

7 February 2017

Report of	Head of Commercial Services	Author	Karen Syrett 01206 506477
Title	Local Development Scheme		
Wards affected	All		

**The Local Plan Committee is asked to agree changes to the Local Development Scheme**

**1. Decision(s) Required**

- 1.1 To agree changes to the Local Development Scheme (LDS).

**2. Reasons for Decision(s)**

- 2.1 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 LDS through the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 2.2 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 previously reviewed the LDS in August 2016 for work up to 2019. The scheme now needs to be updated to adjust the timings of Local Plan and Community Infrastructure Levy preparation stages to reflect the latest timetable for joint work with neighbouring authorities on the Local Plan. The scheme also now needs to update several changes to Neighbourhood Plan preparation.

**3. Alternative Options**

- 3.1 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.

**4. Supporting Information**

- 4.1 A local development scheme 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.

- 4.2 Colchester Borough Council first adopted a LDS in May 2005, with various revisions published at regular intervals to reflect changes in governing regulations and work programmes. The current LDS project chart which covers the period 2016-2019 was last reviewed by Local Plan Committee in August 2016. A new LDS is now required to reflect the latest developments in Colchester's plan-making including the new timetables required to facilitate the joint development of local plans with the adjacent authorities of Braintree and Tendring. Those authorities are also revising their LDS to reflect the new aligned schedules. The new timetable retains the same adoption date of September 2018 for the full plan, but provides for a longer period leading up to the submission of the plan with a shorter timeframe for the examination process. This reflects the Planning Inspectorate's current rate of delivery on plan examinations.
- 4.3 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.
- 4.4 The LDS sets out which documents will be prepared and in what time frame. 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 3 years. Below is a summary of the proposed changes which are further explained within the LDS itself:
- Local Plan Review;
    - Member approval of Submission Draft – May 2017
    - Submission Draft consultation - June/July 2017
    - Submission – October 2017
    - Examination of Part 1 - December 2017
    - Examination Part 2 – April 2018
    - Adoption of Part 1 (if possible) – April 2018
    - Adoption of full plan – September 2018
  - Community Infrastructure Levy Charging Schedule and Planning Obligations DPD, to be prepared in tandem with the Local Plan (Part 2)
  - Joint Development Plan Documents for Garden Communities;
    - Preferred Options consultation – Oct/Nov 2017
    - Submission version consultation – June/July 2018
    - Submission – October 2018
    - Examination – December 2018
    - Adoption March 2019

- Neighbourhood Planning;
  - Boxted – NP Adopted December 2016
  - Myland – NP Adopted December 2016
  - West Bergholt – Plan Area adopted in July 2013
  - Wivenhoe – Plan Area adopted in July 2013
  - Stanway – Plan Area adopted in June 2014
  - Tiptree – Plan Area adopted in February 2015
  - Eight Ash Green – Plan Area adopted in June 2015
  - Marks Tey – Plan Area adopted in September 2015
  - West Mersea – Plan Area adopted in November 2016
- SPD's – un-adoption of two documents – if agreed by Committee.
- Evidence base documents and updates which will be necessary to support the Local Plan Review
- Changes to the text of the LDS to reflect the range of documents outlined above.

4.5 In earlier versions of the LDS, the Council was 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 on the LDS. Currently, the only SPD programmed for the next three year period is one on Planning Obligations. This has been shown to demonstrate the links between all the documents which contribute to the Colchester Local Plan. Future additional SPDs as well as further guidance notes and development brief documents may however be produced by the Spatial Policy Team without formal modification of the LDS because of their non-statutory status in the decision making process.

## **5. Proposals**

5.1 The Local Plan Committee is asked to agree changes to the Local Development Scheme.

## **6. Strategic Plan References**

6.1 Effective strategic planning supports the Strategic Plan Action Plan which includes a commitment to make Colchester a vibrant, prosperous, thriving and welcoming place.

## **7. Consultation and Publicity**

7.1 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 but the Preferred Options are currently subject to consultation and the LDS reflects these.

## **8. Financial Implications**

8.1 None.

## **9. Equality, Diversity and Human Rights Implications**

- 9.1 An Equality Impact Assessment has been prepared for the Local Plan and is available to view by clicking on this link:-  
<http://www.colchester.gov.uk/article/4962/Strategic-Policy-and-Regeneration>  
or go to the Colchester Borough Council website [www.colchester.gov.uk](http://www.colchester.gov.uk) and follow the pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Equality and Diversity > Equality Impact Assessments > Strategic Policy and Regeneration and select Local Development Framework from the Strategic Planning and Research section.

- 9.2 There are no particular Human Rights implications.

## **10. Community Safety Implications**

- 10.1 None

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

- 11.1 None

## **12. Risk Management Implications**

- 12.1 None.

## **13. Disclaimer**

- 13.1 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 omission.