

Local Plan Committee

**Town Hall, Colchester
11 March 2013 at 6.00pm**

This committee deals with

the Council's responsibilities relating to the Local Plan.

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**COLCHESTER BOROUGH COUNCIL
LOCAL PLAN COMMITTEE
11 March 2013 at 6:00pm**

Members

Chairman : Councillor Bill Frame.
Deputy Chairman : Councillor Martin Goss.
Councillors Elizabeth Blundell, Andrew Ellis, John Jowers,
Kim Naish and Colin Sykes.

Substitute Members : All members of the Council who are not members of the
Planning Committee.

Agenda - Part A

(open to the public including the media)

Pages

1. Welcome and Announcements

(a) The Chairman to welcome members of the public and Councillors and to remind all speakers of the requirement for microphones to be used at all times.

(b) At the Chairman's discretion, to announce information on:

- action in the event of an emergency;
- mobile phones switched off or to silent;
- location of toilets;
- introduction of members of the meeting.

2. Substitutions

Members may arrange for a substitute councillor to attend a meeting on their behalf, subject to prior notice being given. The attendance of substitute councillors must be recorded.

3. Urgent Items

To announce any items not on the agenda which the Chairman has agreed to consider because they are urgent and to give reasons for the urgency.

4. Declarations of Interest

The Chairman to invite Councillors to declare individually any interests they may have in the items on the agenda. Councillors should consult Meetings General Procedure Rule 7 for full guidance on the registration and declaration of interests. However Councillors may wish

to note the following:-

- Where a Councillor has a disclosable pecuniary interest, other pecuniary interest or a non-pecuniary interest in any business of the authority and he/she is present at a meeting of the authority at which the business is considered, the Councillor must disclose to that meeting the existence and nature of that interest, whether or not such interest is registered on his/her register of Interests or if he/she has made a pending notification.
- If a Councillor has a disclosable pecuniary interest in a matter being considered at a meeting, he/she must not participate in any discussion or vote on the matter at the meeting. The Councillor must withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Where a Councillor has another pecuniary interest in a matter being considered at a meeting and where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Councillor's judgment of the public interest, the Councillor must disclose the existence and nature of the interest and withdraw from the room where the meeting is being held unless he/she has received a dispensation from the Monitoring Officer.
- Failure to comply with the arrangements regarding disclosable pecuniary interests without reasonable excuse is a criminal offence, with a penalty of up to £5,000 and disqualification from office for up to 5 years.

5. Have Your Say!

(a) The Chairman to invite members of the public to indicate if they wish to speak or present a petition at this meeting – either on an item on the agenda or on a general matter not on this agenda. You should indicate your wish to speak at this point if your name has not been noted by Council staff.

(b) The Chairman to invite contributions from members of the public who wish to Have Your Say! on a general matter not on this agenda.

6. Minutes

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To confirm as a correct record the minutes of the meeting held on 28 January 2013

7. Colchester Local List

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See report by the Head of Strategic Policy and Regeneration

8. Consultation on the Focused Review of the Adopted Colchester Borough Local Plan 10 - 31

See report by the Head of Strategic Policy and Regeneration

9. Revision of the Local Development Scheme 32 - 71

See report by the Head of Strategic Policy and Regeneration

10. Revised Statement of Community Involvement 72 - 115

See report by the Head of Strategic Policy and Regeneration

11. Exclusion of the Public

In accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public, including the press, from the meeting so that any items containing exempt information (for example confidential personal, financial or legal advice), in Part B of this agenda (printed on yellow paper) can be decided. (Exempt information is defined in Section 100I and Schedule 12A of the Local Government Act 1972).

LOCAL PLAN COMMITTEE

28 JANUARY 2013

Present :- Councillor Bill Frame (Chairman)
Councillors Elizabeth Blundell, Martin Goss, Kim Naish
and Colin Sykes

Also in Attendance :- Councillor Tim Young

23. Minutes

The minutes of the meeting held on 17 December 2012 were confirmed as a correct record.

24. Planning Applications // Member Call - In Arrangements and speakers at Planning Committee

Vincent Pearce, Development Services Manager, explained the process by which planning applications could be called in by Councillors. This allowed for any Councillor to call in any application to be considered by the Planning Committee, although any call in needed to be supported by valid planning reasons. Any application called in within the 25 day call in period would automatically be referred to the Committee. Any application called in after that period would be considered by the Chairman of Planning Committee and group spokespersons who had the discretion to allow the call in. It was also possible to call in an application on a conditional basis, so that the call in was made subject to a particular recommendation. Where a Councillor called in a planning application, the Planning Committee had indicated they expected the Councillor to attend the Committee meeting to explain their reasons, or to send a substitute if they were unable to attend.

Members of the Committee stated that from their experience the call-in system worked effectively. It was also stressed that a member could request a site visit so that when the Planning Committee considered an application that had been called in, members had a good understanding of the application and its potential impact.

RESOLVED that the arrangements for the call in of planning applications by Councillors be noted.

25. Myland and Braiswick Neighbourhood Area

The Head of Strategic Policy and Regeneration submitted a report inviting the Committee to designate the Myland and Braiswick Neighbourhood Area, as set out by section 61G of the Town and Country Planning Act 1990, as amended.

Karen Syrett, Spatial Policy Manager, attended to assist the Committee in its deliberations.

Councillor Peter Hewitt, Vice Chairman of Myland Community Council, addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He thanked Karen Syrett and James Firth, Planning Policy Officer, for their help in bringing forward the proposals for the Myland and Braiswick Neighbourhood Area. Clarification was sought about the arrangements for funding the introduction of the Neighbourhood Area as it was understood that the Borough Council was responsible for funding the examination and community referendum.

The Spatial Policy Manager explained that the Borough Council was responsible for consultation costs and the costs of the examination and community referendum. However, it would be able to recoup the costs from the Department of Communities and Local Government (DCLG) Frontrunner Grant and additional DCLG grants, as the Neighbourhood Plan progressed through the process. In response to questions from members of the Committee, it was confirmed that the costs of the consultation, referendum or examination were not known yet and would depend on the levels of public interest. However, it was confirmed that no other spatial policy project had lost funding as a consequence of the support for the Neighbourhood Area.

RESOLVED that the Myland and Braiswick Neighbourhood Area be formally designated as set out by Section 61G of the Town and Country Planning Act 1990 (as amended).

26. Adopted Borough Local Plan // Review

Councillor Frame and Councillor T. Young (in respect of their membership of the Board of Colne Housing) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Head of Strategic Policy and Regeneration submitted a report setting out proposals for a review of the Local Plan.

Karen Syrett, Spatial Policy Manager, attended to assist the Panel in its deliberations. The Spatial Policy Manager explained that the Council had agreed to undertake a review of the Core Strategy which commenced at the end of 2012. The Local Plan also needed to be reviewed to ensure consistency with the National Planning Policy Framework (NPPF). A focused review was proposed which would enable revisions to be made quickly. The review would also enable the Council to be on similar footing and timescale with neighbouring authorities, in line with duty placed on authorities to co-operate.

Councillor Peter Hewitt, Vice Chairman of Myland Community Council, attended and addressed the Committee pursuant to the provisions of Meetings General Procedure Rule 5(3). He enquired whether the consultation proposed in the review process would include the data and details on which the Site Allocations DPD was based. In the interests of transparency, the basis of the targets in the DPD needed to be demonstrated. There were a number of contradictions and conflicts with the NPPF which needed to be resolved.

In response, the Spatial Policy Manager explained that the evidence base documents would be made available as part of the consultation, although possibly not as part of the first stage of the consultation. However, it was not proposed to review all policies, allocation and targets. Where these were known to be sound there would be nothing to be gained from reviewing at this stage. The issues that had already been identified for the review were set out in paragraph 4.7 of the Head of Strategic Policy and Regeneration's report, but this was not exhaustive and other issues could be addressed as and when they became apparent.

Members of the Committee considered that the prospect of the review had raised hopes that the Site Allocations DPD might be reviewed. There had been some expectation that a more fundamental review would have been undertaken that would have allowed some sites to be removed from the Site Allocations DPD. The Spatial Policy Manager explained that the need to ensure a fifteen year supply of housing sites would ensure that it would be reviewed in future. The Committee considered that it should approve the focused review on the understanding that Site Allocations DPD would be reviewed in due course.

The Spatial Policy Manager clarified that the reference to European Sites in paragraph 4.8 of the Head of Strategic Policy and Regeneration's report was a reference to sites designated under European legislation.

RESOLVED that a focused review of the Local Plan and in particular the Core Strategy and Development Policies Development Plan Document be undertaken in light of the National Planning Policy Framework, subject to an understanding that the Site Allocations DPD be reviewed in due course.

27. Community Infrastructure Levy

Councillor Frame and Councillor T. Young (in respect of their membership of the Board of Colne Housing) and Councillor Naish (in respect of his association with the Environment Agency) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Head of Strategic Policy and Regeneration submitted a report setting out the content of the Community Infrastructure Levy (CIL) Charging Schedule and inviting the Committee to approve public consultation and submission to the Secretary of State.

Karen Syrett, Spatial Policy Manager, attended to assist the Panel in its deliberations. The Spatial Policy Manager explained that it was now proposed that the consultation would take place later in the year and not in February/March as proposed in the report. This would allow time for consideration to be given to the implications for CIL charges arising from the Local Plan Review and the NPPF. This was in line with advice from central government. In addition it would allow time for tailored advice from the Planning Inspectorate which was due later in 2013.

The Committee welcomed the CIL charging proposals. It would provide greater certainty over the level of funding from developers towards infrastructure and would

ensure that funding was not at the mercy of last minute negotiations. It was suggested by members of the Committee that lessons need to be learnt from the introduction of the section 106 system to ensure that standard legally sound documentation was in place from the start. The Spatial Policy Manager explained that CIL was a simpler process than section 106 and that it would be a statutory charge, levied at the commencement of development, although there was scope to stagger payments where appropriate.

In response to question from members of the Committee, the Spatial Policy Manager confirmed that CIL funding received by town and parish councils as a consequence of drawing up a neighbourhood plan could be spent as that Council saw fit and was not limited to infrastructure on the 123 list. The meaning of the phrase “per council tax dwelling” would be clarified.

It was also confirmed that the Town Centre zone where there would be a nil charge for retail applied to the whole of Castle, Christchurch and New Town wards.

RESOLVED that:-

- (a) The content of the Community Infrastructure Charging Schedule and background documents be agreed.
- (b) The Draft Charging Schedule and all supporting information be agreed, published and made available so that representation can be made.
- (c) The Charging Schedule be subsequently submitted to the Secretary of State.
- (d) Authority be delegated to the Spatial Policy Manager to make minor revisions to the document prior to publication, submission and during the examination.



Local Plan Committee

Item
7

11 March 2013

Report of	Head of Strategic Policy and Regeneration	Author	Beverley McClean
Title	Colchester Local List		01206 282480
Wards affected	All		

The Local Plan Committee is asked to agree the proposed amendments to the adopted Colchester Local List

1. Decision(s) Required

- 1.1 The Committee is asked to agree the proposed amendments to the adopted Colchester Local List.

2. Reasons for Decision

- 2.1 The Local List for Colchester includes buildings, architectural features and historic assets that, while not of national significance, are considered to be locally significant for their architectural or historic value. It is not a static list and will change over time in response to planning decisions or as a result of new buildings being proposed for inclusion on it. When the Local List for Colchester was approved by the Local Development Framework Committee in December 2011, it was agreed that it would be reviewed annually.
- 2.2 Procedures for amending Colchester's Local List were agreed at the Local Plan Committee on 28 January 2013. The Local List which covers both urban Colchester and Wivenhoe is now due for its first review. A number of amendments have been put forward and the committee is being asked to review and agree the amendments.

3. Alternative Options

- 3.1 The alternative option is to not review the Local List. Without a regular review, the information on the Local List would quickly become out of date and inaccurate. The inclusion of a heritage asset on the Local List is a material consideration when determining planning applications affecting them. The lack of a properly maintained Local List would reduce the Council's ability to make informed decisions when assessing development proposals affecting buildings or historic assets that are architecturally or historically significant in the Borough. This in turn would make the conservation of these buildings and assets more difficult.

4. Supporting Information

- 4.1 National Planning Policy Framework (paragraph 129) states that Local Authorities should identify and assess the significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of available evidence and any necessary expertise. This includes buildings or assets that are locally listed.

- 4.2 A Local List is essentially a list of heritage assets that although not suitable for designation as Listed Buildings are considered historically or architecturally important at a local level. The List can include a range of historic assets including individual buildings or whole streetscapes. It can also include individual features on buildings such as railings, lamp posts or post boxes as well as locally valued archaeological features i.e. crop marks. The important factor is that the assets included on the Local List are of historic interest locally and/or make a significant contribution to the character and setting of the area in which they are located and are valued by the local community.
- 4.3 Colchester Borough Council set out their intention to prepare and adopt a Local List in Development Policy DP14 (Historic Environment Assets). Drawing on a previous study completed by Mansell Jagers in 2007 an expert panel with an extensive knowledge about historic buildings/environment and architecture started developing the Local List for Colchester in 2009.
- 4.4 A survey of the built historic assets in and around urban Colchester resulted in 665 buildings/features being identified for inclusion on the draft Local List for Colchester. Following extensive consultation the first List for Colchester was adopted by the Local Development Framework (LDF) Committee in December 2011.
- 4.5 In March 2012 the LDF Committee adopted an addition to the Local List covering Wivenhoe. The Wivenhoe Local List (and survey work) was compiled by a community group in the village comprising local historians, members of the Wivenhoe Civic Society and local architects. As a result of this work, 76 assets were identified for inclusion on the Wivenhoe List. All references to the Colchester Local List now include the Wivenhoe information too. In total there are approximately 741 buildings or assets on the Colchester Local List.
- 4.6 The original Colchester Local List information is currently stored on the Colchester's Historic Buildings Forum website (www.colchesterhistoricbuildingsforum.org.uk). The Wivenhoe Local List information is already saved on Colchester Borough Council's C-MAP system <https://stratus.pbondemand.eu/connect/colchesterborough/?mapcfg=wivenhoelocallist>
- 4.7 Once changes are agreed by committee the Local List will be amalgamated onto one layer on the Council's interactive map programme, C-MAPS, in mid March 2013 and then soon after deployed onto the CIVICA database programme for use by Development Management when determining planning applications.

5. Proposals

5.1 2012/2013 Review

In January 2013, a press release was issued in the local papers inviting members of the public and local groups to nominate buildings or historic/architectural features for consideration for either inclusion or removal from Colchester's Local List. The Spatial Policy team also consulted colleagues in Development Management to gather information about any planning applications that had resulted in the loss of or affected buildings or historic/architectural features on the Local List. An internal audit of the Local List was also completed between December 2012 and February 2013 as part of transferring mapping information over to C-MAPS.

- 5.2 The internal consultation with planning colleagues revealed that the Garrison Walls and Gates on Military Road had been demolished in 2011 as part of the re-development of

the Garrison. No requests were received in response to the press release asking for the removal of any buildings or historic features from the Local List.

- 5.3 The press release generated 1 request from the Wivenhoe Town Forum's Local List Group to add the St John's Ambulance Hall (the site of a former Methodist Chapel) and an area of land opposite Millfields onto the Local List. Both these assets had been proposed for inclusion on the original Wivenhoe Local List. In March 2012 the Local Development Framework Committee however rejected the inclusion of these two assets.
- 5.4 The St Johns Ambulance building was not included because a planning application to demolish the building was due to be considered at the Planning Committee later that week on 29 March 2012. It was also rejected due to the lack of detailed historic information to support the inclusion of the building on the List. Planning permission was subsequently refused and an appeal dismissed.
- 5.5 The land at Millfields was also rejected by the LDF committee for inclusion on the Local List as members were not satisfied that the supporting information was sufficient to justify its inclusion on the List. Committee members were concerned that including a substandard entry on the Local List potentially undermined other entries on the List.
- 5.6 The proposal to add these 2 assets to the Local List has been reconsidered in consultation with the Council's Major Projects Officer, who has responsibility for conservation matters. Officers are however of the opinion that neither of the 2 assets merit inclusion on the Local List. The decision not to include the St Johns Ambulance Hall has been partially based on the Inspectors report issued following the appeal which concluded that the hall was in a poor condition and state of repair. Furthermore much of the original fabric and character of the original hall is no longer preserved. For these reasons the heritage merits for adding the St Johns Ambulance Hall onto the Local List cannot be supported.
- 5.7 Despite the provision of additional information about land opposite Millfields it is felt that the heritage/cultural conservation arguments for protecting the land are weak and its inclusion on the Local List therefore cannot be supported. This land is allocated as open space in the Councils Proposals Map and safeguarded by Policy DP15 of the adopted Development Policies DPD. The site is also subject of an undetermined Village Green Application. These are considered more appropriate avenues for the Wivenhoe community to pursue to protect this land in the future for the village.
- 5.8 The amendments being proposed to the Local List are set out in Table 1 below;

Table 1 – Proposed changes to the Colchester Local List.

Building /Asset	Proposed amendment
Beaconsfield Avenue, Colchester, Essex, CO3 3DH	Delete from Local List– to be included in new Conservation Area designation
Thatched Cottage, Plains Farm Close, Tendring	Delete from Local List as this building is located just outside the Colchester Borough boundary
Barrack Gates and Wall at Garrison, Military Road (west side), Colchester	Delete from Local List as assets demolished as a result of re-development of the Garrison
Friars Cottages, 68-69 Castle Road,	Incorrect postal address shown

Colchester, Essex, CO1 1UN	on Local List – change to 63-66 Castle Road, Colchester for accuracy
Roman Road - whole street	Delete from Local List – to be included in new Conservation Area designation
Salisbury Avenue - whole street	Delete from Local List – to be included in new Conservation Area designation
South Street	Delete from Local List – to be included in new Conservation Area designation

- 5.9 The committee is asked to review and agree the above proposed changes to Colchester's Local List. A request is being made to remove a number of the buildings/assets currently on the Local List and re-protect them through new Conservation Area designations. This applies to whole streetscapes e.g. South Street, Salisbury Avenue, Beaconsfield Avenue and Roman Road. Designation as Conservation Areas is considered a more appropriate and effective way to protect larger areas with important heritage and this approach affords a greater degree of protection to the buildings covered by the designation.
- 5.10 All agreed changes will be made to Colchester's Local List by the Spatial Policy team including changes to C-MAPS and Civica. The Local List will next be reviewed in March 2014.

6. Strategic Plan References

- 6.1 The Local List provides evidence to help the Council deliver its priorities for regenerating the borough through buildings, employment, leisure and infrastructure, promoting sustainability, supporting tourism, heritage and the arts and enabling local communities to help themselves.

7. Consultation

- 7.1 Owners of proposed assets will be notified if it is intended to add an asset to the Local List. Owners will also be advised when it is intended to remove an asset from the list.

8.0 Publicity Considerations

- 8.1 Given the strong interest in the Local List particularly in Wivenhoe the revisions proposed to the Local List may generate further publicity.

9. Financial Implications

- 9.1 None

10. Equality, Diversity and Human Rights implications

- 10.1 An Equality Impact Assessment has been prepared for the Local Development Framework 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 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.

10.2 There are no particular Human Rights implications.

11. Community Safety Implications

11.1 None.

12. Health and Safety Implications

12.1 None

13. Risk Management Implications

13.1 Reviewing the Local List will help ensure that planning decisions are based on the most current built heritage data available for the Borough. This will help ensure that locally important or distinctive buildings and historic assets.



Local Plan Committee

Item
8

11 March 2013

Report of	Head of Strategic Policy and Regeneration	Author	Karen Syrett ☎ 506477
Title	Consultation on the Focused Review of the Adopted Colchester Borough Local Plan		
Wards affected	All		

The Local Plan Committee is asked to agree initial consultation on the focused review of the Local Plan.

1. Decision(s) Required

- 1.1 To agree to a period of initial consultation on the focused review of the Local Plan and in particular the Core Strategy and Development Policies Development Plan Document (DPD) in light of the National Planning Policy Framework (NPPF).

2. Reasons for Decision(s)

- 2.1 At its 28 January 2013 meeting, the Local Plan Committee agreed in principle to undertake a focused review of its planning policies to ensure their compliance with the National Planning Policy Framework (NPPF). The Committee is asked to approve the process on consultation to gather initial views on the amendments needed to policies. The attached consultation document (Appendix 1) summarises the policies considered to require revision and requests comments on the list and the review process.

3. Alternative Options

- 3.1 The committee could decide to widen the review of the Local Plan, but this would extend the time period to complete the review which otherwise would be expected to be completed within a year.

