



# LOCAL DEVELOPMENT SCHEME

Colchester City Council's  
Local Development  
Scheme 2023-2028

February 2023



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## 1. Introduction

The Local Development Scheme (LDS) sets out the Council's timetable for adopting new planning documents which will help guide development across the City. This LDS covers the period 2023 to 2028.

Colchester City Council first adopted an LDS in May 2005 with various revisions published since then. The latest revision was in June 2021 which this current version (January 2023) now supersedes. Since 2011 the production of an LDS has been guided by the requirements of s.111 of the Localism Act 2011 which amended s.15 of the Planning and Compulsory Purchase Act 2004 and is further supported by the Town and Country Planning (Local Planning) (England) Regulations 2012.

The LDS 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 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 Local Plan, including the Statement of Community Involvement, Authority Monitoring Report and adopted guidance.

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

In 2022 Colchester was awarded city status. Colchester Borough Council became Colchester City Council on 23 November 2022. Any reference to Colchester, Colchester City or City within this document refers to the entire administrative area, unless otherwise stated.

## 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 to the end of 2028.

The Development Plan is a suite of documents that set out the LPAs policies and proposals for the development and use of land and buildings in the authority's area. This includes Local Plans, Neighbourhood Plans and is defined in section 38 of the Planning and Compulsory Purchase Act 2004. Within Colchester this currently includes:

- Section 1 Local Plan (adopted February 2021);
- Section 2 Local Plan (adopted July 2022);
- Tiptree Jam Factory DPD (adopted 2013); and
- Neighbourhood Plans.

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

The Colchester Local Plan is in 2 parts. Section 1 provides a shared strategic policy context and addresses cross boundary matters for North Essex together with Braintree and Tendring Councils. Including the Tendring Colchester's Borders Garden Community. The Section 1 Local Plan was adopted by Colchester Borough Council on 2 February 2021.

In Partnership with Tendring District Council, a Development Plan Document (DPD) is being prepared to further guide development on the Tendring Colchester Borders Garden Community. This process is being governed by the Tendring Colchester Borders Garden Community Joint Committee.

Section 2 of the Colchester Local Plan 2017-2033 provides the policy framework, site allocations and development management policies for Colchester up to 2033. This was adopted by Colchester Borough Council on 4 July 2022.

For minerals and waste matters, Essex County Council are the authority responsible for production of the Waste and Minerals Local Plans, which forms part of the Colchester Development Plan. At present the adopted plans are:

- Essex Minerals Local Plan (2014)
- Essex and Southend-on-Sea Waste Local Plan (2017)

More details on the waste and minerals development documents can be found on the Essex County Council [website](#).

### **3. Documents to be prepared during 2023 to 2028 - an overview**

The overview below demonstrates the main milestones, as set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, for the production of each of the documents we intend to prepare over 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 circumstances and/or government policy.

#### **A. Phasing of work for Development Plan Documents**

##### **The Colchester Local Plan**

The Colchester Local Plan is in two sections covering the period to 2033. The Section 1 Colchester Local Plan covers strategic and cross boundary issues for North Essex, including housing and employment targets and allocates the Tendring Colchester Borders Garden Community (TCB GC). This was adopted on 2 February 2021.

The Section 2 Colchester Local Plan sets the policy framework, site allocations and development management policies across Colchester. This was adopted on 4 July 2022.

As outlined in the NPPF, a Local Plan is required to be reviewed every 5 years. Therefore, the Section 1 Local Plan must be reviewed by 2026 and the Section 2 Local Plan by 2027. The Local Plan Review is planned to be as one Plan so will align with the earlier date for review.

##### **Tendring Colchester Borders (TCB) Garden Community Development Plan Document (DPD)**

In Partnership with Tendring District Council, a Development Plan Document (DPD) is being prepared to further guide development on the Tendring Colchester Borders Garden Community. The DPD, once adopted by the Council, will include the location and scale of land uses alongside the required infrastructure.

