Save Historic Newmarket Ltd v. Forest Heath District Council [2011] EWHC 606, a challenge under s.113 of the Planning and Compulsory Purchase Act 2004 to the adopted Forest Heath Core Strategy