4. Supporting Information

- 4.1 In March 2012 the Government published the National Planning Policy Framework and the Town and Country Planning (Local Planning) (England) Regulations 2012. Each local planning authority is required to produce a Local Plan for its area which can be reviewed in whole or in part to respond flexibly to changing circumstances. The Government gave local authorities a twelve-month transition period during which non-compliant policies could continue to be given full weight (Annexe 1, para 214), but as that period is now coming to an end, authorities

need to have regard to their increasing vulnerability to non-compliant policies.

- 4.2 The Council is in the fortunate position of having a full set of recently adopted policy documents that broadly accord with the principles of sustainable development in the NPPF, thus minimising the work needed to bring its policies into compliance. These include the Core Strategy adopted in December 2008, the Development Policies and Site Allocations in October 2010 and the associated Proposals Map. The January 2013 Local Plan Committee therefore agreed that a Focused Review would be sufficient to bring its plan into accord with the National Planning Policy Framework (NPPF).
- 4.3 Only those policies that clearly do not comply with the advice within the NPPF form part of the scope of the Focused Review. This **does not** include any amendments to its spatial strategy and its housing and employment targets and allocations. A wider review is not being pursued at this stage since our housing monitoring figures establish that the Council can demonstrate an adequate supply of housing land availability to meet the requirement to maintain a 5 and 10-year supply. The NPPF requires that local authorities should 'identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5%' and to 'identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15'. Thus, while it is desirable to demonstrate locations for housing up to 15 years in the future, it is recognised that it is difficult to develop robust figures for this. Additionally, it is expected that plans are regularly reviewed to allow for adjustments and additions at the end of plan periods.
- 4.4 While the Council is not consulting on longer term issues or new site allocations at this stage, it has begun the process of evidence base updating and policy review to address the important issue of the Borough's longer range development needs to 2031 and beyond. This includes addressing the 'duty to co-operate' with adjacent authorities on issues such as strategic site allocations and infrastructure requirements. The revised Local Development Scheme also on the agenda for consideration includes a timetable for this parallel process, with consultation commencing upon completion of the Focused Review.
- 4.5 Chelmsford is similarly placed to Colchester in having a full set of adopted planning policies. It reached a decision to carry out a Focused Review prior to Colchester's and carried out a consultation on its submission changes from 19 November 2012 – 14 January 2013. Chelmsford's progress in the focused review process and support for this from the Planning Inspectorate reinforces the appropriateness of this approach for a similar authority such as Colchester.

- 4.6 The main steps in the Focused Review process will be;
1. publication of the proposals for the local plan, consultation on it and consideration of representations (regulations 18 to 20);
 2. submission to the Secretary of State, independent examination of the local plan and publication of the recommendations of the person appointed to examine the local plan (regulations 22 to 25); and
 3. adoption of the local plan by the local planning authority (regulation 26).
- 4.7 The consultation document (Appendix 1) explains that the initial Issues and Options stage provides an opportunity for the Council to outline the areas which it considers need to be reviewed. Respondents to the consultation are invited to comment on the plan using the following questions as a guide:
- Which policies in the Core Strategy and Development Policies require change to be in conformity with the NPPF?
 - Is there a need for the deletion or addition of any policies to allow the wider plan to be in conformity with the NPPF?
- 4.8 Having considered these questions, the Council has developed the following list of policy areas which it considers require review. It has not proposed any further policies for either deletion or addition, reflecting the fact the current plans are considered largely to accord with the NPPF.

Sustainable development – addition of model policy noting the presumption in favour of sustainable development contained in the NPPF. (Core Strategy Policy SD1)

Changes to the system of planning obligations and introduction of Community Infrastructure Levy – modification of policies guiding obligations for development to contribute to both on-site and strategic infrastructure improvements. (Core Strategy Policies SD2, SD3 and Development Policy DP3)

Affordable housing – modification of the Council's policy on affordable housing to reflect the introduction of the Community Infrastructure Levy and its consequential impacts on viability as well as to ensure the target can be justified by the local evidence base. (Core Strategy Policy H4)

Neighbourhood Planning – introduction of references where appropriate to the new system of Neighbourhood Plans (Core Strategy Policy ENV2)

Rural exception sites – modification of Council policy to allow for a limited degree of market housing on rural exception sites to enable the delivery of affordable housing (Core Strategy Policy H4 and ENV2)

Rural worker housing – modification of Council policy to bring its policy on rural worker housing into line with policy in the NPPF (Development Policy DP24)

Employment in the countryside – modification of Council policies to reflect the increased emphasis in the NPPF of the benefits of supporting rural enterprise. (Development Policy DP9)

Removal of references to documents that have been revoked and updating of glossary

The policy areas are set out for comment and will be subject to further amendment and change arising from consultation responses and developments in national policy.

- 4.9 The process of undertaking a Focused Review of the Local Plan will be underpinned by a Sustainability Appraisal which will assess the environmental, social and economic performance of the Focused Review policies against a set of sustainability objectives. In addition, a Habitats Regulations Assessment will also be prepared to assess the likely significant effects the Focused Review policies will have upon one or more European Sites. Scoping documents for these processes will be published alongside the other consultation documents.

5. Proposals

- 5.1 Members are requested to approve consultation on a focused review of the Local Plan.

6. Strategic Plan References

- 6.1 The Strategic Plan Action Plan includes a commitment to regenerate the Borough through buildings, employment, leisure and infrastructure, and enable local communities to help themselves.

7. Consultation

- 7.1 Public consultation will take place in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012. Regulation 18 requires the Council to invite representations about what the local plan ought to contain. Regulation 19 requires further consultation before the plan is submitted to the Secretary of State under section 20 of the Planning and Compulsory Purchase Act 2004.
- 7.2 Copies of the consultation document and supporting information will be made available on the Council's website, Colchester Library and in the Customer Service Centre.
- 7.3 Representations will be accepted electronically through the website or in hard copy.

8. Publicity Considerations

- 8.1 Attention could well be focused on the review of the Local Plan, resulting in publicity for the Council.
- 8.2.1 The consultation will be publicised by way of press release and by sending notification to people and companies on the Council's Local Plan consultation database.

9. Financial Implications

- 9.1 A budget has been allocated for the review which funds the updating of evidence based documents, consultation and examination.

10. Equality, Diversity and Human Rights implications

- 10.1 An Equality Impact Assessment has been prepared for the Local Development Framework and is available to view on the Colchester Borough Council website by following this pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Diversity and Equality > Equality Impact Assessments > Strategic Policy and Regeneration > Local Development Framework.
- 10.2 There are no particular Human Rights implications.

11. Community Safety Implications

- 11.1 None

12. Health and Safety Implications

- 12.1 None

13. Risk Management Implications

- 13.1 Review of the Local Plan will reduce the risk of inappropriate development being permitted.

Colchester Local Plan Focused Review

Issues and Options Consultation

1. Introduction

- 1.1 The National Planning Policy Framework (NPPF), published by the Government on 27th March 2012, replaced a considerable amount of planning policy previously contained within a number of national policy documents. The consolidated guidance is intended to make the planning system less complex and more accessible, and to promote sustainable growth.
- 1.2 The NPPF is a material consideration in the preparation of local plans (see Section 19(2) of the Planning and Compulsory Purchase Act 2004) and also provides guidance in the determination of planning applications. This means that its publication created a need for local authorities to revisit their plans to ensure they complied with the NPPF. The extent of review required varies between authorities.
- 1.3 In Colchester's case, a limited review is considered to be required given that the Council has a full set of recently adopted policy documents that broadly accord with the principles of sustainable development in the NPPF. These include the Core Strategy adopted in December 2008, the Development Policies and Site Allocations in October 2010 and the associated Proposals Map.
- 1.4 Furthermore, our housing monitoring figures establish that the Council can demonstrate an adequate supply of housing land availability to meet the requirement to maintain a 5 and 10-year supply. The NPPF requires that local authorities should 'identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5%' and to 'identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15'. This means that a more fundamental review of policies and sites for large-scale development is not immediately required.
- 1.5 Since the publication of the NPPF Colchester Borough Council has been reviewing its adopted policy documents against the requirements of the NPPF in order to identify any areas of inconsistency with the NPPF. Initial assessments have found that the NPPF has implications for some of the policies contained within the adopted Core Strategy and the Development Policies document. The Council is now accordingly initiating a focused review of its Core Strategy and Development Policies to ensure that Colchester policies will continue to be judged valid at appeal and are consistent with current Government advice - this is the sole purpose of the review.
- 1.6 Only those policies that clearly do not comply with the advice within the NPPF or those that are in need of updating form part of the scope of

the Focused Review. This **does not** include any amendments to its spatial strategy and its housing and employment targets and allocations. New site allocations will not be made until the comprehensive review of the Local Plan is undertaken to extend the life of the plan to 2031 and beyond.

- 1.5 The Focused Review will include a two stage consultation process to allow for widespread involvement in the review process. The initial Issues and Options stage provides an opportunity for the Council to outline the areas which it considers need to be reviewed. Respondents to the consultation are invited to comment on the plan using the following questions as a guide:
 - Which policies in the Core Strategy and Development Policies require change to be in conformity with the NPPF?
 - Is there a need for the deletion or addition of any policies to allow the wider plan to be in conformity with the NPPF?
- 1.6 Having considered these questions, the Council has developed the following list of policy areas in Section 2 which it considers require review. It has not proposed any further policies for either deletion or addition, reflecting the fact the current plans are considered largely to accord with the NPPF. The policy areas are set out for comment and will be subject to further amendment and change arising from consultation responses and developments in national policy. Another important influence on their development is the preparation of a Sustainability Appraisal and a Habitat Regulations Assessment. These ensure the policies are evaluated for their sustainability and screened for any significant effects on one or more European sites.
- 1.7 The second Pre-Submission consultation will set out the responses received on the Issues and Options consultation and the proposed changes developed in light of those responses. The second phase of consultation will also include consultation on the Community Infrastructure Levy (CIL) Charging Schedule and a new Planning Obligations Supplementary Planning Document, given that all three documents have implications for each other. The deliverability of the affordable housing set in the Local Plan, for example, relates to the level of the standing charge set by the CIL Charging Schedule. The consultation document and the responses it generates will then be submitted to the Government for examination.
- 1.8 While the Council is not consulting on longer term issues or new site allocations at this stage, it has begun the process of evidence base updating and policy review to address the Borough's longer range development needs to 2031 and beyond. This includes addressing the 'duty to co-operate' with adjacent authorities on issues such as strategic site allocations and infrastructure requirements. The Council has revised its Local Development Scheme to include a timetable for this parallel process which shows that consultation will commence following the completion of the Focused Review and initial evidence gathering work.

- 1.9 The Issues and Options consultation runs for a six-week period from 18 March to 29 April 2013. The consultation documents and comment forms are available on the Council's website – www.colchester.gov.uk/planningconsult.

Copies of the consultation documents are also available to view at the following locations:

- Colchester Borough Council Customer Service Centre, High Street, Colchester, between 9.00am and 5.00pm (Monday to Friday),
- Colchester Central Library during normal opening hours.

Comments on the Issues and Options should be returned by email to planning.policy@colchester.gov.uk or posted to the following address:

Spatial Policy Team
FREEPOST RL5L-ZTSR-SGYA
Strategic Policy & Regeneration
Colchester Borough Council

2. Proposed Policy Amendments

2.1 Colchester Borough Council considers the following areas require amendment and clarification to ensure its adopted planning policies are in compliance with the National Planning Policy Framework (NPPF) and remain up to date and most appropriate:

1. **Sustainable development** – addition of model policy noting the presumption in favour of sustainable development contained in the NPPF. (Core Strategy Policy SD1)
2. **Changes to the system of planning obligations and introduction of Community Infrastructure Levy** – modification of policies guiding obligations for development to contribute to both on-site and strategic infrastructure improvements. (Core Strategy Policies SD2, SD3 and Development Policy DP3)
3. **Affordable housing** – modification of the Council's policy on affordable housing to reflect the introduction of the Community Infrastructure Levy and its consequential impacts on viability as well as to ensure the target can be justified by the local evidence base. (Core Strategy Policy H4)
4. **Neighbourhood Planning** – introduction of references where appropriate to the new system of Neighbourhood Plans. (Core Strategy Policy ENV2)
5. **Rural exception sites** – modification of Council policy to allow for a limited degree of market housing on rural exception sites to enable the delivery of affordable housing (Core Strategy Policy H4 and ENV2)
6. **Rural worker housing** – modification of Council policy to bring its policy on rural worker housing into line with policy in the NPPF (Development Policy DP24)
7. **Employment in the countryside** – modification of Council policies to reflect the increased emphasis in the NPPF of the benefits of supporting rural enterprise. (Development Policy DP9)
8. **Residential conversions outside settlement boundaries** – modification of policy on criteria for conversions to residential outside settlement boundaries to ensure policy covers this point (Development Policy DP13)
9. **Removal of references to documents that have been revoked** – i.e. Regional Spatial Strategy, Community Strategy, PPG's and PPS's
10. **Update of Glossary**

3. Sustainability Assessment and Habitats Regulations Assessment

- 3.1 Colchester Borough Council will prepare a Sustainability Appraisal and Habitat Regulations Assessment as part of its Focused Review of the Core Strategy and Development Policies documents. These processes will ensure the Council considers the sustainability of its policies and screens them for their likely significant effects on one or more European Sites.
- 3.2 A scoping report for both the Sustainability Appraisal and Habitats Regulations Assessment will be attached as an appendix to this document.

Annexe One

Full text of policies proposed for amendment

The policies that are proposed to be the subject of this Focused Review are set out in full below, together with their reasoned justification, as they currently appear in the Core Strategy and Development Policies documents. Respondents who wish to propose any other existing policies for review should explain how they are considered to conflict with the National Planning Policy Framework and how they could be changed to be in compliance.

Policy area – Sustainable development and inclusion of model National Planning Policy Framework wording

SD1 – Sustainable Development Locations

Colchester Borough Council will promote sustainable development and regeneration to deliver at least 14,200 jobs between 2001 and 2021 and at least 19,000 homes between 2001 and 2023.

Throughout the borough, growth will be located at the most accessible and sustainable locations in accordance with the Settlement Hierarchy below and the Key Diagrams. Development proposals will be expected to make efficient use of land and take a sequential approach that gives priority to accessible locations and previously developed land (PDL). Proposals should seek to promote sustainability by minimising and/or mitigating pressure on the natural, built and historic environment, utilities and infrastructure, and areas at risk of flooding.

In support of Colchester’s aim to be a prestigious regional centre, the Borough Council will promote high quality design and will focus on enhancing the character and quality of the Town Centre, the Regeneration Areas and key Gateways to Colchester. Development in Colchester Town will be primarily focused on the following broad locations (see Key Diagrams):

- **Town Centre**
- **North Growth Area**
- **East Growth Area**
- **South Growth Area**
- **Stanway Growth Area**

The Council will also seek to sustain the character and vitality of small towns, villages and the countryside, and development will be expected to achieve a high standard of design, sustainability and compatibility with local character.

Table SD1 – Settlement Hierarchy

Hierarchy	Settlements
Regional Centre	Colchester Town and Stanway
District Settlements	Tiptree West Mersea

	Wivenhoe
Rural Communities	The other villages in the Borough (see Appendix B)

Explanation

The Community Strategy’s vision for Colchester is for it to develop as a prestigious regional centre. This can be achieved through regenerating our town centre and regional gateways, whilst protecting and enhancing the character of the countryside and rural communities.

Colchester is a growing borough and needs to provide quality housing and employment opportunities, as well as improving the environment and our quality of life. New development needs to be carefully managed, well-designed and directed towards locations that will stimulate regeneration and support sustainable communities. Development also helps fund improvements to community facilities, transport infrastructure, open space and affordable housing.

The Council is focusing development on areas that are in need of regeneration and are accessible by a range of transport modes. This approach will protect our countryside by minimising the amount of development occurring on greenfield land. It will also help improve accessibility and reduce the need to travel, by ensuring that homes, employment and facilities are well located.

The broad locations for development in Colchester are outlined in the Spatial Strategy and illustrated in the Key Diagrams. These development locations have been coordinated with transport and utilities infrastructure and the provision of community facilities, shopping, employment and open space to create sustainable communities.

Policy area – Community Infrastructure and Planning Obligations

SD2 – Delivering Facilities and Infrastructure

The Borough Council will work with partners to ensure that facilities and infrastructure are provided to support sustainable communities in Colchester. New facilities and infrastructure must be located and designed so that they are accessible and compatible with the character and needs of the local community.

New development will be required to provide the necessary community facilities, open space, transport infrastructure and other requirements to meet the community needs arising from the proposal. Development will also be expected to contribute, as appropriate, to strategic projects that support sustainable development and the wider community.

The Council will seek to employ standard charges where appropriate to ensure that new development makes a reasonable contribution to the provision of related facilities and infrastructure. The tariff approach will be based on a comprehensive review of the need, timing and scale of investment and how this relates to the key growth areas set out in the

Core Strategy. The viability of developments will also be considered when determining the extent and priority of development contributions.

Explanation

Supporting development with the necessary community facilities and transport infrastructure is essential to creating sustainable communities. The Borough Council does not have the resources or the necessary powers itself to provide all the facilities and infrastructure. Therefore, the Council will need to work with partners and collect contributions from development, ensuring that the financial contributions requested are fair, proportionate, and tied in to clear priorities for the overall sustainable development of the Borough.

Developments will be required to deliver and contribute towards the following where necessary (not exclusive):

- Affordable housing
- Transport infrastructure and services
- Open space, sport and recreation
- Community facilities
- Primary and secondary schools
- Public realm improvements
- Renewable energy and sustainable construction
- Flood mitigation measures
- Employment and training schemes

The Council will prepare further guidance regarding standard charges and development contributions towards facilities and infrastructure. Additional information on the delivery of infrastructure and facilities is also provided in the following Core Policies:

- SD3 - Community Facilities
- H4 – Affordable Housing
- PR2 – Open Space
- TA3 – Public Transport
- TA4 – Roads and Traffic

SD3 – Community Facilities

The Borough Council will work with partners to deliver key community facilities (see Table SD3) to support the Sustainable Community Strategy and to develop Colchester as a prestigious regional centre.

The Council will also provide facilities for the local communities, based upon an analysis of needs, with particular regard to disadvantaged groups. New development will be required to contribute towards the provision of community facilities to meet the needs of new communities and mitigate impacts on existing communities. Safe, direct routes for walking and cycling and appropriate bus services will be established to serve existing and new pre-school, primary, and secondary school sites.

Community facilities should be located in centres or other accessible locations to maximise community access and build a sense of local

community identity. The Council supports the retention and enhancement of existing community facilities and encourages multi-purpose community facilities that can provide a range of services and facilities to the community at one accessible location. Where existing facilities can be enhanced to serve new development, the Council will work with developers and local partners to audit existing facilities and assess the requirement for additional facilities to deliver comprehensive provision of services to serve these extended communities. The Council will work with local partners, such as Parish Councils or Community Associations, to plan and manage community facilities.

Table SD3: Delivery of Key Community Facilities

Growth Areas	Project
Town Centre	Firstsite (Community arts facility)
	Cultural Quarter
	Magistrates' Court
North Growth Area	Community stadium and regional conference centre
	Colchester General Hospital expansion
	4 new primary schools (ie., at Turner Village, Severalls, and two in the urban extension)
	Early years and childcare facilities
	Either new secondary school site (on a precautionary basis); and/or expansion of existing secondary school provision at nearby schools
East Growth Area	University of Essex expansion
General	Facilities to support 2012 Olympics
	7 new health centres
	6 forms of secondary school capacity
	6 new primary schools
	New and improved community halls
	Extra pre-school, primary, and secondary school provision (including new schools where appropriate).

*refer to policy TA3 & TA4 for transport infrastructure and policy PR2 for open space.

Explanation

Community facilities are an essential element of sustainable communities providing for education, child care, health, culture, recreation, religion and policing (see Glossary). Policy PR2 also makes provision for open space and recreation facilities.

The Council needs to deliver a comprehensive range of high quality and accessible community facilities to meet the needs of new and existing communities in Colchester. Community projects, such as the Community Stadium and Firstsite (Community arts facility), have regional and national significance and are identified in the Sustainable Community Strategy. Local facilities such as schools and health centres also need to be delivered to support new and existing communities. Table SD3 sets out key community facilities to be delivered in Colchester during the plan period, additional facilities will also be delivered as part of new developments and to meet existing deficiencies.

The Borough Council will safeguard existing facilities and will work with partners including the local community to bring together funding from a variety of public and private sources to deliver new community facilities.

Development proposals will be required to review community needs (e.g. Health Impact Assessment) and provide community facilities to meet the needs of the new population and mitigate impacts on existing communities.