##### **Neighbourhood Planning**

The Localism Act 2011 and the publication of the NPPF in March 2012 placed greater emphasis on developing plans at the community level through a concept of Neighbourhood Planning. Neighbourhood Plans are produced by local communities and once completed (subject to examination and local referendum) they become part of the local authorities' Development Plan and have a significant influence on the future growth and development of the respective area.

The first stage of developing a Neighbourhood Plan is to designate a neighbourhood area. 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.

The table below provides the Council's estimation of adoption for each Neighbourhood Plan, although as these are prepared by Parish Councils or neighbourhood forums their delivery is beyond the remit of the City Council.

Further Neighbourhood Plans will be added to the table below as required, when they are brought forward by local communities and when the LDS is revised in future.

<b>Area</b>	<b>Date NP Area agreed</b>	<b>Key Dates &amp; Current stage</b>
Boxted	October 2012	Adopted December 2016
Myland and Braiswick	January 2013	Adopted December 2016
Myland and Braiswick Review	January 2013	Plan review commenced in 2021 with Regulation 14 Consultation held Sept 2022
Wivenhoe	July 2013	Adopted May 2019
West Bergholt	July 2013	Adopted October 2019
Eight Ash Green	June 2015	Adopted December 2019
Marks Tey	September 2015	Adopted April 2022
West Mersea	November 2016	Adopted April 2022
Tiptree	February 2015	Examiner's Report issued December 2022 recommended the Plan can proceed to referendum. Adoption expected Spring 2023.
Copford with Easthorpe	May 2015	Examination commenced October 2022
Great Tey	June 2017	Preparation of draft plan
Great Horkesley	June 2022	Evidence gathering and plan preparation
Messing	July 2013	Work abandoned no active NHP Group currently
Stanway	June 2014	Work abandoned no active NHP Group currently

## **B. Phasing of work for Other Planning Documents**

### **Supplementary Planning Documents (SPDs)**

Supplementary Planning Documents (SPDs) complement 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 City. Although SPDs 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 consultation.

Currently there are eight SPDs programmed for the next three year period which cover the following topics:

- Affordable Housing
- Biodiversity
- Self and Custom Build and Specialist Housing
- Climate Change
- Active Travel
- Shop Front Design Guide
- Colchester City Centre Master Plan
- Planning Obligations

The Council may consider additional SPDs are required to be prepared or that existing SPDs require updating. Future additional SPDs may however be produced by the Council if approved by the Local Plan Committee without formal modification of the LDS because they do not form part of the Development Plan.

Appendix 1 lists the existing SPDs and the currently proposed SPDs.

### **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 planning documents and determination of planning applications. The most recent iteration of the SCI was adopted in July 2020 to reflect changes in relation to the Coronavirus Outbreak.<sup>1</sup>

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.

### **Authority Monitoring Report (AMR)**

The Authority Monitoring Report (AMR), previously referred to as the Annual Monitoring Report, is published each December to demonstrate the progress of the objectives of the Colchester Local Plan.

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<sup>1</sup> This paragraph will be updated following Local Plan Committee February 2023 and prior to publication.

## **Adopted Guidance Notes**

Guidance notes and other documents are produced as required by the Council to assist in explaining specific 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 but they may also contain spatially specific guidance in the form of site design briefs.