Policy DP3: Planning Obligations and the Community Infrastructure Levy

The Council intends to develop proposals to implement a Community Infrastructure Levy (CIL), further to the enabling provisions in the 2008 Planning Act. The CIL will be a charge used to fund necessary local and sub-regional infrastructure which supports the objectives of the Core Strategy and the development of the area. It will involve an agreed charging schedule which will allocate the proposed amount to be raised from CIL to each main class of development. The charge will be related to the scale and type of development proposals. The Council will work with partners to deliver key infrastructure projects, as identified in the Core Strategy. Where appropriate, planning obligations through Section 106 agreements will continue alongside or in place of CIL and standard charges will be implemented with details set out in Supplementary Planning Documents.

Explanation

3.10 The Planning Act 2008 contains powers for the introduction of a CIL, but detailed regulations have yet to be completely finalised. In the interim period, the Council will continue to develop its understanding of infrastructure needs and overall funding potential from all sectors. The Council has a successful track record in securing and delivering projects using Section 106 funding, and it would be expected to continue to play an important role in the future. The CIL breaks the direct link between the obligation and the development so that a wider range of infrastructure spending can be provided through the planning system. It is noted, however, that while CIL is expected to provide significant additional monies for infrastructure, it will not replace mainstream funding. The Core Strategy (Table 6d – Key Facilities and Infrastructure) identified the key infrastructure needed to support Core Strategy objectives, and the Council continues to work closely with other public and private sector providers to refine the list as necessary and deliver projects. The Council has adopted a number of Supplementary Planning Documents (SPDs) which set out standard charges that will be applied to new development in appropriate circumstances. These are based on robust evidence and will continue to evolve and develop.

Policy areas – Affordable Housing, rural housing sites and Neighbourhood Planning

H4 – Affordable Housing

The Borough Council is committed to improving housing affordability in Colchester. The Council will be seeking to secure 35% of new dwellings (including conversions) to be provided as affordable housing (normally on site), as follows:

- In Colchester Town and Stanway, Tiptree, Wivenhoe and West Mersea, affordable housing will be required on housing developments for 10 or more dwellings.**
- In the other villages, affordable housing will be required on housing developments for 3 or more dwellings.**
- An equivalent financial contribution will also be sought for developments below these thresholds.**

In exceptional circumstances, where high development costs undermine the viability of housing delivery on brownfield sites, developers will be expected to demonstrate an alternative affordable housing provision.

Affordable housing development in the villages of rural Colchester Borough will be supported on rural exception sites contiguous with village settlement boundaries, provided a local need is demonstrated by the Parish Council on behalf of their residents.

The Council will require developments to integrate affordable housing and market housing, with a consistent standard of quality design and public spaces, to create mixed and sustainable communities.

Explanation

The need for affordable housing is high in Colchester, as it is elsewhere in the Eastern region. The East of England Plan has set a policy target of 35% affordable housing for planning permissions in the region.

The Strategic Housing Market Assessment 2007 (SHMA) identified that the average house price in Colchester was approximately £200,000 in 2006, whilst the gross (median) household income was only £23,874. The SHMA observes that few households aspiring to home ownership have access to enough money to purchase a home in Colchester. The SHMA identified a need for 1,104 affordable homes per year, which is very high given the total housing provision in the EEP is only 830 per year. The SHMA suggests this high need would justify an Affordable Housing target over 35% if the developments were viable.

Affordable housing requirements must be balanced with other requirements for transport infrastructure, community facilities, open space and sustainable construction. The viability of housing delivery also needs to be maintained, particularly in regeneration areas. The Housing Viability Report identified that a significant portion of developments would not be viable with an affordable

housing requirements of 40%. Even at lower levels of affordable housing, viability was a problem, particularly on previously developed land.

It is considered that a 35% target maintains a balance between housing need and viability, whilst maintaining consistency with the regional target. A target of 35% will optimise affordable housing delivery on greenfield land whilst facilitating the regeneration of rundown areas.

ENV2 – Rural Communities

The Borough Council will enhance the vitality of rural communities by supporting appropriate development of infill sites and previously developed land (PDL) within the settlement development boundaries of villages. The design and construction of new village development must be high quality in all respects, including design, sustainability and compatibility with the distinctive character of the locality. Development should also contribute to the local community through the provision of relevant community needs such as affordable housing, open space, local employment, and community facilities.

Outside village boundaries, the Council will favourably consider small-scale rural business, leisure and tourism schemes that are appropriate to local employment needs, minimise negative environmental impacts, and harmonise with the local character and surrounding natural environment. Development outside but contiguous to village settlement boundaries may be supported where it constitutes an exception to meet identified local affordable housing needs.

Towns and villages are encouraged to plan for the specific needs of their communities by developing Parish Plans and Village Design Statements for adoption as guidance.

Explanation

Rural communities in Colchester comprise the villages identified in the Settlement Hierarchy (SD1 Appendix B).

National evidence indicates that villages in the catchment area of larger towns struggle to retain facilities, even when more housing is built. The East of England Plan noted that “the growth of villages has been unable to halt the closure of village services and commuting has increased dramatically”. Colchester Town is the main provider of shopping, services, employment, and community facilities for the Borough as a whole. Elsewhere in the Borough, only Wivenhoe, Tiptree and West Mersea provide a sufficient level of shops, services and employment to maintain a reasonable level of self containment. In general, rural communities do not provide sufficient shops, services and facilities to support significant growth.

Within rural communities, small scale development will be supported on PDL and infill sites within the village boundaries. The Site Allocations DPD will provide an opportunity to review the extent of village envelopes previously set through the Local Plan process. This development will need to optimise the

sustainability of villages by contributing towards community facilities, open space and local employment. Affordable housing will also be supported on rural exception sites where supported by community need. The Council is also seeking to sustain and enhance local employment and rural enterprises.

Policy Area – Rural worker housing

Policy DP24: Equestrian Activities

Planning permission will be supported for equestrian related development if it can be demonstrated that the proposal:

- (i) Cannot be located within existing buildings on the site through the re-use or conversion of buildings for any related equestrian use before new or replacement buildings are considered;**
- (ii) Is satisfactory in scale and level of activity, and in keeping with its location and surroundings;**
- (iii) Will not result in development leading to an intensification of buildings in the countryside and urban fringe or have a detrimental impact on the townscape setting or local landscape character.**
- (iv) Is related to an existing dwelling within the countryside or will not lead to pressure for the development of a new dwelling.**

Explanation

9.31 Equestrian development includes all forms of horse related activities including the erection of stables through to racing stables, sand schools and all-weather gallops. Its development needs to be monitored carefully to ensure the cumulative effect of the fencing, stabling, ménage and ancillary buildings it needs does not lead to overdevelopment in countryside areas or create conflicts with other rural uses. An equestrian use will not be considered to justify the erection of a dwelling in a location where permission would normally be refused.

9.32 Equestrian development should be in keeping with national equestrian standards such as those recommended by the British Horse Society in relation to management, grazing and welfare standards.

Policy area – Employment in the countryside

Policy DP9: Employment Uses in the Countryside

Employment development proposals within the countryside, outside of designated local employment zones, must contribute to the local rural economy and help sustain rural communities. The proposed use should be of a small scale that does not harm the rural character of the area either by the nature and level of activity (including the amount of additional traffic generation on rural roads) or, any other detrimental effects such as noise and pollution.

The following additional considerations shall also be taken into account where relevant:

(A) Conversion and re-use of existing rural buildings:

Proposals will only be supported where the building is structurally sound and capable of re-use without fundamental rebuilding, and the buildings are deemed to be desirable for retention. In the case of former agricultural or forestry buildings of recent construction (less than 10 years), it will also need to be demonstrated that the original need for the building was genuine and that it is no longer required for agricultural or forestry purposes.

(B) Extension of existing rural employment buildings:

Proposals will only be supported where these are limited to expansion plans which are essential to the operation of the established business. All extensions shall be accommodated satisfactorily in terms of design, scale and appearance within the existing employment site boundary.

(C) Replacement rural employment buildings:

Replacement buildings will only be supported where the existing development is visually intrusive or otherwise inappropriate in its context and a substantial improvement in the landscape and surroundings will be secured through replacement. Replacement buildings should not significantly increase the scale, height and built-form of the original building.

(D) New rural employment buildings:

Proposals will only be supported in exceptional cases where there are no appropriate existing buildings and the need has been adequately demonstrated.

(E) Expansion of an existing business:

Proposals to expand an existing employment use into the countryside will only be supported in exceptional cases where there is no space for the required use on the existing site, the need has been adequately demonstrated, and the proposals are essential to the operation of an established business on the site. Consideration must be given to the relocation of the business to available land within strategic or local employment zones.

Explanation

4.21 Policies ENV1 and ENV2 in the Core Strategy support rural communities and set out a flexible approach that maintains a balance between environmental considerations and appropriate business growth. The countryside is viewed as a good location for some businesses, partly due to the pleasant environment and the availability of relatively cheaper

premises in comparison with built-up areas. The Borough is also coming under particular pressure for employment based development in the countryside as a consequence of containing a significant number of large agricultural buildings and other rural buildings that are potentially suitable for conversion to employment use, coupled with the high rental values to be found within the built up area. This demand needs to be considered in the context of environmental impacts, accessibility and relation to local economic needs. The diversity of pressures for employment based development in the countryside requires further detailed policy guidance.

- 4.22 The Local Planning Authority is more likely to be supportive of the re-use and conversion of rural buildings that are adjacent to or closely related to country towns and villages. Conversely, the change of use of isolated buildings is unlikely to be acceptable unless they would ensure the retention and preservation of a heritage building and the use does not result in a significant level of activity and traffic generation. Elsewhere, each proposal would be considered on its merits in line with the policy. Schemes involving the re-use of historic rural buildings should also comply with the provisions of DP14. Proposals that are small-scale in nature are more likely to be supported, whereas those leading to a significant increase in road traffic will not normally be supported.
- 4.23 Preference will always be towards re-use and conversion of existing buildings where this is possible rather than the construction of new buildings. Consequently, where a building is to be replaced applicants will need to demonstrate to the satisfaction of the Local Planning Authority that any available buildings are not capable of renovation and may be requested to submit a structural survey. Where suitable developments can be identified, support may be given to the provision of workspace or incubator units.
- 4.24 There are a number of well-established employment sites in the rural parts of the Borough, where some important local companies are located. Companies are often seeking to expand their operations within the site and this can be more appropriate than the company seeking alternative premises outside of the Borough, in order to retain the economic and social benefits which can arise from companies located in rural areas. It will be beneficial for applications to expand existing operations to be supported by a business plan, depending on the scale of the development proposed.
- 4.25 In some cases for the purposes of business or employment use replacement buildings can be more appropriate than the continued use of existing buildings. There are a number of sites in the rural areas of the Borough which are visually intrusive and where redevelopment could significantly enhance the local environment. Landscaping and planting should be used to aid in the reduction of impact on the countryside of development. Proposals for new isolated buildings in the countryside will not normally be permitted in accordance with national policies.

Policy area – lack of guidance for conversions to residential in areas outside settlement boundaries

Policy DP13: Dwelling Alterations, Extensions and Replacement Dwellings

Within the Borough's settlement boundaries, residential alterations, extensions and replacement buildings will be supported where they meet other policy requirements, including the adopted SPD 'Extending Your House?'

Outside of the settlement boundaries, development will be supported only where all the following relevant criteria can be met:

(A) For alterations and extensions, including ancillary outbuildings and garden extensions, where the development:

- (i) Respects and enhances the character of the original dwelling and does not significantly alter its size;**
- (ii) Respects and enhances the landscape character and setting of the site and the wider rural area; and**
- (iii) Avoids a cramped form of development and retains an appropriate level of private amenity space for the occupants of the dwelling.**

(B) For replacement dwellings, when development:

- (i) Is on a one-for-one basis and the property to be demolished is of permanent construction, recently occupied, and is not derelict or abandoned;**
- (ii) Is of a satisfactory design that is appropriate to the rural area and does not significantly increase the scale, height and form, of the original dwelling;**
- (iii) Provides satisfactory landscape value to integrate the new dwelling into the wider rural context with no greater adverse impacts than the existing dwelling; and**
- (iv) Represents the optimum solution to either preserving or enhancing access, siting and dwelling orientation.**

(C) For annexes, when the need for additional space cannot be met within an existing dwelling or buildings suitable for conversion on the site in the first instance, if the development:

- (i) Is physically attached or closely related to the main dwelling so that it cannot be subdivided from the main dwelling;**
- (ii) Retains some form of demonstrable dependence on the main dwelling, such as shared access (including both vehicular access and doorways) and communal amenity spaces;**
- (iii) Does not incorporate facilities that make the annexe capable of use as a separate dwelling**

- (iv) Respects and enhances both the character of the original dwelling and the context of the surrounding rural area through regard to site characteristics, design, scale, height, form, massing, materials and layout within the wider landscape setting.**
- (v) The use of ancillary accommodation as a separate dwelling will not be permitted and the desire for annexe occupants to remain independent from existing residents will not be considered as adequate justification to allow isolated annexes.**

Explanation

- 5.11 Not all extensions and alterations require planning permission. Further guidance on the forms of development that do not require planning permission can be obtained from the Government's planning portal: www.planningportal.gov.uk.
- 5.12 This policy together with Policy DP1 sets out appropriate criteria for assessing planning applications for development, including alterations and extensions to residential dwellings, when planning permission is required. 'Extending Your House?' the Council's adopted SPD gives more detailed guidance for householder development proposals.
- 5.13 Whilst development in the countryside is not encouraged the Council accepts that development relating to existing dwellings may be acceptable. Development must protect and reflect the rural qualities and landscape character of the area. This policy therefore sets out additional criteria that the Council will apply for extensions and other alterations to dwellings in the countryside (i.e. outside the settlement boundaries) where planning permission is required.
- 5.14 The Council wishes to retain a balanced mix of dwelling sizes and, in particular, to avoid the loss of smaller, more affordable units. Extensions to existing dwellings and replacement dwellings should not significantly alter the size of the original dwelling. The Council is also keen to ensure that dwellings do not grow by a succession of small extensions, which cumulatively can significantly alter the character of the original building. For the purpose of this policy, the "original" dwelling is defined as the building as existed on 4th November 1993 or as built if later.
- 5.15 Proposals for extension of a domestic garden into open countryside will not be permitted if they have a material adverse impact on the surrounding countryside, or result in the loss of good quality agricultural land, or would set a precedent for unacceptable extensions to gardens at one or more neighbouring properties. Where planning permission is granted, applicants will be expected to relinquish their permitted development rights over the new area of garden.



Local Plan Committee

Item
9

11 March 2013

Report of	Head of Strategic Policy and Regeneration	Author	Mark Edgerley
Title	Revision of the Local Development Scheme		☎ 282476
Wards affected	All		

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

1. Decision(s) Required

- 1.1 To agree a revised Local Development Scheme (LDS) which details the programme of work and documents to be produced as part of the Local Plan over the next 3 years.

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 agreed to undertake a review of the Core Strategy commencing at the end of 2012. Work commenced with a review of the evidence base and a report to Local Plan Committee in January 2013 set out how it is intended to proceed in light of the National Planning Policy Framework. (see Focused Review of Local Plan item on this agenda)

3. Alternative Options

- 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 on the preparation and revision of development plan documents direct to the public through the LDS. Consideration can be given to the timetable outlined for the production of the various documents. The Council is no longer required to submit the LDS to the Secretary of State as was previously the case, however the Secretary of State still retains powers to direct changes upon a local planning authority, but will only be able to use them for the purpose of ensuring effective plan coverage.

4. Supporting Information

- 4.1 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 was last reviewed by Cabinet in 2011 and covers the period 2011 to 2015 but now requires an update to reflect the Borough's plans for the review of its Local Plan.

- 4.2 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 reviewed annually as part of the Council's Annual Monitoring Report to show how the programme of plan formulation is being implemented against the set timetable, indicate where new matters should be included and to provide an updated programme for the next 3 years.
- 4.3 The current revision to the LDS is required following the publication of the National Planning Policy Framework (March 2012) and the decision authorised by the 28 January 2013 Local Plan Committee to undertake a Local Plan focused review. As the LDS shows, it is proposed to carry out a short-term review of the Local Plan to ensure its compliance with the National Planning Policy Framework as well as to initiate a more comprehensive analysis of policies to inform long-term planning policies and allocations. The report on the agenda covering the Focused Review provides more detail on this review process.
- 4.4 The LDS sets out which documents will be prepared and in what time frame. The LDS provides the scope and further details with regards to each document (Appendix A) whilst the project chart (at page 3 of Appendix A) outlines the timescales proposed and shows how each document will be brought forward over the next 3 years. Below is a summary of the proposed changes:
- Local Plan Review,
 - Community Infrastructure Levy,
 - Neighbourhood Planning,
 - Boxted – started 2012
 - Myland – started 2012,
 - West Bergholt – expression of interest,
 - Wivenhoe – expression of interest,
 - Other areas as and when requested by Neighbourhoods.
 - Revised timetable for the preparation of various Supplementary Planning Documents,
 - Planning Obligations SPD,
 - North Station Master Plan,
 - Stanway Master Plan,
 - Evidence base 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 intended to be produced. Changes to the Regulations no longer require Supplementary Planning Documents to be included on the LDS; we continue to show these to ensure transparency and to demonstrate the links between all the documents which contribute to the Colchester Local Plan. The LDS project chart shows a series of Supplementary Planning Documents, but the Council still has the flexibility to develop additional supplementary documents should these be exceptionally required without the need to formally change the LDS. From time to time additional guidance note and development brief documents may be produced by the Spatial Policy Team but these are not detailed on the LDS because of their non-statutory status in the decision making process.

5. Proposals

- 5.1 Members are requested to agree the revised timetable in the LDS for the period 2013-2016 as detailed on the project chart found in Appendix B of this report. The LDS will

come into immediate effect unless the Council receives direction from the Secretary of State that he wishes to intervene to ensure effective plan coverage. However as the Council currently has a comprehensive suite of development plan documents this intervention is considered unlikely.

6. Strategic Plan References

- 6.1 The Strategic Plan Action Plan includes a commitment to regenerate the Borough through buildings, employment, leisure and infrastructure, and enable local communities to help themselves which can in part be facilitated by the Colchester Local Plan

7. Consultation

- 7.1 Public consultation on the LDS is not specifically required by the Regulations. Each document highlighted on the LDS will be subject to specific public consultation in line with the statutory regulations at the appropriate time.

8. Publicity Considerations

- 8.1 Attention could well be focused on plans listed in the LDS resulting in publicity for the Council.
- 8.2 Consultation on the plans referred to in the LDS will be publicised by way of press release and by sending notification to people and companies on the Council's Local Plan consultation database.

9. Financial Implications

- 9.1 The financial implications of the LDS are included within the budget which has been allocated for the review of the Local Plan including updating of evidence based documents, consultation and examination.

10. Equality, Diversity and Human Rights implications

- 10.1 An Equality Impact Assessment has been prepared for the Local Development Framework and is available to view on the Colchester Borough Council website by following this pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Diversity and Equality > Equality Impact Assessments > Strategic Policy and Regeneration > Local Development Framework.
- 10.2 There are no particular Human Rights implications.

11. Community Safety Implications

- 11.1 None

12. Health and Safety Implications

- 12.1 None

13. Risk Management Implications

- 13.1 Revision of the LDS will contribute to ensuring that the Local Plan is produced within the agreed timescales and will reduce the risk of inappropriate development being permitted.

Appendix A – Colchester Borough Council LDS 2013-2016



Appendix A

Colchester's Local Development Scheme 2013 – 2016

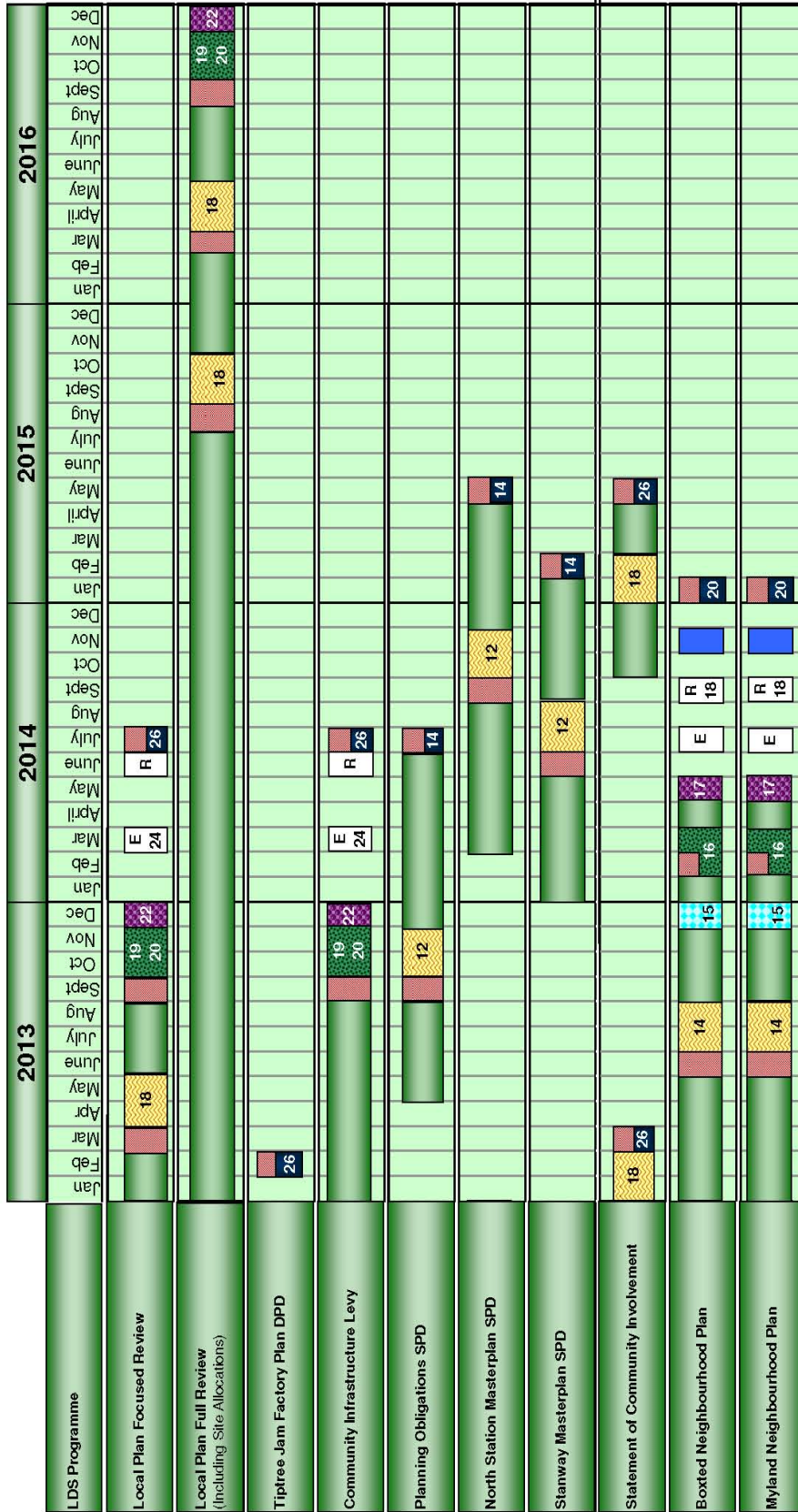
March 2013

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Local Development Scheme Project Chart 2013 - 2017



Document preparation
Member approval
Public Participation Stage/Options Document
Submission of Neighbourhood Plan to CBC
Publication Public Participation Stage
Submit to Secretary of State
E/R Examination / Report
Neighbourhood Plan Referendum
Adopt document

The Town and Country Planning (Local Planning) (England) Regulations 2012	The Neighbourhood Planning (General) Regulations 2012
12 - Public participation on SPD	6 - Publicising an area application
14 - Adoption of supplementary planning documents	7 - Publicising a designation of a neighbourhood area
18 - Preparation of a local plan	14 - Pre-submission consultation and publicity
19 - Publication of a local plan	15 - Submission of plan proposals to CBC
20 - Representations relating to a local plan	16 - Publicising a plan proposal
22 - Submission of documents and information to the Secretary of State	17 - Submission of plan proposal to examination
23 - Consideration of representations by appointed person	18 - Publication of the examiners report and plan proposal decisions
24 - Independent examination	20 - Publicising a neighbourhood development plan
25 - Publication of the recommendations of the appointed person	
26 - Adoption of a local plan	

LDS project chart updated February 2013

1. Introduction

Colchester Borough Council first adopted a Local Development Scheme (LDS) in May 2005 with various revisions published since then. The latest revision was in 2011 (corrected in 2012) which this current version now supersedes. Earlier versions of the Colchester LDS were prepared under the requirements of the 2004 Planning and Compulsory Purchase Act and The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.

Since Colchester Borough Council last produced and updated the LDS the legislation has changed. The production of an LDS is now to be prepared under the requirements of the Localism Act 2011, section 111 which amended section 15 of the 2004 Planning and Compulsory Purchase Act and is supported by the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Council has now met most of the milestones set out in the earlier versions of the LDS and it is considered appropriate to set out a future programme for the preparation of Local Plan documents over the next 3 years.

The LDS sets out the council's proposals for implementing the Act, in particular a schedule of relevant documents and a timetable for their production and review. The current LDS covers the period 2013 to 2016.

Documents to be produced

The Local Development Scheme will;

- Provide a brief description of all the development plan documents (DPD's), supplementary planning documents (SPD's) and Neighbourhood Plans (NP's) 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 adopted Core Strategy (and the emerging Local Plan focused review).
- Set out the timetable for producing 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
- Set out the timetable for producing SPDs – giving the timings for the publication of the draft SPD and the adoption of the SPD.

Please note - The glossary at the end describes the types of documents and their acronyms and other technical terms used in this document.

Review of the LDS

The scheme is required to be reviewed annually by the council. This is expected to be undertaken as part of the Colchester Borough Council Annual Monitoring Report (usually published each December). The review will;

- Show how the programme is being implemented against the set milestones
- Indicate where new matters are to be included
- Provide an updated programme rolled forward for the following 3 years (where necessary).

2. The content of the Local Development Scheme

The LDS sets out the process and projected timetable for the production and adoption of all documents, including any which will be prepared jointly with other Authorities. It also sets out the resources available for the production of documents and the risks associated with preparation; it sets out the arrangements for monitoring and review; and it identifies those background documents that are to be prepared to inform the production of the Local Plan.

3. Documents to be prepared during 2013 to 2016

Phasing of work for Local Development Documents (LDDs)

The timetable for the production of documents is shown in the chart on page 3. It is important that the LDS is kept under review and reflects any changes in Government policy.

Local Development Documents

Statement of Community Involvement (SCI)

The Statement of Community Involvement (SCI) was the first LDD to be produced, given its importance in ensuring consultation and engagement during the production of future documents of all types. The SCI was first submitted to the Planning Inspectorate in October 2005 and adopted by the Council in June 2006. It was subject to minor amendments in 2008 following changes to the regulations and was also revised further early in 2011. In January 2013 a further revised SCI was published for consultation which focused primarily on consultation procedures for planning applications. The

revised SCI will be adopted in 2013 following consideration of the consultation responses.

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. The project chart shows the SCI to be reviewed in 2015 which will be monitored.

Development Plan Documents

Local Plan Focused Review

The Local Plan Focused Review is to be the first document that the Council will produce as the main planning policy document for Colchester. The focused review will ensure that the Colchester development plan is in conformity with the National Planning Policy Framework (NPPF). The focused review will consider the current policies that are judged to not be in accordance with the NPPF and also provides opportunity to revise policies which are no longer considered to be most appropriate or those that have been challenged successfully at appeal. This will ensure that the Colchester Local Plan is not silent on any issue.

Local Plan Full Review

The focused review of the Local Plan will ensure that the overall strategic objectives and areas for growth are firmly identified through the comprehensive production of a complete Local Plan which will combine the policies currently found within the Core Strategy and Development Policies documents. The Local Plan Full Review will enable longer term issues to be discussed through public consultation and the duty to co-operate. It will also address strategic site allocations and infrastructure requirements alongside identification of housing and employment needs across the Borough up to 2031.

Community Infrastructure Levy

Colchester Borough Council is part of the Community Infrastructure Levy (CIL) front runners project in partnership with the Department of Communities and Central Government. Two rounds of consultation have taken place with regards to the production of a CIL Charging Schedule and other relevant implementation and governance procedures. The CIL Charging Schedule is now expected to come forward in parallel to the Local Plan Focused Review to ensure that it is consistent with revised regulations, the NPPF and any policy conflicts can be overcome through consultation on the Local Plan.

Tiptree Jam Factory Plan

The Tiptree Jam Factory Plan is a stand alone DPD which focuses on the redevelopment of the Wilkin & Sons Jam Factory in Tiptree and associated

enabling development, community facilities and open space provision. Previous versions of the LDS included milestones relating to the Tiptree Jam Factory Plan which was subject to public consultation in 2011 and 2012 and a public examination conducted by the Planning Inspectorate in autumn 2012. In December 2012, the Council received the Inspector's recommendations for the Plan and the Plan was adopted by Full Council in February 2013.

Neighbourhood Planning

The Localism Act 2011 and the publication of the NPPF in March 2012 placed greater emphasis on developing plans at the local level through Neighbourhood Planning. Neighbourhood Plans are to be produced by local communities and once complete (subject to examination and local referendum) they can become part of the local authorities' development plan and have a significant influence on the future growth and development of particular areas. Colchester Borough Council currently has two Neighbourhood Plans under production (Boxted and Myland & Braiswick) these received funding as front runner projects from the Department of Communities and Local Government. The LDS project plan shows the expected timescales for the production of these Neighbourhood Plans.

The Council has received expressions of interest and various enquiries from other communities across the Borough and these will be supported in the appropriate way should they wish to develop a Neighbourhood Plan for their area. In future revisions of the LDS, other Neighbourhood Plans will be shown dependent on progress.

Other Local Development Documents to be prepared

Supplementary Planning Documents

SPD supplements policy contained in a DPD, it cannot set new policy. There are a considerable number of SPG/SPD documents that are proposed either to be carried forward, currently under preparation, or proposed to be undertaken during the LDS period.

These are listed in Appendix 1.

Guidance notes and other documents

These will be produced to assist in explaining protocols, and other technical matters. They are essentially informative and may be used to determine planning applications or in other areas where planning decisions are required. They may not be subject to public consultation or a sustainability appraisal by the Borough Council. An example is the Essex Contaminated Land Report.

The Council is also encouraging Parish and Town Councils to prepare their own community plans (normally Parish Plans and Village Design Statements) These will not have the same weight in the decision making process as Neighbourhood Plans but will still be a material planning consideration. These

documents will also be adopted by the Council where they are in compliance with national and local policy.

The current Guidance Notes are listed in Appendix 1.

4. General programme for Development Plan Document preparation and adoption

The Project Chart at the front of this document shows the main milestones as set out in the Regulations for the production of each of the documents we intend to prepare in the next three years. The table below sets out each stage of plan preparation the amount of time the Council expects each stage to be completed.

The Town and Country Planning (Local Planning) (England) Regulations 2012 came into force on 6 April 2012 and provide the guidance for the production of Local Plans and associated documents in England.

Development Plan Documents (DPDs)

(Please note the timings below are indicative only and reference should be made to the LDS Project Chart)

Stage	How long?	Notes	Related Regulation (2012)
Project work	6 months	Preparation of evidence base and other supporting information before the first publication of a Local Plan document and Sustainability Appraisal Scoping Report.	Regulation 18
Member approval	1 month	Approval of evidence base and first consultation documents.	
Consultation	2 months	Public participation and Sustainability Appraisal Scoping Report.	Regulation 19
Project work	3-6 months	Analysis of consultation results. Results feed into preparation of a further revision to a Local Plan document and Final Sustainability Appraisal.	
Member approval	1 month	Approval of evidence base and a further consultation document if required.	
Consultation	2 months	Public participation and Sustainability Appraisal.	Regulation 19

Optional
Depending on their content,

Project work	3-6 months	Analysis of consultation results and amendments to the draft DPD.		some DPDs may not require this additional stage of consultation
Member approval	1 month	Approval of Local Plan document which is to be published prior to submission to Secretary of State.		
Publication Consultaiton	2 months	Publish final version of the Local Plan document. Invite representations for a period of six weeks.	Regulation 19	
Submission		Submit final version of Local Plan document, Sustainability Appraisal, and a summary of representations to Secretary of State and GO.	Regulation 22	
Preparatory work	2-4 months	Publish details of the examination six weeks beforehand. Unable to make changes to the document before the examination. Hearing statements to be prepared in accordance with deadline set by inspector.	Regulation 24	
Examination	1 month	Independent examination takes place.	Regulation 24	
Gap	3 months	Await the inspector's report.		
Inspector's Report	1 month	Receive the inspector's report (including modifications) and publish the recommendations.	Regulation 25	
Adoption		Publish the final DPD and adoption statement.	Regulation 26	

Summary and Profile of Proposed Documents

Details of the documents we intend to produce in the next five 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.

Local Plan Focused Review

Subject and Scope	This document will ensure that the Colchester policies are in conformity with the National Planning Policy Framework. The focused review will consider the current policies that are judged to not be in accordance with the NPPF. It will also reconsider policies that are deemed out of date.
Geographical area	All Colchester Borough
Status	Development Plan Document
Chain of conformity	Must conform with the National Planning Policy Framework.
Timetable for production	
Document preparation	December 2012 – February 2013
Member approval	March 2013
Local Plan document and sustainability appraisal scoping report published for consultation	April – May 2013
Consideration of responses and amendment of document	June – August 2013
Member Approval	September 2013
Publication Draft of Local Plan document and Sustainability Appraisal for consultation	October – November 2013
Submit documents and information to Secretary of State	December 2013
Independent examination	March 2014
Inspector's report	June 2014
Adoption	July 2014
Production arrangements	Led by Spatial Policy group, with input from all internal CBC service groups and Essex County Council as appropriate. The SCI will determine how external parties and members of the public will be involved.
Timetable for review	The Annual Monitoring Report (AMR) will assess the effectiveness of the policies contained within the Local Plan. It is envisaged that a full review of the Local Plan will be on going with consultation expected in 2015.

Local Plan Full Review

Subject and Scope	This document will develop the overall strategic objectives and areas for growth in the Borough. The Local Plan Full Review will combine the policies currently found within the Core Strategy, Development Policies and Site Allocations documents.
Geographical area	All Colchester Borough
Status	Development Plan Document
Chain of conformity	Must conform with the National Planning Policy Framework.
Timetable for production	
Document preparation	December 2012 – July 2015
Member approval	August 2015
Local Plan document and sustainability appraisal scoping report published for consultation	September - October 2015
Consideration of responses and amendment of document	November – February 2016
Member Approval	March 2016
Local Plan document and sustainability appraisal scoping report published for further consultation	April – May 2016
Consideration of responses and amendment of document	June – August 2016
Member approval	September 2016
Publication Draft of Local Plan document and Sustainability Appraisal for consultation	October – November 2016
Submission of DPD and summary of comments received to Secretary of State	December 2016
Independent examination	April 2017
Inspector's report	June 2017
Adoption	July 2017
Production arrangements	Led by Spatial Policy group; input from all internal CBC service groups and Essex County Council as appropriate. The SCI will determine how external parties and members of the public will be involved.
Timetable for review	The Local Plan Full review will set the overall spatial strategy for the Borough

	and will be reviewed within 5 – 10 years of adoption.
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Tiptree Jam Factory DPD

Subject and Scope	This document will include policies and allocations to support Tiptree Jam Factory, an important local employer. The plan is likely to include employment and housing allocations.
Geographical area	Tiptree
Status	Development Plan Document
Chain of conformity	Must conform with the Core Strategy and be consistent with other adopted DPDs. The plan will update the allocations for this area of Tiptree.
Timetable for production	
Document preparation	July 2011 – October 2011
Member approval	November 2011
Consultation on draft document and sustainability appraisal scoping report	November – January 2012
Consideration of responses and amendment of document	January – February 2012
Member Approval	April 2012
Publication and 6 week consultation	April – May 2012
Submission of DPD and summary of comments received to Secretary of State	May 2012
Independent examination	September 2012
Inspector's report	December 2012
Adoption	February 2013
Production arrangements	Spatial Policy group and Melville Dunbar Associates (on behalf of Wilkin & Sons). Input from internal CBC service groups and Essex County Council as appropriate. The SCI has determined how external parties and members of the public will be involved.
Timetable for review	The Annual Monitoring Report (AMR) will assess the effectiveness of the policies and allocations. The allocations can also be reconsidered as part of the Local Plan Full Review if required.

Community Infrastructure Levy

Subject and Scope	Community Infrastructure Levy
Geographical area	Colchester Borough
Status	CIL charging schedule, governance arrangements, implementation plan, installment policy and other associated documents
Chain of conformity	Must conform with Local Plan and other DPD's as well as the NPPF.
Timetable for production	
Consultation on draft documents	July – September 2011 and November – December 2011
Consideration of responses and amendment of document following earlier consultations	August 2012 – August 2013
Member Approval	September 2013
Publication and 6 week consultation	October – November 2013
Submission of plan and summary of comments received to Secretary of State	December 2013
Independent examination	March 2014
Inspector's report	June 2014
Adoption	July 2014
Production arrangements	Spatial Policy group. Input from internal CBC service groups and Essex County Council as required.
Timetable for review	It is anticipated that the regulation 123 list (infrastructure items) will be reviewed and updated as required on an annual basis. The charging schedule and other CIL documents will be reviewed as required. The Annual Monitoring Report (AMR) will assess the effectiveness of CIL policies.

Boxted Neighbourhood Plan

Subject and Scope	Neighbourhood Plan for Boxted Parish
Geographical area	Boxted Parish
Status	Neighbourhood Plan
Chain of conformity	Must conform with strategic policies in the Local Plan and other adopted DPDs.
Timetable for production	
Document preparation	November 2011 – July 2012
Member approval	August 2012
Consultation on Neighborhood Plan Area	August – October 2012
Early stage consultation on Neighborhood Plan	November – December 2012
Document preparation	January – May 2013
Member approval	June 2013
Pre-submission consultation and publicity	July – August 2013
Document preparation and analysis of consultation responses	September – November 2013
Submission of Neighbourhood Plan Proposals to CBC	December 2013
Document preparation	January 2014
Member approval	February 2014
Publication of Neighbourhood Plan Proposals	February - March 2014
Document preparation	April 2014
Submission of plan proposal to examination	May 2014
Independent examination	July 2014
Inspector's report	September 2014
Referendum	November 2014
Adoption	January 2015
Production arrangements	Boxted Parish Council with support from Spatial Policy group as appropriate. Input from internal CBC service groups and Essex County Council as required.
Timetable for review	The Annual Monitoring Report (AMR) will assess the effectiveness of the policies and allocations.

Myland Neighbourhood Plan

Awaiting Info from Myland and Braiswick Neighbourhood Plan group

Subject and Scope	Neighbourhood Plan for Myland and Braiswick
Geographical area	Myland Parish and ward
Status	Neighbourhood Plan
Chain of conformity	Must conform with strategic policies in the Local Plan and other adopted DPDs.
Timetable for production	
Document preparation	March – September 2012
Member approval	October 2012
Consultation on Neighbourhood Plan Area	November – January 2013
Document preparation	January - May 2013
Member approval	June 2013
Pre-submission consultation and publicity	July – August 2013
Document preparation and analysis of consultation responses	September – November 2013
Submission of Neighbourhood Plan Proposals to CBC	December 2013
Document preparation	January 2014
Member approval	February 2014
Publication of Neighbourhood Plan Proposals	February - March 2014
Document preparation	April 2014
Submission of plan proposal to examination	May 2014
Independent examination	July 2014
Inspector's report	September 2014
Referendum	November 2014
Adoption	January 2015
Production arrangements	Myland Community Council with support from Spatial Policy group as appropriate. Input from internal CBC service groups and Essex County Council as required.
Timetable for review	The Annual Monitoring Report (AMR) will assess the effectiveness of the policies and allocations.

Profiles for Supplementary Planning Documents

North Station Masterplan	
Title	North Station Masterplan
Role and content	To provide advice on the future redevelopment in the area
Status	SPD
Chain of conformity	The SPD will supplement policies in the Local Plan
Geographic coverage	Land around Colchester North Station, North Station Road and the Cowdray Centre
Timetable and milestones in months:	<ul style="list-style-type: none"> • Member approval for consultation – September 2014 • Public participation – October - November 2014 • Consideration of consultation representations and revisions to the document – December – April 2015 • Adoption – May 2015
Arrangements for production	Colchester Borough Council (CBC) to lead with significant input from Essex County Council. Public consultation to include a press release, advertisement and letters/emails.
Post production - Monitoring and review mechanisms	CBC to monitor after adoption through a review of planning applications.

Stanway Masterplan	
Title	Stanway Masterplan
Role and content	To provide advice on future development in the area
Status	SPD
Chain of conformity	The SPD will support the policies within the Local Plan
Geographic coverage	Stanway Growth Area
Timetable and milestones in months:	<ul style="list-style-type: none"> • Preparation of draft SPD and sustainability appraisal scoping report – January - May 2014 • Member approval for consultation – June 2014 • Public consultation – July - August 2014 • Consideration of consultation representations – September – January 2015 • Adoption – February 2015
Arrangements for production	Colchester Borough Council (CBC) to lead with significant input from Essex County Council. Public consultation to include a press release, advertisement and letters/emails.
Post production - Monitoring and review mechanisms	CBC to monitor after adoption through a review of planning applications.