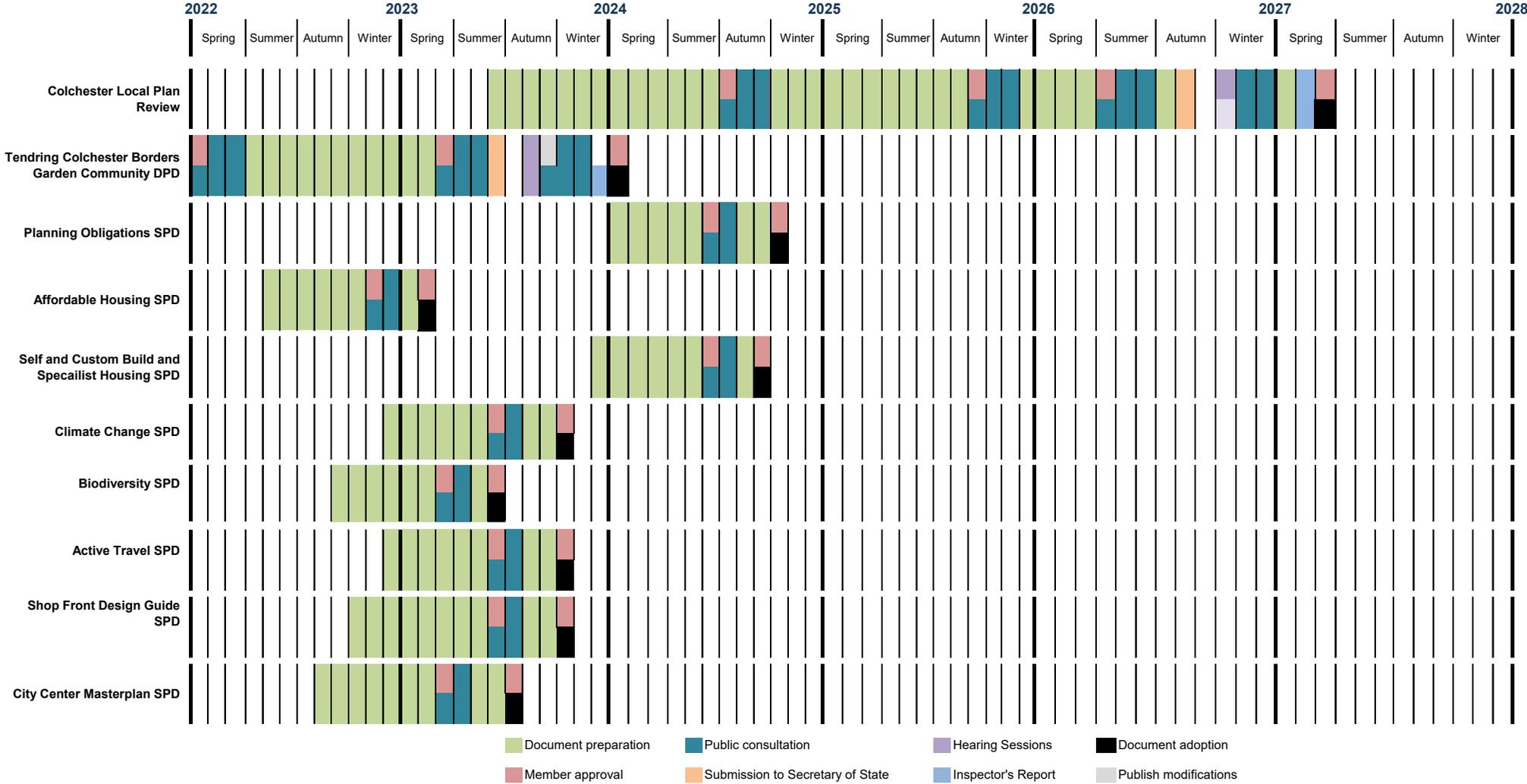
The current guidance notes are listed in Appendix 1 and information on additional guidance will be added to the Council's Adopted Guidance area of the website as and when it is completed.

#### **4. Documents to be prepared during 2023 to 2028 - detailed profiles**

Details of the documents we intend to produce in the next six 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 regard to documents which require submission of the document to the Secretary of State and a formal examination in public.

The image below provides a summary of the key milestones for each document.