Planning Obligations SPD	
Title	Planning Obligations SPD
Role and content	To provide further details on the collection of the planning obligations received by the Council as a result of planned developments across the Borough.
Status	SPD
Chain of conformity	The SPD will support the policies within the Local Plan and the Community Infrastructure Levy
Geographic coverage	Whole Borough
Timetable and milestones in months:	<ul style="list-style-type: none"> • Preparation of draft SPD and sustainability appraisal scoping report – May – August 2013 • Member approval for consultation – September 2013 • Public consultation – October - November 2013 • Consideration of consultation representations – December – May 2014 • Adoption – June 2014
Arrangements for production	Colchester Borough Council (CBC) to lead with significant input from Essex County Council. Public consultation to include a press release, advertisement and letters/emails.
Post production - Monitoring and review mechanisms	CBC to monitor after adoption through a review of planning applications.

5. Evidence Base

The 'evidence base' is a key feature of the Colchester Local Plan. It seeks to ensure that the development plan's proposals and policies are soundly based. To ensure this a number of specialist studies and other research projects are, or will be undertaken. These will also be important in monitoring and review, as required by the AMR.

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

Each document will be made publically available at the appropriate time in the process, usually on the Council's website (www.colchester.gov.uk). All will be made available at the relevant examination. These documents will be reviewed in the AMR to see if they need to be reviewed or withdrawn. Other documents may also be produced as needed during the process.

The table on the following pages identifies the reports and studies that will be used to provide a robust and credible evidence base for the Local Plan. This list will be added to if additional work is required.

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.

Documents to be produced as Evidence Base for Local Development Documents

Title	Purpose and Scope	Timescale and review
SEA Baseline Study & Environment Report	To provide sound evidence base on main environmental factors in the borough for SEA and SA of all documents.	Base line study will be updated as part of the Local Plan Focused Review.
Strategic Environmental Assessment & Sustainability Appraisal	To provide sound evidence base for all documents (except some guidance notes).	Sustainability Appraisal work will be undertaken alongside the formulation of policy documents.
Townscape Character Study	To provide a sound basis for the SHLAA and built environment DPD policies.	Completed June 2006.
Housing Land Availability Assessment	To provide evidence for housing land availability and distribution in relation to Core Strategy requirements.	Completed February 2007
Strategic Housing Land Availability Assessment (SHLAA)	Update of previous Housing Land Availability and Urban Capacity work to meet the requirements for Strategic Housing Land Availability Assessments.	Final Report Completed November 2007. Updated annually as part of the AMR. A new SHLAA will be required to inform the Local Plan Full Review starting in 2014/15.
Housing Needs Survey and Strategic Housing Market Assessment (SHMA)	Joint study with Braintree and Chelmsford Councils. This updates the HNS for Colchester undertaken in 2002. It assesses local housing markets and housing needs.	Completed February 2008 and updated annually. A new SHMA will be required to inform the Local Plan Full Review in 2014/15. A sub regional SHMA is being commissioned early 2013.
Employment Land Study	To add detail to the Haven Gateway study on a borough level. The study looks at existing sites and future needs to at least 2021.	Completed May 2007 to help inform the production of Core Strategy. Study will be updated to inform the Local Plan Full Review

		starting in 2014/15
Retail study	Joint study with Maldon, Braintree and Tendring Councils. To provide evidence for future shopping strategies provision across the borough up to 2021.	Report completed March 2007. The study helped the production of Core Strategy and other documents. Updated in 2009. A new study will be completed in 2013
Landscape Character Assessment	To provide evidence for countryside strategies and housing allocations.	Assessment completed November 2005.
Haven Gateway Green Infrastructure Study (HAGGIS).	To ensure there are sufficient open space, sport and recreational facilities, that they are in the right places, are of high quality, attractive to users and well managed and maintained.	Study completed April 2008.
Colchester Green Infrastructure Study	To provide additional detail at the local level	Work completed in October 2011.
PPG17 Study	To ensure there are sufficient open space, sport and recreational facilities, that they are in the right places, are of high quality, attractive to users and well managed and maintained.	PPG17 Study completed February 2008. A new Open Space Study will be commissioned in 2013.
Strategic Flood Risk Assessment	Joint study with Maldon and Braintree Councils. The assessment helped inform the production of Site Allocations and other DPD's.	Completed October 2007.
Transport Model for Colchester	To enable area-wide traffic and public transport modelling to take place including the future traffic scenarios to be predicted and transport solution to be tested	The model has been validated and calibrated and is available for testing scenarios and projects as part of the Local Plan Full Review expected to start in 2014/15.
East Transit Corridor study	To investigate options for a high-speed, high-frequency public transport link between	Initial stage of feasibility study complete which identifies short, medium and long term options.

	the University, East Colchester regeneration area and the Town Centre.	
Town Centre Car Parking strategy	To ascertain current and future demand for parking and develop a parking strategy for the Town complementing Colchester's Park and Ride strategy.	Capacity and demand analysis undertaken in relationship to Regeneration Programme. Strategy is kept under review to reflect changes in regeneration programme.
Review of Local Wildlife Sites	Resurvey the whole borough including a review of existing local wildlife sites (last carried out in late 1980's) Produce list of wildlife sites following consultation	Work completed December 2008
Hotel Demand Study	Identify gaps in the market and inform potential hotel investors of development opportunities. Provide a sequential site assessment of potential sites for development	Completed April 2007 and updated 2009
Historic Environment Characterisation	This project design presents a programme of work to characterise the historic environment of Colchester Borough	Work completed November 2008.
Green Breaks Study	Assess the justification for including land in such local designations	Work completed January 2009
Affordable Housing Viability Study	To assess the impact the delivery of affordable housing on the viability of schemes across the Borough	Work commissioned in 2012 and expected to be completed by March 2013.

6. Monitoring and review

Monitoring of LDDs

The development plan system is a continuous process with monitoring and review being fundamental aspects to the delivery of a successful plan. Since the introduction of the Planning and Compulsory Purchase Act 2004, it has been a requirement that an Annual Monitoring Report (AMR) will be published by the end of December each year. The AMR has been used to inform the review of this Local Development Scheme annually.

The AMR will analyse the period of the previous April to March of the current year. The report will:

- Set out how the Council is performing in the production of documents against the timescales and milestones set out in the previous years LDS;
- Provide information on how the strategies/policies/targets in the Local Plan are being achieved;
- Advise on whether any LDDs need reviewing;
- Review progress on SPDs and whether any new ones are required or old ones withdrawn or reviewed;
- Advise on the need to update the LDS as appropriate; and
- Provide information on the 'State of the Borough'.

As required by the Regulations, the LDS will be monitored annually, informed by the AMR and a report produced and submitted to the Local Plan Committee for revision should changes be required.

Review of LDDs

Following the initial adoption of 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 Borough.

7. Resources and Risk Assessment

Professional officer input

The Local Plan process will be led by the Spatial Policy Team as part of the Strategic Policy and Regeneration Service at Colchester Borough Council.

The Spatial Policy Team consists of Planning Policy and Transportation Policy. The team is lead by a Spatial Policy Manager who will be responsible for the overall project and policy direction. The team also includes a planning policy manager and four planning officers, who will be responsible for various elements of the Local Plan process and policy. Transportation Officers will also be heavily involved in the production of the Local Plan, working alongside colleagues from Essex County Council.

Additional staff resources will be brought in to the process from time to time as required from other professional groups within the Group, other CBC services and outside agencies as follows:

Strategic Policy and Regeneration

Housing Policy

Enterprise

Regeneration

Leisure, Tourism and Cultural services

Other CBC Services

Environment and Protective Services (development management and environmental protection)

Life Opportunities (community strategies)

Street Services (waste policy)

Others

Highways Agency (strategic highways matters)

Essex County Council (other highway matters, education, planning etc)

Rural Community Council for Essex (to promote/facilitate links with parish councils)

Consultants have been commissioned to develop elements of the evidence base and this is continuing.

Consultee groups

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

Financial resources

In 2010 the Government announced it was abolishing the Housing and Planning Delivery Grant. This had been a significant source of funding and was used to fund the various technical studies required to underpin and inform the production of planning documents. The evidence base is a continuous process and whilst further studies and updates are identified above, there is limited funding identified in the future.

Risk Assessment

Risks

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>Significant public opposition to plan proposals.</p> <p>Medium Risk</p>	<p>The production of the Local Plan 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>Where there is opposition to things that have already been determined within previous documents (Core Strategy and subsequently the Site Allocations DPD) there is little the Council can do without a full scale review. Even then the allocations have already been found to be most appropriate.</p>
<p>Inability of PINS to deliver examinations/reports to timetable.</p> <p>Medium Risk</p>	<p>The Planning Inspectorate has been identified for 35% cuts to its budget and will need to change the way it works and the number of staff.</p> <p>There is also uncertainty as to the Governments plans for planning policy.</p> <p>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>Loss/turnover of staff</p> <p>Low Risk</p>	<p>The Spatial Policy Team have benefitted from low turnover in recent years.</p> <p>In the past the programme suffered through the loss of a number of experienced officers and it was difficult to replace them.</p>

<p>Financial shortfall</p> <p>Medium Risk</p>	<p>Any review of 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 & Planning Delivery Grant (HPDG) and its Service and Financial Planning process to allow for the preparation of the LDF. In the longer term no HPDG funding is available. 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>
<p>Changing Political Priorities</p> <p>Medium Risk</p>	<p>This document has been considered and approved by Local Plan Committee. Elections in the borough 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>Legal Challenge</p> <p>Low Risk</p>	<p>A legal challenge may be lodged to any document within six week of adoption. The degree to which this will happen is uncertain due to the untried nature of the system emerging. 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 and Programme as at November 2008

Subject	Authorities involved and Projected Date of Approval	Timetable for review
Existing Supplementary Planning Guidance		
Blackwater Estuary Management Plan	Colchester Borough Council/ Maldon District Council/English Nature/Essex County Council 1996.	Additional documents published to be read in conjunction with the Plan; Issues Update – 1999 Review Document - 2002
Great Horkesley Village Appraisal	Colchester Borough Council March 1998	
Severalls Hospital/Cuckoo Farm Masterplan	Colchester Borough Council 2001	
Magdalen Street and Barrack Street Development Brief	Colchester Borough Council 2001	
Colchester Garrison Development Plan/Masterplan	Colchester Borough Council 2001 Adopted November 2002	
Dedham Vale AONB & Stour Valley Management Strategy & Action Plan 2004 -2009	Colchester Borough Council Essex County Council Adopted 2004	

Existing Guidance Notes proposed to be retained (these are not SPG) This guidance forms a material consideration	
Legal Obligations	CBC adopted March 2004
Development Team Protocol	CBC adopted March 2004
Paxmans Development Brief	CBC adopted February 2005
Tilehouse Farm Great Horkesley Development Brief	CBC adopted June 2005
St Botolphs Masterplan	CBC adopted as Council Guidance 30.6.05
Magistrates Court Development Brief	CBC adopted May 2006
Planning Out Crime	Colchester Borough Council Adopted 5 April 2005
Contaminated Land	CBC/Essex Contaminated Land Consortium. Adopted July 2004
Layer Road Development Brief	CBC adopted October 2006
Stanway Rail Sidings Development Brief	CBC adopted February 2006
Betts Development Brief	CBC adopted December 2010
Stanway Railway Sidings Development Brief	CBC adopted May 2011
Town Centre Public Realm Strategy	CBC adopted June 2011
Rural Workers Dwellings Guidance Note	CBC adopted August 2012
Air Quality Management Guidance Note	CBC adopted August 2012
Dedham Village Design Statement	CBC adopted October 2007

Langham Village Design Statement	CBC adopted September 2008	
Wivenhoe Town Plan	CBC adopted December 2008	
Boxted Joint VDS and Parish Plan	CBC adopted June 2010	Action Plan outstanding
Little Horkesley Village Design Statement	CBC adopted August 2010	
Myland Design Statement	CBC adopted September 2010	
West Bergholt Parish Plan	CBC adopted December 2010	
Stanway Joint Design Statement and Parish Plan	CBC adopted March 2011	
West Bergholt Village Design Statement	CBC adopted December 2011	
Dedham Parish Plan	CBC adopted December 2011	
Winstred Hundred Community Plan	CBC adopted March 2012	
Myland Parish Plan	CBC adopted July 2012	
Essex County Council Guidance (no resource implications for CBC) This guidance forms a material consideration		
Essex Golf Report	Essex County Council 1992	
Essex Design Guide and Urban Place Supplement	Essex Planning Officers Assoc. 2005	
Developers Guide to Infrastructure Contributions	Essex County Council 2010	
Education Contributions Supplement	Essex County Council 2010	
Development and Public Rights of Way	Essex County Council 2011	
Procedure and Policy for Public	Essex County Council 2011	

Path Creations			
Procedure for Public Path Diversions	Essex County Council 2011		
Adopted Supplementary Planning Documents			
External Materials	Colchester Borough Council		Adopted June 2004
Rowhedge Port Redevelopment Brief	Colchester Borough Council		Adopted June 2004
Open Space, Sport and Recreational facilities	Colchester Borough Council		Adopted July 2006
Extending Your House	Colchester Borough Council		Adopted November 2005
Magdalen Street (south side)	Colchester Borough Council		Adopted November 2005
Colne Harbour Masterplan	Essex CC and Colchester BC		Adopted December 2007
Sustainable Construction	Colchester Borough Council		Adopted October 2007 and revised in June 2011
Backland and Infill Development	Colchester Borough Council		Adopted December 2010
Community Facilities	Colchester Borough Council		Adopted September 2009
Car Parking Standards	Essex Planning Officers Society		Adopted September 2009
Shop front Design Guide	Colchester Borough Council		Adopted June 2011
Affordable Housing	Colchester Borough Council		Adopted August 2011
Cycling Delivery Strategy	Colchester Borough Council		Adopted January 2012
North Colchester Growth Area	Colchester Borough Council		Adopted June 2012
Street Services	Colchester Borough Council		Adopted October 2012
Better Town Centre	Colchester Borough Council		Adopted December 2012
Supplementary Planning Documents under Preparation			

Stanway Master Plan	Colchester Borough Council	Adoption expected 2015
Planning Obligations	Colchester Borough Council	Adoption expected June 2014
External Materials in New Developments	Colchester Borough Council	Adoption expected February 2015
North Station Master Plan	Colchester Borough Council	Adoption expected May 2015

Note: Planning Guidance Notes are non statutory because they have not been through all the formal procedures set out in legislation and regulations. These documents will therefore be largely advisory or relate to procedures. They do however set out Council policy and may be used in determining planning applications, or informing any other planning decisions.

Appendix 2

Glossary of terms and acronyms

Annual Monitoring Report (AMR)

This assesses how the Council is progressing with the timetables set out in the Local Development Scheme. It also assesses how effective the various policies contained in the other Local Development Documents are in practice. This is a statutory document but is not a Local Development Document (LDD).

Communities and Local Government (CLG)

The department was created on 5 May 2006 with a powerful remit to promote community cohesion and equality, as well as responsibility for housing, urban regeneration, planning and local government.

Community Led Plans

The most recognised current “types” of community led plans are Neighbourhood Plans, Parish Plans and Village/Town Design Statements (VDS). There is no standard format for community-led plan documents, although there are generic structures and guidance on how to prepare them. The documents usually contain results of the appraisal and survey work undertaken and the actions/guidance arising from it, but each one is unique to the community that will monitor it. There is however a fundamental difference between Parish Plans/Market Town Initiatives and Village/Town Design Statements;

- **Neighbourhood Plans**

The Localism Act enables a local group to work together either through their Parish, Town or Community Council or a specially constituted Neighbourhood Forum to prepare a Neighbourhood Plan. The Plan will set out a development vision about how the local community wants their local area to develop in the future.

- **Parish Plans**

Parish Plans address a range of social, environmental and economic issues, and produce two main types of outcome – action which can be undertaken by local groups, and proposals to influence actions, decisions and policies of larger organisations. Similar action based community-led plans can be undertaken in urban areas which focus on housing estates or other geographically identifiable areas of a town.

- **Village Design Statements (VDS)**

VDS describes the character of the local area and produces design guidance and practical ways to care for and enhance the appearance of the local area. The VDS, if in accordance with development plan policy, can be adopted as planning guidance and can then be a material consideration in the determination of planning applications.

Development Plan Documents (DPD)

These are the documents which must be taken into account in determining planning applications. Planning permission must be granted in accordance with these documents unless material considerations indicate otherwise. Development Plan Documents must be subjected to independent examination before being adopted.

Local Development Documents (LDD)

These documents can be Development Plan Documents (DPD) and Supplementary Planning Documents (SPD) both of which are used to guide development and by the Council in the determination of planning applications. The Statement of Community Involvement (SCI) is also an LDD.

Local Development Framework (LDF)

This is the complete “portfolio” of documents that make up the Development Plan for the Borough. In Colchester it comprised of the Local Development Scheme, Annual Monitoring Report, Statement of Community Involvement, Local Development Documents, Development Plan Documents, Supplementary Planning Documents and Planning Guidance Notes. The Local Development Framework system is now to be replaced by a Local Plan following the publication of the National Planning Policy Framework.

Local Development Scheme (LDS)

This document sets out which documents are part of the Local Plan, the timetable for their review and the preparation of new documents. This is a statutory document although not a Local Development Document (LDD).

Local Plan

A document to be produced covering the whole of the Borough which guides growth and development of Colchester. An earlier Local Plan was adopted in 2004 and then was replaced by documents under the Local Development Framework.

Local Plan Committee

The working group of councillors set up by the council to take forward the Local Plan process. The committee is open to the public and has delegated power from the Full Council to decide the form and content of the Local Plan.

National Planning Policy Framework (NPPF)

The National Planning Policy Framework was published in March 2012 and provides policy guidance at the national level. All development plan documents are to be in conformity with the NPPF.

Planning Inspectorate (PINS)

The independent Government Agency charged with Examinations into LDDs and dealing with planning appeals. The Inspectors decisions will be binding on the council on all LDDs.

Portfolio Holder

The Cabinet Member responsible for the planning function of the council. The portfolio holder will agree the process and content for SPD and other Guidance documents.

Statement of Community Involvement (SCI)

This sets out the Council's policy on involving the community in policy-making and major planning applications. It is a Local Development Document.

Strategic Environmental Assessment (SEA)

Required under the terms of the European directive 2001/42/EC for "environmental assessment of certain plans and programmes, including those in the field of planning and land use". Undertaken in conjunction with the Sustainability Appraisal.

Supplementary Planning Documents (SPD)

There is no legal requirement to take these documents into account in determining planning applications, but where they are relevant, the council will do so. They are intended to provide guidance to applicants wishing to develop land or buildings. The community will be involved in their preparation, but there is no independent examination of the document.

Supplementary Planning Guidance (SPG)

Same as SPD, but produced under the old system, with fewer regulations governing their preparation.

Sustainability Appraisal (SA)

An assessment of the impact the proposals contained within a Local Development Document would have on the environment, economy and society. SA is an ongoing process; it should be used to improve the sustainability of subsequent versions of the document. It is to be carried out in conjunction with the Strategic Environmental Assessment.



Local Plan Committee

Item
10

11th March 2013

Report of	Head of Strategic Policy and Regeneration	Author	Laura Chase 01206 282473
Title	Revised Statement of Community Involvement		
Wards affected	All		

The Local Plan Committee is asked to adopt the revised Statement of Community Involvement

1. Decision(s) Required

- 1.1 To adopt the revised Statement of Community Involvement.

2. Reasons for Decision(s)

- 2.1 All local authorities are required to produce a Statement of Community Involvement (SCI) setting out how they will ensure effective community participation in the planning process.

3. Alternative Options

- 3.1 There are no alternatives as the Borough needs to have an up-to-date process for consultation which has been consulted on and made readily available.