### LDS Timetable 2022 - 2028



## Colchester Local Plan Review

<b>Subject and Scope</b>	This document will develop the overall strategic objectives and areas for growth in the city. The Local Plan will replace both the Section 1 and Section 2 Local Plan.
<b>Geographical area</b>	All Colchester City
<b>Status</b>	Local Plan document
<b>Chain of conformity</b>	Must be in conformity with the National Planning Policy Framework.
<b>Timetable for production</b>	
<b>Initial document preparation</b>	July 2023 – July 2024
<b>Preparing evidence base (documents will be commissioned at different stages during plan preparation)</b>	July 2023 – December 2024
<b>Drafting Issues and Options</b>	January 2024 – July 2024
<b>Consultation on Issues and Options</b>	September – October 2024 (August 2024 LPC approval to consult)
<b>Summarising representations to Issues and Options and providing a response</b>	November - December 2024
<b>Drafting Preferred Options</b>	January 2025 – August 2025
<b>Member approval – Preferred Options</b>	September 2025
<b>Consultation on Preferred Options and Sustainability Appraisal</b>	September – October 2025
<b>Summarising representations to Preferred Options, draft a response &amp; make amendments to the plan</b>	November – December 2025
<b>Review evidence base and draft the Submission Version Plan</b>	January- March 2026
<b>Member approval – Submission Draft</b>	April 2026
<b>Publication Draft of Local Plan document and Sustainability Appraisal for consultation</b>	April-June 2026
<b>Submission of DPD and summary of comments received to Secretary of State</b>	Autumn 2026
<b>Independent examination</b>	Winter 2026

<b>Consultation on modifications</b>	Winter 2026
<b>Inspector's Report</b>	Spring 2027
<b>Adoption</b>	Spring 2027
<b>Production arrangements</b>	Led by Planning Policy Team; input from all internal CCC service groups and Essex County Council as appropriate. The SCI outlines how external parties and members of the public will be involved.
<b>Timetable for review</b>	The Local Plan will set the overall spatial strategy for the Borough and will be reviewed as required after adoption, with the review period being within 5 years.

The government is currently consulting on changes to the NPPF, which propose changes to Local Plans. The consultation explains that new style local plans will be prepared from late 2024. The timetable in the LDS reflects the current local plan system, but if new style plans are brought in, this timetable will be amended. The timetable has been drafted so that initial work, including engagement, consultation and evidence gathering, will take place from July 2023 to the end of 2024. If new style plans are in place from late 2024, as advised in the consultation, Officers will follow the new style plans system.

## Tendring Colchester Borders Garden Community Development Plan Document (DPD)

<b>Subject and Scope</b>	This document(s) will include policies and allocations to support the strategic allocation for new development at the Tendring Colchester Borders Garden Community. This is being prepared jointly with Tendring District Council.
<b>Geographical area</b>	As specified in the Local Plan which shows broad locations to the east of Colchester.
<b>Status</b>	Local Development Plan Document
<b>Chain of conformity</b>	Must conform with the broad allocation in the Shared Strategic Section 1 Local Plan with Tendring and Braintree District Councils.
<b>Timetable for production</b>	
<b><i>Initial document preparation</i></b>	<i>January 2017 – October 2017</i>
<b><i>Member Approval – Issues and Options</i></b>	<i>November 2017</i>
<b><i>Publication and 6 week consultation</i></b>	<i>November to December 2017</i>
<b><i>Document Preparation</i></b>	<i>Winter 2020/21 to Winter 2021/22</i>
<b><i>Member Approval –Draft DPD</i></b>	<i>Spring 2022</i>
<b><i>Draft DPD consultation</i></b>	<i>Spring 2022</i>
<b><i>Summarising representations to consultation, draft a response &amp; make amendments to the plan</i></b>	<i>Summer 2022 to Winter 2022/23</i>
<b><i>Member approval – submission document for consultation</i></b>	<i>Spring 2023</i>
<b><i>Submission DPD consultation</i></b>	<i>Summer 2023</i>

<b>Submission of DPD and summary of comments received to Secretary of State</b>	Summer 2023
<b>Independent examination</b>	Autumn 2023
<b>Inspector's report</b>	Winter 2023
<b>Consultation on modifications</b>	Winter 2023
<b>Adoption</b>	Winter 2023 into early 2024
<b>Production arrangements</b>	Planning Policy Team in CCC along with TDC will lead with input from internal CCC service groups, adjacent local authorities, and Essex County Council as appropriate. A Tendring Colchester Borders Garden Community Project Team has been established. The SCI has determined how external parties and members of the public will be involved.
<b>Timetable for review</b>	The AMR will assess the effectiveness of the policies and allocations.  The DPD will be reviewed as required after adoption, with the review period being within 5 years.