4. Supporting Information

- 4.1 The Statement of Community Involvement sets out how the Council will involve communities and stakeholders in the planning process. (Attached as Appendix 2) This includes both preparing Local Plan documents and applications for planning permission. The SCI sets out to achieve the following objectives:
- Show how the Council aims to strengthen community involvement in the planning process;
 - Make sure that the local community and stakeholders know when and how they can get involved in the production of planning policy documents and major planning applications;
 - Improve the quality of community involvement and consultation initiatives in cost-effective ways, maximising the potential of both traditional information sources and new social media
 - Involving as many sectors of the local community as possible while recognising their different consultation needs;

- Show how community involvement in planning will, where possible, be joined up with other community involvement initiatives; and
 - Explain the consultation process of the Statement of Community Involvement (SCI) and how it will be monitored and reviewed in the future.
- 4.2 The SCI explains how people can be involved at each stage of the plan making and planning application process and provides a list of those who the Council will consult for various planning matters.
- 4.3 Colchester's SCI was initially produced in 2005 and addenda were produced to accompany new regulations in 2008 and then again in 2011. The Council has now produced a shorter, consolidated version of the SCI which takes into account the latest changes in the national planning system brought by the National Planning Policy Framework. These include the change from the Local Development Framework to Local Plans and consequent changes to regulations, as well as the introduction of Neighbourhood Plans and the Community Infrastructure Levy.
- 4.4 Public consultation continues to be a requirement for Local Plan documents under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and while Statements of Community Involvement are not specifically mentioned, it is considered good practice to ensure accountability through a 6-week consultation period. Other relevant Council officers have reviewed the document to ensure it is compatible with other Council documents and policies concerning consultation. The Council consulted on the document for 6 weeks from 7 January to 25 February 2013.
- 4.5 A total of 6 representations were received to the consultation. Comments on changes required were largely considered to be covered by existing procedures. (See Appendix 3, Statement of Consultation). The main change made to the document has been to increase provision for public speakers on planning applications. (see Appendix 1, Proposed Changes to SCI) The draft allowed for one speaker in opposition to an application, but the revised adoption version has been amended to address comments made by Tiptree Parish Council and Myland Community Council to provide that at the Chairman's discretion, and where prior notification has been given, further objectors will be allowed to speak on particularly complex or controversial applications.
- 4.6 Development Management colleagues have requested changes to the wording on late representations, and the Adoption Version of the SCI has now been clarified to reflect current practice as shown in Appendix 1.

5. Proposals

- 5.1 It is proposed that the Committee agree to adopt the Statement of Community Involvement as revised.

6. Strategic Plan References

- 6.1 Effective consultation on planning matters supports the Strategic Plan Vision for Colchester as a place to live, learn, work and visit, and in particular informs the priorities of leading for the future and listening and responding.

7. Consultation

- 7.1 Public consultation commenced on Monday 7 January 2012 and ran for a period of six weeks to Monday 25 February 2013. The consultation was publicised by way of a press release and by sending notification to appropriate bodies on the Council's Local Plan consultation database. Copies of the consultation document and supporting information were made available on the Council's website, Colchester Library and in the Customer Service Centre.

8. Publicity Considerations

- 8.1 Consultation on a revised SCI provided an opportunity for residents, businesses, and others with an interest in the area to comment.

9. Financial Implications

- 9.1 There are no direct financial implications. The public consultation and the production of the revised document can be carried out in-house using existing resources.

10. Equality, Diversity and Human Rights Implications

- 10.1 An Equality Impact Assessment has been prepared for the Local Development Framework 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 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.

11. Community Safety Implications

- 11.1 None

12. Health and Safety Implications

12.1 None

13. Risk Management Implications

13.1 A decision to release a revised SCI for public consultation will help the Council listen and respond as well as ensuring the SCI remains an up-to-date and useful document.

Background Papers

None

**Appendix 1
Proposed Changes to Statement of Community Involvement**

Para No/Page.	Consultation SCI wording	Revised Adoption Wording
5.17, p. 21	If the scheme is significantly changed we will try to repeat the consultation allowing, where possible, an extra 14 days or less in certain circumstances, for further comments (at the discretion of the case officer).	If the scheme is significantly changed or changed in a manner deemed to have a greater impact upon you than the original submission we will try to repeat the consultation allowing, where possible, an extra 14 days or less in certain circumstances, for further comments (at the discretion of the case officer).
5.20 p. 21	Where an application is being reported to Committee all comments received are summarised in the Committee report. Letters will not be accepted after 5pm on the day before Committee. Once the agenda has been prepared, anything received before 5pm will be reported on an amendment sheet, or verbally.	Where an application is being reported to Committee a list of the different material planning considerations raised within the various comments received are summarised in the Committee report. Letters or emails will not be accepted after 5pm on the day before Committee. Once the agenda has been prepared, anything received before 5pm on the day falling 2 days before the day of the committee meeting will be reported on an amendment sheet. Anything received after 5pm on the day falling 2 days before the day of the committee meeting will be reported verbally during any presentation given to the Committee by the relevant case officer
5.22 p. 21	At committee one representative from the objectors is able to speak to committee for up to 3 minutes. Objectors are invited to view the application on-line to obtain a full list of objectors to enable them to get together. Ward Members may also speak on behalf of their electorate and will be allowed up to 5 minutes	At Planning Committee one representative speaking against an application and one speaking for an application are able to speak to the Committee for up to 3 minutes. On particularly complex or controversial applications, the Chairman has the discretion to amend the Have Your Say! arrangements set out in the Planning Committee Procedure Rules

		<p>Objectors are invited to view the application on-line to obtain a full list of objectors' comments to enable them to co-ordinate a reply in the event that more than one person wishes to speak. Ward Members may also speak on behalf of their constituents and are allowed up to 5 minutes.</p>
p. 25	Myland Parish Council	Myland Community Council



Local Plan

Statement of Community Involvement (SCI)

Adopted March 2013

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1. Introduction

The Statement of Community Involvement (SCI)

- 1.1 Colchester's planning system seeks to strengthen community and stakeholder involvement and encourage people to participate in the development of their local community. To help achieve this we are required to prepare and consult on a Statement of Community Involvement. The Council has frequently updated its SCI to reflect changes in the planning system, with the last update occurring in 2011. Since then, further changes in legislation have occurred, so the SCI has been edited to include those and additionally has been simplified to ensure clarity and promote public involvement.
- 1.2 We understand that in order to try to reach agreement within communities, people need to be involved from the early stages of the planning process. The Statement of Community Involvement is therefore a public statement that lets communities and stakeholders know when and how they can be involved. This includes both preparing planning policy documents and when considering applications for planning permission.
- 1.3 The objectives of this Statement of Community Involvement are to:
 - (a) Show how the Council aims to strengthen community involvement in the planning process;
 - (b) Make sure that the local community and stakeholders know when and how they can get involved in the production of planning policy documents and major planning applications;
 - (c) Improve the quality of our community involvement and consultation initiatives in cost-effective ways, maximising the potential of both traditional information sources and new social media
 - (d) Involving as many sectors of the local community as possible while recognising their different consultation needs;
 - (e) Show how community involvement in planning will, where possible, be joined up with other community involvement initiatives; and
 - (f) Explain the consultation process of the Statement of Community Involvement (SCI) and how it will be monitored and reviewed in the future.

Your Involvement in the process

- 1.4 Throughout the planning process we welcome all your comments and suggestions. You can do this through the formal consultation processes which are the subject of this guide. You may also wish to raise matters or discuss ideas with your local ward councillor at any time. They can raise matters directly with the Council or other organisations on your behalf. Local town and parish councils are a further source of advice and assistance. Details of all the Colchester Borough Council members along with town and parish councils can be found at www.colchester.gov.uk.
- 1.5 However, it is important to note that because of the range of people and interests that changes to the local environment can affect, it will be difficult to find solutions that satisfy everyone. We will also have to take into account available resources and government policies which are applied across the country. Getting involved in the process will not therefore guarantee that your views will be successful, but we do promise to listen and seriously consider all comments and suggestions that are put forward. The Council also encourages other organisations operating across the Borough to undertake effective and

transparent community involvement activities to promote awareness of issues and opportunities for involvement and conflict resolution. Those proposing development need to work with the Council to ensure early involvement where appropriate with all concerned parties including ward members and Parish/Town Councils.

2 Community Involvement in the Planning Process

How you can influence the Local Plan

2.1 Throughout the preparation and production of planning documents there will be various stages during which you will be able to comment and influence their content. All comments made on a particular document will be seriously considered and, where appropriate, will be taken forward and fed into the production of that document before the council adopts it. These stages are illustrated in section 4.

2.2 The type and coverage of plans has evolved over the years and has most recently been affected by the publication of the National Planning Policy Framework in March 2012 which entails the replacement of 'Local Development Frameworks' with 'Local Plans'. The overall requirement to ensure wide consultation remains, but the NPPF and the associated Localism Act have introduced some new plans, such as Neighbourhood Plans, and provided greater flexibility in the requirements for plan preparation. The continuing source of information on all the Council's planning policy documents continues to be the Local Development Scheme available on the Council's website (www.colchester.gov.uk/ldf)

2.3 The Local Plan Committee has been established as a sub-committee of Full Council and is open to the public in the same way as other formal council committees. The Committee has responsibility for guiding the Local Plan process and takes decisions on the various documents to be produced. As part of this process they will take account of all consultations.

2.4 We will, where appropriate, encourage and advise the community to contact groups and organisations that may be able to offer independent planning advice or further information during the plan preparation process. A representative list of relevant groups can be found in appendix 4.

Ensuring Effective Consultation

2.5 At every stage of the process it will be important to plan consultation exercises thoroughly before they begin so that we are aware of whom we are consulting and why we are consulting them. We will refer to our 'Consultation Guidelines', which can be found in appendix 5.

2.6 So that our consultations may be as effective as possible we will ensure that all methods are appropriate to each document being consulted on, each stage of consultation and to each group being consulted. This will ensure that all the consultations and community involvement activities we carry out are fit for the purpose they are intended for.

2.7 We will also encourage the involvement of the community groups, associations and organisations that we already have good links with, and will aim to seek out and involve others.

Consulting Hard to Reach Groups

2.8 In order to encourage participation from all parts of the community, it is important to realise the diversity within the borough and the need to treat everybody as an individual. We recognise that some parts of the community often have less chance than others to get

involved and are therefore under represented in the planning process. Examples of these hard to reach groups may include, younger people, older people, people who are homeless, temporary residents, people with disabilities and ethnic minorities. It is our aim to give these groups and individuals every opportunity to be involved and to encourage their participation in planning policy documents.

2.9 When deciding on the nature of our consultations in the project plan, we will seriously consider the issues that our target groups and individuals may face in terms of methods, venues, language, access, childcare etc., and the approaches we might take to overcome or minimise these barriers. The table below illustrates some of these issues and their possible solutions. (Please note, that this list is not exhaustive). The Council's Diversity Steering Group has contributed to the preparation of this document and is happy with the methods identified for involving 'hard to reach' groups. Each document produced and every planning application considered will be assessed to ascertain which 'hard to reach' groups should be consulted with and the methods for doing so.

Potential Barriers to Consultation	Possible Solution
<p>Difficulties with written information. (Literacy problems, learning disabilities, physical disabilities, and English as a second language.)</p>	<ul style="list-style-type: none"> • Telephone questionnaires. • Face to face surveys. • Focus Groups. • Provide accessible written information including large font, good colour contrast and avoiding abbreviations. • Browse Aloud on the Council's website which "reads" content out loud to the customer. • Sign language translator. • Translated into a customer's first language by use of the translation facility on the Council's website.
<p>Intimidated or alienated by approach. (Communication/literacy problems, attitude to staff, put off by 'officialdom' of process, long-standing hostility to the council, lack of confidence or self-esteem.)</p>	<ul style="list-style-type: none"> • Telephone questionnaires. • Face to face surveys. • Consider engaging a specialist consultant, voluntary or community group to carry out consultation on the council's behalf. • Consider using representatives who are already known and trusted by the target group. • Contact community representatives such as health workers or teachers. • Choose language carefully and explain clearly that individual views do matter and that there are no wrong or right answers.
<p>Can't access meeting venue. (No transport available, lack of adequate child care, cannot physically access the venue, fear of going out after dark or alone, timing makes attendance difficult or impossible.)</p>	<ul style="list-style-type: none"> • Plan meetings in accessible locations. • Choose a location where public transport and parking are easily accessible. • Consider covering people's expenses / providing transport / providing childcare. • Check that the venue meets Disability Discrimination Act (DDA) requirements. • Plan the event around the needs of the group. • Check that events do not coincide with religious or non-religious festivals. • Consider holding more than one event to offer a choice of time.
<p>Lack of time or</p>	<ul style="list-style-type: none"> • Go to respondents directly, for example, parent and

<p>resources. (Busy working families/lone parents, poorly funded community / voluntary groups.)</p>	<p>toddler groups or outside school gates.</p> <ul style="list-style-type: none"> • Try to reduce the time it takes to participate in the consultation, as many respondents may be volunteers with little time to spare.
<p>Rarely reached by publicity material. (Those living in isolated rural communities, publicity material is in an inappropriate format, no access to the internet.)</p>	<ul style="list-style-type: none"> • Parish newsletters and village notice boards can help reach rural areas. • Make sure material is clearly presented and follows good practice guidelines for written information. • Identify local events that we can join up with. • Use community notice boards in local shops, supermarkets and sports centres. • Internet consultation should only be used along with other methods.

2.10 As a part of our good customer service we will also make every effort to meet all reasonable requests to make consultation exercises and documents more accessible for everyone.

2.11 We will encourage villages and neighbourhoods to develop their own community-led plans early on in the development planning process. Any plans that are produced may be used by the council to help put together its own plans for the borough or specific area. Community-led plans may include:

- Village Design Statements;
- Parish Plans; and
- Neighbourhood Plans.

2.12 We will work with organisations such as the Rural Community Council of Essex (RCCE) and Planning Aid in order to promote these important initiatives (see contact details in the Further Information section at the end of this document.)

Equality and Consultation

2.13 Throughout all planning consultations and engagement we will comply with the commitments set out below so that everybody has an opportunity to be involved in the development of planning documents and planning applications.

- We will provide services that are appropriate, sensitive and available to everyone.
- We will not discriminate on any unjustifiable grounds.
- We are committed to working with partners and communities across the community.
- We will maintain as far as possible our commitment to equality whilst not compromising on our service.

This will also ensure that the current legal requirements set out in equality legislation are met.¹

¹ Equality Act 2010, Disability Discrimination Act 1995

3. Standards for Consultation

3.1 The following standards will apply to consultation and access to information and will be adopted, where possible, when preparing planning policy documents:

- Copies of the draft, final and adopted planning policy documents will be made available at Colchester Central Library and at the Council's Customer Service Centre;
- Documents will be published in both paper and electronic formats. Copies of adopted planning policy documents will be sent out within five days of the request. There may be a cost for some documents to cover printing costs. However, all consultation material will be available on the Colchester Borough Council website at www.colchester.gov.uk;
- All documents will be made available on request in large print or alternative format;
- Details of people submitting comments or requesting information will be kept on a database (subject to data protection requirements), and respondents will be notified of progress on key stages for planning policy documents when they request it;
- Consultees will be notified of the council's decision-making process and how their representation will be addressed. Where appropriate, consultees will be informed of the Inspector's decision on their representation, where they have requested to be informed;
- The council has a complaints procedure, and this is available on request if the matter cannot be resolved within the Spatial Policy section.

4 Stages of Community Involvement in Planning Policy Documents

Consultation Process for main Local Plan Documents

Stage 1 – Preparation

4.1 National legislation requires that local authorities invite representations on any planning policy document it prepares, but the precise nature and number of consultations is up to the local authority. Where possible and appropriate, the Council will go beyond minimum requirements to promote greater community participation and to meet the needs of different communities. Depending on the type and nature of the document being prepared, engagement with stakeholders and the community will encourage participation on:

a) Scoping and evidence gathering

At the beginning of the Local Plan document's preparation we will gather evidence from a variety of sources and stakeholders to ensure that we have an understanding of the main issues that need to be addressed in the document. Reports produced as part of this process will be made available on the Council's website.

b) Development of policy options

The community and stakeholders will be encouraged to participate in the ongoing policy development process and a range of consultation/engagement methods will be used to help them. In the majority of cases a two-phase approach will be used, even though it isn't statutorily required, beginning with consultation on issues and reasonable policy alternatives and secondly, consultation on the Council's preferred options for the policy document. The Council's Local Plan Committee oversees the process of plan preparation, and approves planning policy documents prior to their consultation. All reports and documents considered by the Committee are available on the Council's website and opportunities for public comment are provided at each meeting. For each consultation we will aim to provide:

- i. Information about the planning policy document on our website (www.colchester.gov.uk), through the media, at Colchester library and directly via email or letter if you are a statutory stakeholder or registered on our consultation database.
- ii. An opportunity to comment on the planning document via the website and electronic surveys. Paper surveys/reply slips will be available from our Council offices and the library.
- iii. An opportunity to discuss the Local Plan document at focus groups or statutory meetings and to make links with existing community activities.
- iv. An opportunity for those people who traditionally are less involved to have their say.

Stage 2 – Publication of the proposed submission Local Plan document

4.2 Following the engagement and preparation of the plan during initial stages

(Regulation 18), the Council will publish our proposed submission plan (Regulation 19) and invite comments on it for six weeks before we submit the document to the Secretary of State for examination (Regulation 22). Comments will also be invited on the Sustainability Appraisal that accompanies the plan.

At this formal stage of consultation we will:

- Make a copy of each of the proposed submission documents (and a statement of the representations procedure) available during normal office hours at:
 - The principal council offices;
 - Other places within the council area considered appropriate;
- Publish on our website:
 - The proposed submission documents;
 - A statement of the representations procedure;
 - A statement advertising the documents availability and setting out where and when the proposed submission documents are available for inspection;
- Send each of the specific consultation bodies invited to make representations on the plan:
 - A copy of each of the proposed submission documents;
 - A statement of the representations procedure;
- Send each of the general consultation bodies invited to make representations on the plan:
 - A statement of the representations procedure;
 - A statement advertising the documents availability and setting out where and when the proposed submission documents are available for inspection;
- Where appropriate to ensure widespread awareness, set out in a local paper:
 - A statement of the representations procedure;
 - A statement advertising the documents availability and setting out where and when the proposed submission documents are available for inspection.

At this time we will publish:

- The plan (as proposed to be submitted);
- The changes to the proposals map (if the adoption of the plan would result in changes to the map);
- The sustainability appraisal report;
- A statement setting out:
 - Who was invited to be involved in the plan preparation;
 - How they were invited to be involved in the plan preparation;
 - A summary of the main issues raised and how they have been addressed; and
- Any other supporting documents relevant to the preparation of the plan.

Regulations provide that anyone wishing to make a representation on the proposed submission plan must do so within these six weeks. A standard form will be used at this stage for responses.

The Council will consider any points raised by the consultation and produce a consultation statement. If significant changes are required, we may withdraw the document and re-consult on a revised version.

Stage 3 - Submission of the document for independent examination

- 4.3 The proposed plan, the sustainability appraisal, the representations made and any other supporting documents to the Secretary of State following the consultation period. An examination of the plan will be carried out by an independent Planning Inspector to test its soundness, taking into account the representations that have been received. Those who make representations may be invited by the inspector to attend and take part in the relevant parts of the examination held in public. The Localism Act provides that the Council may ask the Inspector to consider modifications to the plan as part of the examination process.

Stage 4 – Consultation on Modifications

- 4.4 The Council will publish all main modifications which have been put forward during the Examination process for a six-week consultation period in line with the processes noted above for consultation. It will also provide notification of any minor non-material changes it wishes to make to the plan if adopted. The Council will forward all responses received to the consultation on the Inspector who will have regard to them in forming final views on the soundness of the plan.