*Please note: Stages shown in italics already occurred.*

## Planning Obligations SPD

<b>Title</b>	Planning Obligations SPD
<b>Role and content</b>	To provide further details on the collection of the planning obligations received by the Council as a result of planned developments across the Colchester City Area.
<b>Status</b>	Supplementary Planning Document
<b>Chain of conformity</b>	The SPD will support the policies within the Colchester Local Plan.
<b>Geographic coverage</b>	Colchester City
<b>Timetable and milestones:</b>	Member approval for consultation – Summer 2024 Public consultation – Summer 2024 Adoption – Winter 2024
<b>Arrangements for production</b>	Colchester City Council (CCC) to lead with significant input from Essex County Council. Also informed by public consultation, in accordance with SCI.
<b>Post production - Monitoring and review mechanisms</b>	CCC to monitor after adoption through the AMR.

## Affordable Housing SPD

<b>Title</b>	Affordable Housing SPD
<b>Role and content</b>	To provide further details on the delivery of affordable housing within development proposals across the Colchester City Area.
<b>Status</b>	Supplementary Planning Document
<b>Chain of conformity</b>	The SPD will support the policies within the Colchester Local Plan.
<b>Geographic coverage</b>	Colchester City
<b>Timetable and milestones:</b>	Member approval for consultation – Autumn 2022 Public consultation – Winter 2022 Adoption – Spring 2023
<b>Arrangements for production</b>	Planning Policy Team with input from Development Management and Housing Teams. Also informed by public consultation in accordance with the SCI.
<b>Post production - Monitoring and review mechanisms</b>	CCC to monitor after adoption through the AMR.

## Self and Custom Build and Specialist Housing SPD

<b>Title</b>	Self and Custom Build and Specialist Housing SPD
<b>Role and content</b>	To provide further details on the delivery of self and custom build and specialist housing across the Colchester City Area.
<b>Status</b>	Supplementary Planning Document
<b>Chain of conformity</b>	The SPD will support the policies within the Colchester Local Plan.
<b>Geographic coverage</b>	Colchester City
<b>Timetable and milestones:</b>	Member approval for consultation – Summer 2024 Public consultation – Summer 2024 Adoption – Autumn 2024
<b>Arrangements for production</b>	Planning Policy Team with input from CCC colleagues in Development Management and Housing Teams. Also informed by public consultation in accordance with the SCI.
<b>Post production - Monitoring and review mechanisms</b>	CCC to monitor after adoption through the AMR.

## Climate Change SPD

<b>Title</b>	Climate Change SPD
<b>Role and content</b>	To provide further details on how development proposals across the Colchester City Area can contribute to measures to address the Climate Emergency.
<b>Status</b>	Supplementary Planning Document
<b>Chain of conformity</b>	The SPD will support the policies within the Colchester Local Plan.
<b>Geographic coverage</b>	Colchester City
<b>Timetable and milestones:</b>	Member approval for consultation – Summer 2023 Public consultation – Autumn 2023 Adoption – Winter 2023
<b>Arrangements for production</b>	Planning Policy Team with input from Sustainability and Climate Change Team.  Also informed by public consultation in accordance with SCI.
<b>Post production - Monitoring and review mechanisms</b>	CCC to monitor after adoption through the AMR.

## Biodiversity SPD

<b>Title</b>	Biodiversity SPD
<b>Role and content</b>	To provide further details on biodiversity net gain and environmental considerations in development proposals across the Colchester City Area.
<b>Status</b>	Supplementary Planning Document
<b>Chain of conformity</b>	The SPD will support the policies within the Colchester Local Plan.
<b>Geographic coverage</b>	Colchester City
<b>Timetable and milestones:</b>	Member approval for consultation – Spring 2023 Public consultation – Spring 2023 Adoption – Summer 2023
<b>Arrangements for production</b>	Production led by Planning Policy Team at CCC, informed by public consultation in accordance with the SCI.
<b>Post production - Monitoring and review mechanisms</b>	CCC to monitor after adoption through the AMR.

## Active Travel SPD

<b>Title</b>	Active Travel SPD
<b>Role and content</b>	To provide further details on active travel considerations in development proposals across the Colchester City Area.
<b>Status</b>	Supplementary Planning Document
<b>Chain of conformity</b>	The SPD will support the policies within the Colchester Local Plan.
<b>Geographic coverage</b>	Colchester City
<b>Timetable and milestones:</b>	Member approval for consultation – Summer 2023 Public consultation – Autumn 2023 Adoption – Winter 2023
<b>Arrangements for production</b>	Production led by Planning Policy Team at CCC, informed by public consultation in accordance with the SCI.
<b>Post production - Monitoring and review mechanisms</b>	CCC to monitor after adoption through the AMR.

## Shop Front Design Guide SPD

<b>Title</b>	Shop Front Design Guide SPD
<b>Role and content</b>	To provide further details on shop front design considerations across the Colchester City Centre Area.
<b>Status</b>	Supplementary Planning Document
<b>Chain of conformity</b>	The SPD will support the policies within the adopted Local Plan.
<b>Geographic coverage</b>	Colchester City
<b>Timetable and milestones:</b>	Member approval for consultation – Summer 2023  Public consultation – Autumn 2023  Adoption – Winter 2023
<b>Arrangements for production</b>	Production led by CCC Planning Policy Team and Historic and Buildings and Areas Officer and engagement with city centre stakeholders. Informed by public consultation in accordance with the SCI.
<b>Post production - Monitoring and review mechanisms</b>	CCC to monitor after adoption through the AMR.

## City Centre Masterplan SPD

<b>Title</b>	City Centre Masterplan SPD
<b>Role and content</b>	To provide further details to guide development of the City Centre.
<b>Status</b>	Supplementary Planning Document
<b>Chain of conformity</b>	The SPD will support the policies within the adopted Local Plan.
<b>Geographic coverage</b>	Colchester City Centre
<b>Timetable and milestones:</b>	Member approval for consultation – Spring 2023 Public consultation – Summer 2023 Adoption – Autumn 2023
<b>Arrangements for production</b>	Consultants (We Made That) are leading on the Masterplan with input from CCC and ECC officers. Engagement with stakeholders, local businesses and the community. Consultation in accordance with the SCI.
<b>Post production - Monitoring and review mechanisms</b>	CCC to monitor after adoption through the AMR.

## **Evidence Base**

The evidence base is a key feature of Colchester's Local Plan and associated planning documents and guidance. It seeks to guarantee that the development plan's proposals and policies are soundly based. To ensure this a number of specialist studies and other research projects are undertaken. A full review of the existing evidence base will be undertaken prior to work commencing on the Local Plan Review, including identifying where new studies are required.

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

Each document will be made publicly available at the appropriate time in the process, on the Council's website ([www.colchester.gov.uk](http://www.colchester.gov.uk)). All documents will be made available at the relevant examination. Other documents may also be produced as needed during the process, such as topic papers.

### **Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA)**

All policies and proposals contained within the Local Plan will be subject to a Sustainability Appraisal and also a Strategic Environment Assessment and Habitat Regulations Assessments where appropriate. This involves scoping reports and assessments throughout the preparation of the Local Plan to ensure an iterative approach. These documents form part of the evidence base.