Stage 5 – Inspector’s Report

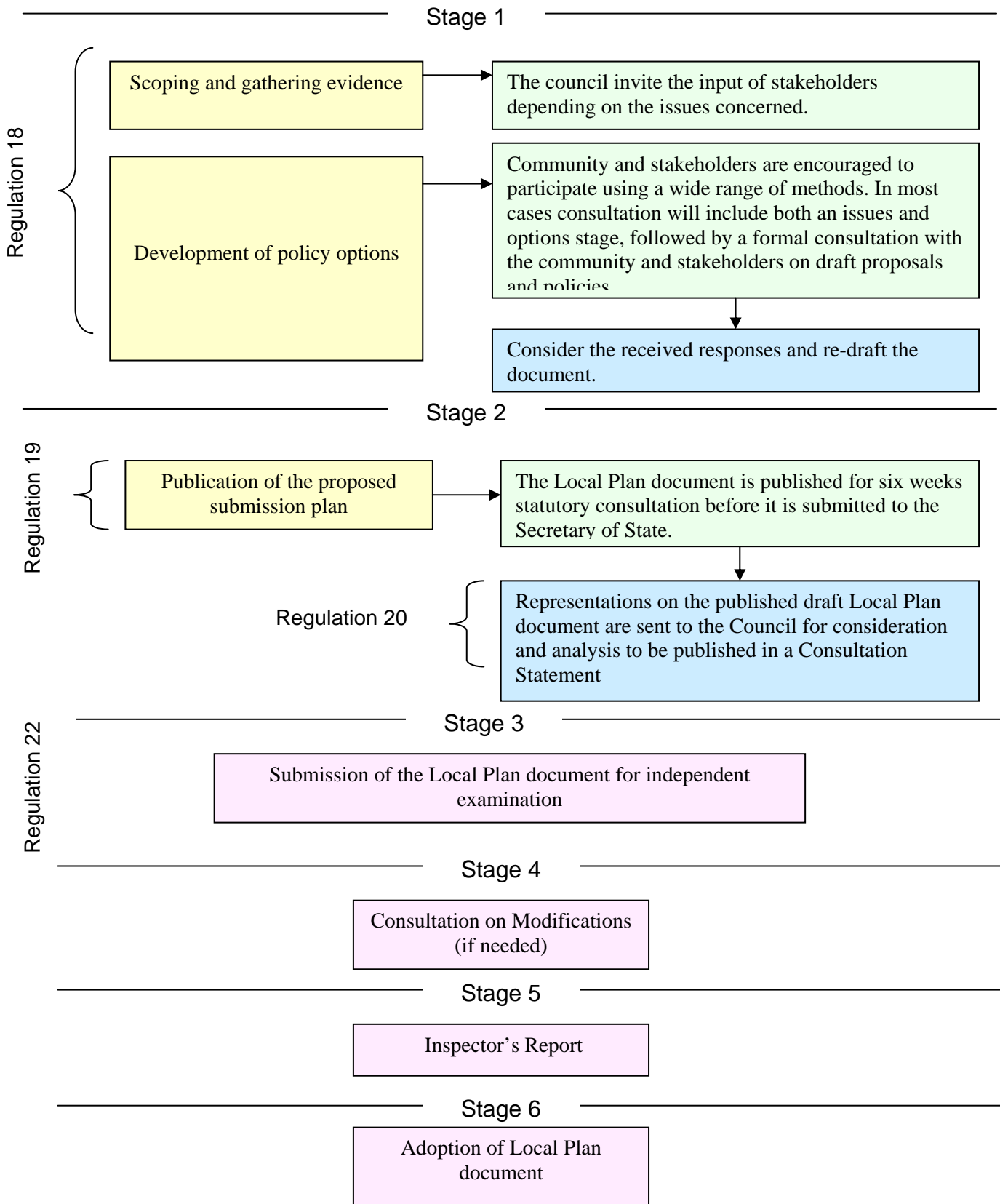
- 4.5 The Inspector will report back to the Council and will recommend main modifications if the Council has requested this.

Adoption of Local Plan document

- 4.6 Provided that the Local Plan Document receives a ‘sound’ rating from the Inspector’s Report, the Council can then accept the Inspector’s modifications and submit the plan to full Council for adoption. The Council can make minor non-material changes themselves. Alternatively, the Council can decide to re-consult and re-submit on a new plan. If adopted, we will notify our stakeholders and previous respondents directly (if requested) and publicise the adoption on our website and as appropriate in local media.
- 4.7 The planning system now makes more specific requirements for councils and other public bodies to work together on strategic and cross-boundary planning issues. This ‘duty to co-operate’ may result in a development plan document being prepared jointly with other local planning authorities. Subsequent consultation on these would follow the processes described above to ensure all communities are involved appropriately.
- 4.8 The process outlined above is also relevant to the process of developing and approving a Community Infrastructure Levy (CIL) Charging Schedule. The CIL is a charge which will allow the Council to raise funds from new development. The money collected will be used to support locally agreed infrastructure projects such as transport improvements, schools, leisure facilities, green links, and/or flood defences. The Council is required to consult on an evidence-based charging schedule and amend the schedule as needed based on the

comments received. Upon approval by the Local Plan Committee, the draft charging schedule is submitted for independent examination into its 'soundness'.

Local Plan document consultation process



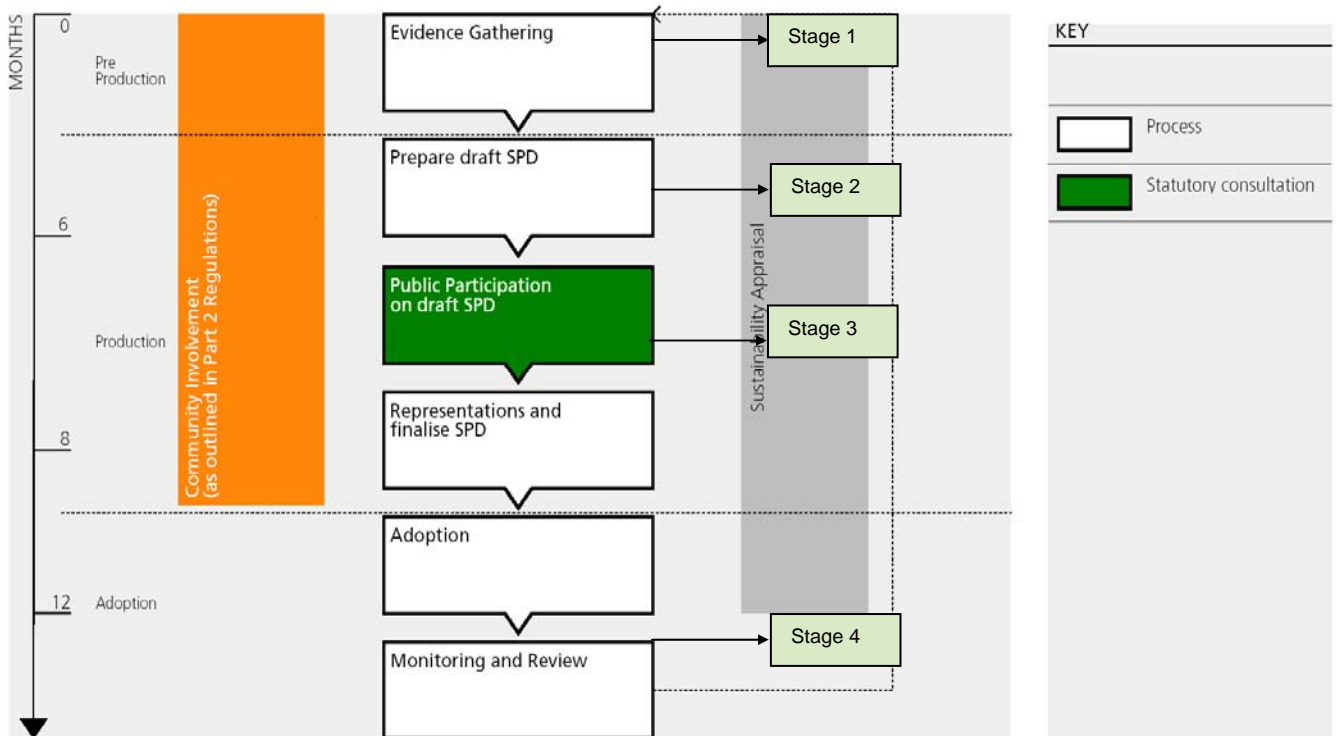
Local Plan Documents

	Pre-production / Production	Production	Production	Production	Public Examination
Consultees	Stage 1 Scoping and Evidence Gathering, Preferred Options	Stage 2 Publication of Proposed Submission DPD	Stage 3 Submission of DPD	Stages 4 – 6 EIP & Adoption	
	We will involve relevant groups in the preparation of the evidence base. We will begin the frontloading process by promoting planning issues and providing an opportunity for the community and stakeholders to influence the process at an early stage. We will involve the community & stakeholders in the preparation of the Preferred Options. There will also be ongoing engagement regarding the Sustainability Appraisal. (Reg 25)	After considering the representations received and amending the DPD, where appropriate, we will publish the proposed submission document, the Sustainability Appraisal Report and ask for comments within 6 weeks. (Reg 27)	We will publish a notice stating that the DPD has been submitted for Independent Examination along with representations made at the regulation 27/28 stage. If focused changes are needed to the DPD we will seek to involve the community and stakeholders during a further 6 week consultation. (Reg 30)	An Independent Examination (EIP) will consider all representations made. After considering all representations the Inspector appointed by the Secretary of State will produce a report. We will then amend the DPD following this report and inform consultees that the final SCI has been adopted. (Reg 36)	
	<ul style="list-style-type: none"> ➤ Media & Publicity ➤ Exhibitions ➤ Leaflet ➤ Surveys (written & electronic) ➤ Interactive Website ➤ Workshops / discussion groups ➤ Consultation Document 	<ul style="list-style-type: none"> ➤ Media & Publicity ➤ Consultation Document ➤ Reply Slip ➤ Interactive Website 	<ul style="list-style-type: none"> ➤ Media & Publicity ➤ Emails/Letters to respondents ➤ Focused changes document (if needed) 	<ul style="list-style-type: none"> ➤ Media & Publicity ➤ Emails/Letters to respondents 	
	<ul style="list-style-type: none"> ➤ Leaflet ➤ Surveys (written & electronic) ➤ Emails/Letters ➤ Workshops / discussion groups ➤ Presentation and Q&A session ➤ Consultation Document 	<ul style="list-style-type: none"> ➤ Emails/Letters ➤ Consultation Document ➤ Reply Slip 	<ul style="list-style-type: none"> ➤ Emails/Letters ➤ Focused changes document (if needed) 	<ul style="list-style-type: none"> ➤ Emails/Letters 	
	<ul style="list-style-type: none"> ➤ Emails/Letters ➤ Reply slip / leaflet ➤ Surveys (written & electronic) ➤ Workshops / discussion groups ➤ Presentation and Q&A session ➤ Consultation Document 	<ul style="list-style-type: none"> ➤ Emails/Letters ➤ Consultation Document ➤ Reply Slip 	<ul style="list-style-type: none"> ➤ Emails/Letters ➤ Focused changes document (if needed) 	<ul style="list-style-type: none"> ➤ Emails/Letters 	
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<ul style="list-style-type: none"> ➤ Emails/Letters ➤ Reply Slip / Leaflet ➤ Consultation Document 	<ul style="list-style-type: none"> ➤ Emails/Letters ➤ Consultation Document ➤ Reply Slip 	<ul style="list-style-type: none"> ➤ Emails/Letters ➤ Focused changes document (if needed) 	<ul style="list-style-type: none"> ➤ Emails/Letters 		
General Public (including 'hard to reach groups') (General or Other Consultees)					
Community / Voluntary / Special Interest Groups (General or Other Consultees)					
Borough / Town / Parish Councillors (General or Other Consultees)					
Businesses / Developers and Agents (General or Other Consultees)					
Specific Consultees and Government Departments					

Consultation Process for Supplementary Planning Documents (SPDs)

4.9 Supplementary Planning Documents (SPDs) are intended to explain or provide further detail to policies or site allocations in a Local Plan document. They could take the form of design guides, area development briefs, master plans or issue based documents. They will be used in deciding planning applications and will help the council defend its decisions at appeals.

4.10 The diagram below sets out the process that the council is required to undertake when preparing Supplementary Planning Documents. Sustainability Appraisal is no longer a requirement for all Supplementary Planning Documents and will only be carried out when appropriate. The evidence gathering and preparation stages should include frontloaded engagement with the community where this would be possible and beneficial.



4.11 Although Supplementary Planning Documents will not require an independent examination and will not form part of the statutory development plan, they will be subject to thorough procedures of community involvement. Stages 1 to 4 show the times at which you can get involved. A full description of the various community involvement methods that we may use can be found in appendix 2.

Consultation Process for the Statement of Community Involvement (SCI)

- 4.12 The Statement of Community Involvement is a Local Development Document and does not need to be accompanied by a Sustainability Appraisal, nor is an examination in public required.
- 4.13 The consultation process on the Statement of Community Involvement will therefore operate in a similar way to consultations on Supplementary Planning Documents where there will be a formal period of consultation, after which the Council will consider any representations made before the Local Plan Committee adopts the document.

Consultation Process for Neighbourhood Plans

- 4.14 Neighbourhood Plans, which were introduced by the Localism Act 2011, allow designated groups of local people to prepare statutory developments plans against which planning applications will be assessed. If a community wishes to simplify the process for allowing development, it can also produce a Neighbourhood Development Order (areas where specified development is permitted without the need to apply for planning permission) or a Community Right to Build Order (permission for small scale community led-schemes). These can be instead of, or in conjunction with, a neighbourhood plan and would result in effectively granting planning permission for certain types of development in specified areas. These orders, however, can't remove the need for other permissions such as Listed Building or Conservation Area consent.
- 4.15 Since Neighbourhood Plans and Orders aren't prepared by the Council, this SCI can't prescribe what methods of community consultation they should follow. The Council will, however, expect these documents to meet the requirements set out in legislation and to follow wherever possible the general principles and techniques set out in this SCI. The Council will also provide technical guidance and support as required by legislation and will offer additional advice where feasible.

5. Community Involvement and Planning Applications

Introduction

5.1 Involvement of the community and stakeholders beginning at an early stage of the planning application process is of great benefit to the public, individuals, organisations, authorities and the applicant themselves. The following section explains how the Council will seek to encourage awareness and involvement in the planning application decision-making process, starting with pre-application discussions and continuing through to the planning application stage, and in some cases, the planning appeal stage.

Pre-application discussions

- 5.2 The Council encourages developers to consult the community prior to submitting planning applications for larger-scale or potentially contentious development proposals, in line with guidance on decision-taking in the National Planning Policy Framework and the Localism Act. We will engage in pre-application discussions with the developer that are often undertaken in confidence because of the various sensitivities of some early ideas, but discussions are always recorded and are always without prejudice to the later application, consultation requirements and the decision making process. At this stage, we will be in a position to advise developers and help clarify the format, type and level of consultation to be undertaken. The Council has a schedule of charges for preliminary enquiries and pre-application advice. As part of this process we will also seek to engage elected members through our “Early Member Engagement Protocol” wherever this is applicable. This Protocol forms part of the Council’s Constitution and can be read online.
- 5.3 In the case of larger applications the Council operates a Planning Performance Agreement (PPA) approach. Details of the applicable charges are available on the Council’s website. A PPA is an agreement between the Council and applicants to provide a project management framework for major applications that are meant to exceed the 13-week period normally expected to be the period required to determine major applications. The PPA sets out the targets agreed by both parties for the levels and types of consultation required, information gathering process, consideration of options and agreement on design issues.
- 5.4 The Council expects applicants in most cases to carry out their own pre-application consultation. This should be effective in bringing draft proposals to the attention of the public, the local Town or Parish Council and other affected parties and provide opportunities to make comments. The purpose of early discussions between the community and the developers is to encourage agreement within the community early on in the process and provide a better chance for schemes to be positively received. This process will help benefit both parties. For developers it will ensure that key issues are addressed prior to planning applications being submitted and for the local community it will enable them to have an influence before proposals reach an advanced stage.
- 5.5 It is essential that any community involvement conducted by the developers be tailored to the nature and scale of the proposal. A broad list of consultation and community involvement methods is provided in appendix 2, along with details of when they are most suitable, their advantages and disadvantages, and resource implications. Chapter 2 outlines the necessary steps that we will take to ensure equal and effective consultation.

- 5.6 The Council will expect the applicant to submit details of pre-application consultation as well as an explanation on how responses have been taken into account, alongside their planning application, and this information will be used in the decision-making process. In some cases it can also be a validation consideration, whereby applications will not be processed unless the Council is satisfied that adequate consultation has been undertaken by the developers.

Submission of a planning application

- 5.7 The process of deciding planning applications is often of great public and local interest, and comments on proposals are welcomed.
- 5.8 When deciding which applications are classed as major applications and therefore subject to wider community consultation, the Government sets out the following criteria:
- Residential developments comprising 10 or more homes;
 - A site area of 0.5 hectares or more where the number of homes is unknown;
 - Commercial proposals creating more than 1,000 square metres of floor space or on sites of 1 hectare or more; or
 - A change of use application involving the above.
- 5.9 The Government sets targets for the time taken to determine planning applications. These are currently 13 weeks for major applications and 8 weeks for all others. If an Environmental Impact Assessment is required by the scale of development then this period will extend to 16 weeks, but this is not common. Before a decision is made, the case officer will prepare a report with a recommendation.
- 5.10 The recommendation will take into account the adopted Development Plan, the National Planning Policy Framework as well as any comments made. However, the Council can only take into account comments relating to material considerations, which excludes such non-planning considerations as property values, loss of a private view over land, moral objections to development and commercial considerations.

Major applications

- 5.11 The level of consultation carried out for all major planning applications, will be determined by the council to ensure that it is appropriate. Statutory advertisements will be used as a means of consultation if required and as laid out in legislation, which means that in the majority of cases it will be necessary to publish an advertisement in the newspaper and on a site notice to be displayed at the application site. We also recognise that any involvement will need to encourage participation and social inclusion to ensure that the local community is given every opportunity to influence the process.
- 5.12 A weekly list of all applications received appears on the council's website together with all associated documentation. Individual letters/emails will be sent in respect of every planning application where neighbouring properties/businesses can be identified. Parish and town councils will be consulted on every application within their parish boundaries. Similarly, the elected ward members will be consulted on applications that fall within their wards.
- 5.13 It is important to note that the types of methods used and the length of consultation will need to suit the type of application and therefore the methods listed above are provided as a guideline of how we may consult, but is in no means intended to be prescriptive or

exhaustive. The Development Services Manager, Planning Manager, Planning Projects Manager or a Principal Planning Officer will make this decision.

Other applications

- 5.14 With regard to all other types of applications, the Development Services Manager, Planning Manager, Planning Projects Manager or a Principal Planning Officer will determine the appropriate level of consultation. Individual letters/emails will be sent to neighbouring properties/businesses and/or site notices used. Parish and town councils will be consulted on every application in their parish. Similarly, the elected ward members will be consulted on applications that fall within their wards. All the planning applications appear on the website which is updated on an hourly basis.

Sources of information on planning applications

5.15 Information on planning applications can be found in the following places:

5.15.1 The Planning Register

Applications for planning permission must by law, be entered on a register within 14 days of receipt. Maintaining a planning register is a statutory obligation imposed on the council by the Town and Country Planning Acts and the information is available for inspection by arrangement during office hours. In Colchester the register consists of three parts:

- A register containing details of all current applications for planning permission, including plans and drawings;
- A register that contains a permanent record of all applications and decisions since 1 July 1948 (including any order made, appeals and their outcome); and
- An index is provided in plotting sheets.

Current planning applications including plans and drawings and those dating back to the year 2000 can be viewed online using the Colchester Planning website. For those who do not have access to a computer the Council provides appropriate terminals at its Customer Service Centre and all local libraries for public use.

All planning applications and related information can be viewed via the Council's website using Planning on the Map [MapInfo Stratus](#)

5.15.2 The Weekly List

The statutory register does have limitations for general use and accordingly we also produce a weekly list. As the name suggests, this is a list of all new applications registered and decisions made the previous week.

5.15.3 Advertising

Regulations set out in the Town and Country Planning (Development Management Procedure) Order 2010, the Planning (Listed Building and Conservation Areas) Regulations and the Planning (Listed Building and Conservation Areas) Act 1990, state that all planning applications need to be publicised, either by site notice or individual neighbour notification. A press notice and site notice is also required for the following types of application:

- Erection of 10 or more dwellings or site area of 0.5 hectares or more;

- Erection of 1000 square metres of floor space, or site area of 1 hectare or more;
- An application subject of an environmental assessment;
- An application that would affect a right of way, under Part III of the Wildlife and Countryside Act;
- Development affecting listed buildings;
- Development affecting the character or appearance of a conservation area; and
- Departures from the Development Plan.

These requirements are subject to change and a press notice will only be used where required by legislation.

5.15.4 Individual Letters

We are aware of the need to provide an effective and efficient service, and to ensure that budgets are closely controlled. It is sometimes difficult to bring together these objectives with widespread public consultation on planning applications. The actual extent of consultation in each case will be determined having regard to the type of development involved.

Letters will be sent only usually be sent to those properties directly affected by a proposal, which according to the Development Management Procedure Order 2010 is any adjoining owner or occupier. "Adjoining owner or occupier" means any owner or occupier of any land adjoining the land to which the application relates. For example, the minimum consultation for extensions to buildings would be properties sharing a common boundary with the application site. In the case of rear extensions those to the rear will be consulted whilst those on the opposite side of the road may not be. Any further consultation will be at the discretion of the case officer.

5.15.5 Parish and Town Councils

The Council is committed to close working with local representative bodies, as provided within part 8 of the Constitution. We have set up a forum for parish and town council clerks, which is held every two months. Although this is a corporate initiative there is opportunity to report on planning matters on a regular basis.

It is also intended to develop and extend regular planning liaison meetings with all of the town and parish councils (we already have regular sessions with Dedham, East Mersea, Myland, Stanway, Tiptree and West Mersea) and continue to provide a regular programme of planning workshops for rural councils on an twice-annual basis.

Planning workshops for Town and Parish Councillors include workshops on subjects including, material considerations, influencing the planning process, enforcement, appeals, planning law, design, legal obligations etc.