### **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.

## 5. Monitoring and Review

The Development Plan system is a continuous process with monitoring and review being fundamental aspects to the delivery of a successful plan. While production of an Authority Monitoring Report (AMR) is no longer a statutory requirement, local authorities continue to need to demonstrate how plan objectives are being delivered. Colchester City Council continue to prepare and publish an AMR every year, usually published in December.

The AMR will analyse the period of the previous financial year (1 April to 31 March). The report will:

- Set out how the Council is performing in the production of documents against the timescales and milestones set out in the LDS.
- Provide information on how the strategies/policies/targets in the Local Plan are being achieved.
- Advise on whether any documents need reviewing; and
- Provide data and information across the City's administrative area.

Following the initial adoption of a 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 City.

Should an update to the LDS be required, this will be prepared by officers and considered by the Council's Local Plan Committee.

## **6. Resources**

The Local Plan process will be led by the Planning Policy Team as part of Place and Client Services at Colchester City Council. The Place Strategy Manager will be responsible for the overall Local Plan project and policy direction. The Planning Policy team includes Principal Planning Policy Officers, Planning Policy Officer and Assistant, Active Environment Officer as well as other support staff who will be responsible for various elements of the Local Plan process.

There is a dedicated Garden Community Project Team (shared between Colchester and Tendring Councils) who are leading the delivery of the Colchester Tendring Borders Garden Community Development Plan Document. This includes a Planning Manager, Programme Support Officer and Finance Officer. The Planning Policy Team will also be involved in this project working alongside colleagues from Tendring District Council and Essex County Council.

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

### **Place and Client Services**

- Development Management
- Planning Specialists
- Economic Development including Town Deal Project Team
- Sustainability and Climate Change

### **Other CCC Services**

- Parks, Open Space and Waterways
- Environmental and Protection Services
- Community Enabling
- Research and Engagement
- Strategic Government Services (Democratic Services and Elections)
- Communications

### **Partners**

- Essex County Council (other highway matters, education, planning etc)
- Highways England (strategic highways matters)
- Rural Community Council for Essex (to promote/facilitate links with parish councils)
- Specialist consultants (to develop elements of the evidence base).

### **Stakeholders and the Community**

The Statement of Community Involvement (SCI) 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, therefore all aspects of the Council's statutory planning functions have been included within the SCI.

## 7. Risk Assessment

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
<p><b>Significant public opposition to plan proposals.</b></p> <p><b>High Risk, Medium Impact</b></p>	<p>The production of the Tendring Colchester Borders Garden Community DPD 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.</p>
<p><b>Inability of PINS to deliver examinations/reports to timetable.</b></p> <p><b>Low Risk, Medium Impact</b></p>	<p>The capacity of the Planning Inspectorate is an issue given the demands on its limited resources. PINS may not be able to provide Inspectors at the appropriate times.</p> <p>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.</p>
<p><b>Changes to the Planning System – Government Legislation and Guidance</b></p> <p><b>High Risk, High Impact</b></p>	<p>There is uncertainty surrounding the future plan making process as a result of the current NPPF Consultation and the Levelling Up and Regeneration Bill.</p> <p>The Council will continue to keep fully informed of any changes and/or publication of Government Legislation and the NPPF. In the event there are significant changes to the plan making process, officers will assess the impacts and any subsequent revisions to the Local Plan Review timescale and procedure.</p>
<p><b>Loss/turnover of staff</b></p> <p><b>Medium Risk, High Impact</b></p>	<p>The Planning Policy Team have benefitted from low turnover in recent years, but there is currently a national shortage of planning officers and the risk needs to be acknowledged.</p>
<p><b>Financial shortfall</b></p> <p><b>Medium Risk, High Impact</b></p>	<p>Preparation of Development Plan documents is a costly exercise, involving preparation of an evidence base, production of documents, consultation and examination.</p> <p>In previous years the Council has allocated funds through the Housing &amp; Planning Delivery Grant (replaced by New Homes Bonus) and its Service and Financial Planning process to allow for the preparation of the Local Plan. Additional Council expenditure will be subject to scrutiny.</p> <p>Examination costs may inflate due to the length/complexity of the Examination. This will be kept under review.</p>

Issue and level of risk	Comment and proposed mitigating measures
<p><b>Changing Political Priorities</b> <b>High Risk, Medium Impact</b></p>	<p>This document has been considered and approved by Local Plan Committee which has a cross party representation of members. Elections 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.</p>
<p><b>Legal Challenge</b> <b>Low Risk, High Impact</b></p>	<p>A legal challenge may be lodged within 6 weeks of adoption of a Development Plan Document. The degree to which this will happen is uncertain. However, a challenge will only succeed if the Council (or Inspector) has made a mistake in procedure or in fact.</p> <p>To avoid a legal challenge, every effort will be made to ensure that procedures are followed, and facts are correct.</p>

**Appendix 1 - Supplementary Planning Guidance/Documents and Planning Guidance Notes - status as at February 2023**

**Existing Supplementary Planning Documents**

<b>Subject</b>	<b>Adoption Date</b>
<b>Recreational Disturbance Avoidance and Mitigation Strategy SPD</b>	August 2020
<b>Provision of Open Space, Sport and Recreational Facilities</b>	July 2006, updated April 2019
<b>Street Services</b>	October 2012, revised February 2016
<b>Sustainable Drainage Systems Design Guide</b>	April 2015
<b>Community Facilities</b>	September 2009, revised July 2013
<b>Backland and Infill Development</b>	December 2010
<b>Better Town Centre</b>	December 2012
<b>North Colchester Growth Area</b>	June 2012
<b>Cycling Delivery Strategy</b>	January 2012
<b>Affordable Housing</b>	August 2011
<b>Shop Front Design Guide</b>	June 2011
<b>Sustainable Construction</b>	June 2011
<b>Car Parking Standards (ECC)</b>	September 2009
<b>ARBO Development Brief</b>	December 2021

<b>Guidance Notes</b>	<b>Adoption Date</b>
<b>North Colchester Growth Area</b>	June 2012
<b>Colne Harbour Masterplan</b>	January 2011
<b>St Botolphs Masterplan</b>	June 2005
<b>Garrison Masterplan</b>	November 2002
<b>Permitted Development</b>	August 2022
<b>Canopy Cover Assessment</b>	October 2022

**Proposed Supplementary Planning Documents**

<b>Subject</b>	<b>Expected Adoption Date</b>
<b>Planning Obligations</b>	Winter 2024
<b>Affordable Housing</b>	Spring 2023
<b>Self and Custom Build and Specialist Housing</b>	Autumn 2024
<b>Climate Change</b>	Winter 2023
<b>Active Travel</b>	Winter 2023
<b>Biodiversity</b>	Summer 2023
<b>Shop Front Design Guide</b>	Winter 2023
<b>City Centre Masterplan</b>	Autumn 2023

## **Appendix 2 - Summary of Amendments to the June 2021 LDS**

In accordance with Section 15 (9A) (b) of the Planning and Compulsory Purchase Act 2004, a summary of the amendments made to the LDS since its last publication in June 2021 are set out below:

- Review of “Planning Context” to provide clarity and reflect adoption of the Colchester Local Plan Section 1 and Section 2
- Updated progress of Neighbourhood Plans across the Council’s administrative area
- Updated timescales for the Tendring Colchester Borders Garden Community Development Plan Document
- Inclusion of the Colchester Local Plan Review
- Updated timescales for the following SPDs:
  - Planning Obligations
  - Affordable Housing
  - Self and Custom Build and Specialist Housing
  - Climate Change
  - Biodiversity
- Inclusion of the Active Travel SPD
- Inclusion of the Shop Front Design Guide SPD
- Inclusion of the City Centre Masterplan SPD
- Clarity to “Monitoring and Review” section
- Update to “Resources” to reflect current staff levels
- Inclusion of Planning Reforms within “Risk Assessment”