5.15.6 Website

Our website is increasingly being used as a tool for consultation. The website includes weekly lists of applications received and decisions made. These can be viewed by application number or by ward and comments can be sent direct. Committee agendas, reports, S106 agreements, planning enforcement activity and associated Notices and a list of current appeals and appeal decisions can also be viewed. The Colchester Planning Online website now allows copies of the application forms, plans and drawings, and consultation comments to be viewed

online. [Planning and Building - Colchester Borough Council](#)

Procedure for Dealing with Written Representations to Applications

- 5.16 We currently notify neighbours within a week of registering a planning application and they are given at least 21 days to reply. All those wishing to comment on an application are encouraged to do so electronically using the Council's 'on-line planning' web site. Whilst we will accept written letters, faxes and e-mails we will not acknowledge their receipt. Any representation received is however scanned and placed on the Council's 'on-line planning' web-site and is available for viewing by the public. This also allows those people sending such representations to check safe receipt by the Council for themselves.
- 5.17 The Planning Service does not respond in writing to comments about a planning application unless specifically requested, but is happy to give advice over the telephone. All comments received are considered by the case officer, which may result in the application being revised. If the scheme is significantly changed or changed in a manner deemed to have a greater impact upon you than the original submission we will try to repeat the consultation allowing, where possible, an extra 14 days or less in certain circumstances, for further comments (at the discretion of the case officer). Sometimes time constraints mean a shorter period is given for comments on revised plans and sometimes it is not possible to reconsult at all. Where the subject of an objection has, in the opinion of the Planning Service, been addressed in amended plans, re-consultation has occurred and no further comment made, the previous objection will be considered withdrawn.

Determination of a planning application

- 5.18 The Localism Act clarifies the ways in which councillors can be involved in the planning process and play an active part in local discussions.
- 5.19 The receipt of one or more letters of objection will normally result in a major application being determined by committee if it is being recommended for approval or if it is subject to a S106 Agreement.
- 5.20 In the case of all other applications a decision will be made under delegated powers by the Planning Service unless that application has been subject to a 'call-in' by a Councillor. A 'call-in' is subject to a formal process and for it to be triggered automatically a councillor must make a valid request within 25 days of being notified of the application. Anyone can approach their councillor to have an application 'called-in' and thereby determined by the Planning Committee after public debate. A councillor is not duty bound to request a 'call-in' if asked. Where an application is being reported to Committee a list of the different material planning considerations raised within the various comments received are summarised in the Committee report. Letters will not be accepted after 5pm on the day before Committee. Once the agenda has been prepared, anything received before 5pm on the day falling 2 days before the day of the committee meeting will be reported on an amendment sheet. Anything received after 5pm on the day falling 2 days before the day of the committee meeting will be reported verbally.
- 5.21 If an application is to be reported to committee this will be stated on the Council's online planning website. The full committee report is available 5 days before the meeting on the website and in all council offices. Where an application has been subject to a valid 'call-in' the applicant and any person making an electronic submission via the Council's on-line

planning web-site will be notified via e-mail of the relevant Committee date, 5 days prior to the meeting.

- 5.22 At Planning Committee one representative speaking against an application and one speaking for an application are able to speak to the Committee for up to 3 minutes. On particularly complex or controversial applications, the Chairman has the discretion to amend the Have Your Say! arrangements set out in the Planning Committee Procedure Rules. Objectors are invited to view the application on-line to obtain a full list of objectors' comments to enable them to co-ordinate a reply in the event that more than one person wishes to speak. Ward Members may also speak on behalf of their constituents and are allowed up to 5 minutes.
- 5.23 When a decision is reached, respondents who have sent their comments in via the Councils 'on-line planning' web site using an e-mail address will be advised of the decision within 10 days. The update will state whether the application has been approved or refused and where the decision can be viewed in full, i.e. the statutory register or in summary form on the website.
- 5.24 Further details on how to comment on planning applications at the Planning Committee can be found in our document 'Have your Say on Planning Applications' which is available on the website. Other relevant information includes "Planning Procedures Code of Practice" which is in Part 5 of The Constitution and is on the Council's website. It sets out general guidelines for borough councillors and council officers who are involved in planning applications and the Planning Committee. The information it contains may help provide background information to applicants and those commenting on the planning process.

Appeals

- 5.25 When an appeal is made against the decision of the council all previous correspondence is forwarded on to the Planning Inspectorate. Letters/emails are also sent to all those people who had previously been consulted/commented on the application, advising them of the appeal. Further representation can be made direct to the Planning Inspectorate. These procedures comply with the statutory procedures set out in S78 of the Town and Country Planning Act 1990 and the Planning Inspectorate's Procedural Guidance 'Planning appeals and called-in planning applications' (PINS 01/2009).

6 Involving representative organisations and individuals

- 6.1 Appendix 1 provides a comprehensive list of the types of consultees that we will inform and involve throughout the plan development process. The organisations and groups listed there are representative organisations and individuals of all types and ranges of interest that we feel will have an important part to play in the planning process. They will all be consulted as part of the local plan process and will be consulted as appropriate on planning applications.
- 6.2 A full list of all types of consultees will be stored on a database along with their details. This information is not listed here as it is constantly being updated due to the fact that new groups frequently emerge or disband or their details change and individuals request to be added or removed from the database. However, the database is available to view upon request so that anybody may suggest additional bodies and groups to be added or so that they may find a group to represent their views in the new planning process.
- 6.3 If you would like to join the Local Plan consultation database and be kept up-to-date on development plans for Colchester please contact the Planning Policy team using the contact details at the end of this document.

7. Monitoring and review of the Statement of Community Involvement (SCI)

- 7.1 The SCI provides flexibility to allow for appropriate changes in our approach to community involvement. Comments received on the quality or effectiveness of our consultation will be considered and used to inform future practice. If significant changes are required to meet new circumstances or legislation, a review of the Statement of Community Involvement will be undertaken.
- 7.2 Consultation exercises include opportunities for consultees to complete equality monitoring data forms. If completed, this helps us monitor the effectiveness of our policies surrounding equality and diversity and to make changes where required.

Consultation organisations

The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the consultation bodies who must be consulted in the preparation of Local Plans. The regulations also specify the bodies that are covered by the Duty to Co-operate.

Duty to Co-operate

There is a duty to co-operate on any strategic matter relating to a Development Plan Document or Local Development Document. A strategic matter is defined as an issue that would have significant impact on at least two planning areas or a county matter in a two tier area. Colchester Borough Council is required to co-operate with every other person who is within listed in maximising the effectiveness of activities related to the preparation of the plan.

The duty to co-operate applies to:

- Environment Agency
- English Heritage
- Natural England
- Mayor of London
- Civil Aviation Authority
- Homes and Communities Agency
- Primary Care Trust
- Office of Rail Regulation
- Transport for London
- Integrated Transport Authority
- Highway Authority
- Highways Agency
- Marine Management Organisation
- Local Enterprise Partnership
- Essex County Council

The duty to co-operate is most likely to apply to authorities that adjoin Colchester Borough, although there may be some strategic matters where co-operation with authorities in the wider area may also be necessary. Adjoining authorities are:

- Suffolk County Council
- Tendring District Council
- Babergh District Council
- Braintree District Council
- Maldon District Council

Sustainability Appraisal Consultation Organisations

The following organisations should be consulted for a sustainability appraisal under the Environmental Assessment of Plans and Programmes Regulations 2004:

- Natural England
- The Environment Agency
- English Heritage

Specific consultation bodies

When preparing plans the Council is required to consult such of the specific consultation bodies as it considers may have an interest in the subject of the proposed local plan. The specific consultation bodies are set out in the regulations as:

Environment Agency
English Heritage
Marine Management Organisation
Natural England
Network Rail
Highways Agency
Telecommunications operators
Primary Care Trust
Electricity and gas companies
Sewerage and water companies
The Homes and Community Agency
The Coal Authority

Parish Councils

Abberton & Langenhoe Parish Council
Birch Parish Council
Boxted Parish Council
Chappel Parish Council
Little Horkesley Parish Council
Copford with Easthorpe Parish Council
East Donyland Parish Council
East Mersea Parish Council
Eight Ash Green Parish Council
Fingringhoe Parish Council
Fordham Parish Council
Great Horkesley Parish Council
Great Tey Parish Council
Langham Parish Council
Layer de la Haye Parish Council
Layer Marney Parish Meeting
Marks Tey Parish Council
Messing cum Inworth Parish Council
Myland Community Council
Stanway Parish Council
Tiptree Parish Council
Wakes Colne Parish Council
West Bergholt Parish Council
West Mersea Town Council
Winstred Hundred Parish Council
Wivenhoe Town Council
Wormingford Parish Council
Mount Bures Parish Council
Aldham Parish Council
Dedham Parish Council
Layer Breton Parish Council

Adjoining Parish Councils

Alresford Parish Council
Ardleigh Parish Council
Brightlingsea Town Council
Bures St Mary Parish Council
Feering Parish Council
Great Braxted Parish Council
Kelvedon Parish Council
Nayland with Wissington Parish Council
Stoke By Nayland Parish Council
Stratford St Mary Parish Council
Tollesbury Parish Council
Tolleshunt D'Arcy Parish Council
Tolleshunt Major Parish Council
Tolleshunt Nights Parish Council

County Council and adjoining

Essex County Council
Suffolk County Council

Policing body and adjoining policing body

General consultation bodies

When preparing plans the Council is required to consult such of the general consultation bodies as it considers appropriate. The general consultation bodies are set out in the regulations as:

- voluntary bodies some or all of whose activities benefit any part of the local planning authority's area,
- bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area,
- bodies which represent the interests of different religious groups in the local planning authority's area,
- bodies which represent the interests of disabled persons in the local planning authority's area,
- bodies which represent the interests of persons carrying on business in the local planning authority's area;

The Council maintains a consultation database that includes all of these types of general consultation body.

The database also includes landowners, developers, businesses, residents, and any other organisations or individuals who have requested to be kept informed of planning policy matters.

Neighbourhood Plans

The Neighbourhood Planning (General) Regulations 2012 set out the consultation bodies for Neighbourhood development plans. This is listed separately in the regulations but includes the same specific and general consultation bodies as those which are required to be consulted in the preparation of local plans.

In the case of neighbourhood development orders and community right to build orders the consultation bodies depend on the type of development proposed. Schedule 1 of the Neighbourhood Planning Regulations provides more information.



 The higher up the table a consultation method is, the closer it is to informing rather than involving the community.

Methods of Community Engagement

APPENDIX 2

Consultation Method	When is it most suitable	Advantages	Disadvantages	Resource Implications
<p>Informing Consultation Involving</p> <p>Consultation Document (paper or electronic)</p>	<ul style="list-style-type: none"> • Inform / promote • Useful for consulting on technical policies and plans and inviting comment on them. • Would be most useful towards the end of the policy process. • Can be produced in a variety of formats e.g., on paper, website. 	<ul style="list-style-type: none"> • Providing detailed information in this way enables consultees to make an informed response, which will ultimately be more meaningful to the process. • It is therefore important to make responding as easy as possible by accompanying the paper with reply slips, email addresses etc. • They can also be made available in a number of places i.e., libraries, schools, local offices etc. 	<ul style="list-style-type: none"> • Actual two-way participation with respondents is inhibited and this can be a missed opportunity to encourage responses and/or explain policies and processes, thereby avoiding possible mis-interpretations. • Particularly long and complex consultation papers can be daunting and off-putting to read. It is therefore important to recognise that many sectors of the community will not or cannot read them. • If documents are sent by post it is difficult to judge if they have been read or considered. 	<ul style="list-style-type: none"> • The usual costs of printing and distribution will apply. • Cost of producing the document in alternative formats to make it accessible to all sectors of the community.
<p>Letters</p>	<ul style="list-style-type: none"> • Inform / promote • To provide information to all relevant stakeholders at the beginning of a consultation. • To provide feedback to stakeholders concerning the outcomes of a consultation. 	<ul style="list-style-type: none"> • A quick and easy way to provide feedback on the results of a particular consultation. • Reply slips requesting information can be with the letter to gain factual information and / or views and opinions. • Can also include consultation papers and any other supporting documents. 	<ul style="list-style-type: none"> • This can be a very labour intensive method if administration support is limited. • Mailing lists must be updated regularly to ensure that addresses are correct etc. 	<ul style="list-style-type: none"> • Costs depend on the number produced and distributed. • Officer time and stationary costs also need to be taken into account.
<p>Reply slip / Leaflet (Quantitative)</p>	<ul style="list-style-type: none"> • Strengthen evidence base / gather opinion / promote / inform • Can be useful for providing basic or summary information or for drawing attention to forthcoming consultation events and initiatives. 	<ul style="list-style-type: none"> • Can be targeted more specifically and personally than posters. • Can also provide an opportunity for the public to feedback i.e., through tear off reply slips. • Feedback forms with the respondents contact details can be fed into a mailing list, through which future information can be disseminated. 	<ul style="list-style-type: none"> • The amount of information that can be provided is often limited due to size of document. • Variations are often needed to target specific audiences, for example, older people, children, ethnic minorities. • Thought needs to be put into how they will be disseminated so that a wide range of people and groups are covered. 	<ul style="list-style-type: none"> • Costs depend on the number of leaflets printed and methods of dissemination. • May also need to pay for a designer.

<p>Media and Publicity</p>	<ul style="list-style-type: none"> • Inform / promote • Press releases, newspaper articles and advertisements and briefings for local radio / TV and press. • This will be suitable at varying stages of the process. 	<ul style="list-style-type: none"> • Can reach a large number of people in a short space of time. • Can help advertise events. • Can use as a method of feedback to the public. 	<ul style="list-style-type: none"> • Need to be aware that it is unlikely that you will have editorial control with local papers. It is always possible that a different slant may be put on a story. • You cannot be certain how many people have read and understood the information provided. 	<ul style="list-style-type: none"> • Newspaper supplements can cost if you want editorial control as can radio adverts. • However, a cheaper method in comparison to others.
<p>Public Meetings (Qualitative)</p>	<ul style="list-style-type: none"> • Inform / promote debate • For addressing specific concerns that may have been raised by the public. • They should not be used for geographically dispersed issues or for getting representative feedback about particular issues. 	<ul style="list-style-type: none"> • If chaired properly it can be a good way of hearing different / opposing points of view. • It is possible to break meetings up into smaller groups when you can encourage brainstorming and action planning. This is also an opportunity to give voice to those individuals who may not wish to speak in front of large audiences. 	<ul style="list-style-type: none"> • Can be difficult, as people tend not to turn up in significant numbers unless the issue is of particular concern or very contentious, in which case they can easily become confrontational. • If the meetings are too large, some attendees may be inhibited from speaking. More vocal members of the public can sometimes dominate the discussion, disrupting the timetable and preventing other issues and opinions from coming through. This can also be a problem for anyone with language problems. 	<ul style="list-style-type: none"> • Costs tend to be low but need to consider venue hire, staff time, and advertising and publicity materials. • It is important to have a suitable venue and times to suit the target audience.
<p>Exhibitions (Qualitative)</p>	<ul style="list-style-type: none"> • Promote / inform / strengthen evidence base / gather opinion. • As a supplement to other forms of participation. This type of activity should not be used as a sole means of consultation for major schemes and projects. • Information and comments are usually collected on the day through self-completion questionnaires, comment cards, voting boxes, informal discussions. 	<ul style="list-style-type: none"> • Roadshow exhibitions can be useful to ensure that opportunity to take part and feedback is open to all members of the public. Can target specific areas, i.e., the rural communities. • Allow you to make use of visual aids, including 3D models, maps, videos, written material and illustrations. • Allows the public to visit at a time that is suitable to them. 	<ul style="list-style-type: none"> • The event may be seen as information giving rather than full consultation. Therefore need to ensure that staff are fully briefed and can respond to queries. Be seen to be listening. • People who attend are unlikely to represent the community as a whole. 	<ul style="list-style-type: none"> • Advertising and publicity. • Hiring the venue/s and staff costs. • The total costs will depend on the length of the exhibition or open day and the use of displays, especially the commissioning of new ones.

<p>Surveys (Quantitative)</p>	<ul style="list-style-type: none"> • Strengthen evidence base / gather information. • Can be a good introduction to a consultation. • Useful for discovering factual information, views, attitudes and opinions. • Where views are needed across a wide geographical area. 	<ul style="list-style-type: none"> • Can cover a range of issues. • Can involve a large number of people. • Can be easy to communicate findings. • Makes decision-making easier if there is a clear evidence base. 	<ul style="list-style-type: none"> • Complex or technical issues can be hard to explain. • Care needs to be taken with wording, especially with open-ended questions, to avoid confusion and leading questions. • Can be difficult to determine reasons behind responses and explore attitudes. • Postal questionnaires often have low response rates. 	<ul style="list-style-type: none"> • Financial costs vary depending on how the survey is done and how large the sample is. • Usual costs of printing and postage, however, can be quite cheap in comparison to other techniques. • Joining up with other departments and sharing findings can reduce costs.
<p>Interactive Website (Quantitative with surveys but qualitative with on-line forums)</p>	<ul style="list-style-type: none"> • Strengthen evidence base / gather information / inform / promotion / promote debate. • Should be used to provide information and as a method of feedback. • Is useful at all stages of the process. 	<ul style="list-style-type: none"> • It allows communication with a wide range of people, across geographically broad areas. • It can help attract those in the community who may not normally wish to comments via conventional means i.e. those who are unable to, or afraid of leaving the house. Can also attract those who may experience difficulty attending meetings or exhibitions due to physical, work or childcare constraints. • Analysis of responses can be quicker and easier and involve less paper work and travel. 	<ul style="list-style-type: none"> • It must be clearly recognised that even though the technology is growing, a large number of people, still do not have access to the Internet. For this reason, all information posted on the website should also be available in other formats. • The inability to use body language to build up a rapport as in face to face interviews, can be a serious disadvantage. 	<ul style="list-style-type: none"> • The cost of software and programming assistance needs to be assessed depending on the work you need done. • This is a very cost effective method of consultation.
<p>Workshop / discussion group (Qualitative) – Small groups of people invited to attend informal discussion sessions on a particular topic. Often semi structured and consultation papers may be provided.</p>	<ul style="list-style-type: none"> • Promote debate / build consensus / strengthen evidence base / gather opinion. • Used to gain deeper insights into behaviours, attitudes, and perceptions and why such things are present. • Can also help generate ideas and suggestions for improvement. • Can be a useful forum for communicating the results of previous consultation activities. 	<ul style="list-style-type: none"> • Can be used to consult a number of different groups in the community. • Allows the organisers an opportunity to explain the context so that respondents can give informed opinions. • Interactive and visual aids can be used to help encourage involvement. 	<ul style="list-style-type: none"> • Samples are usually small and responses therefore do not represent the views of a whole community. • Can be difficult to collate and analyse the data. • Issues of bias and interpretation can occur if officers are recording views and opinions themselves. Outside agencies employed to do this may overcome this problem but may also have difficulties if their knowledge of the issues are limited. 	<ul style="list-style-type: none"> • Relatively inexpensive to organise, depending on the number of sessions to be facilitated. Should consider the cost of outside facilitators. • It can be difficult to join up with other services in the council and discuss a range of issues in these groups. However, the information received should be shared, especially where it can link up with the Local Strategic Partnership or Strategic Plan.
<p>Participatory Appraisals (including planning for real style exercises) (Qualitative)</p>	<ul style="list-style-type: none"> • Promote debate / build consensus / gather opinion. • Allows a person to put forward and prioritise ideas on how their area can be improved. • It is a highly visible and hands-on tool. 	<ul style="list-style-type: none"> • People of all ages, abilities and backgrounds can use it. • Using models and can generate interest and create an initial vision of an area. • Allows a practical, non-threatening way of communication and participation. 	<ul style="list-style-type: none"> • Planning for Real is a registered trademark of the Neighbourhood Initiatives Foundation and it is therefore necessary for facilitators to be trained by the foundation, which can significantly expand financial budgets. • Involves a large amount of planning and publicity. 	<ul style="list-style-type: none"> • Cost of training and model kits. • Officer time. • Venue hire. • Media / publicity.

Glossary

For a full glossary of planning terms please visit the Planning Portal at <http://www.planningportal.gov.uk/general/glossaryandlinks/glossary>

Community Infrastructure Levy (CIL) - The CIL is a charge set at a standard rate which will allow the Council to raise funds from new development. The money collected will be used to support locally agreed infrastructure projects such as transport improvements, schools, leisure facilities, green links, and/or flood defences.

Development Briefs

Inform developers and other interested parties of the constraints and opportunities presented by a site, and the type of development expected or encouraged by local planning policies.

Disability

The Disability Discrimination Act 1995, defines a disabled person as an individual with a physical (including sensory) impairment or mental impairment which has a substantial and long term adverse effect on his/her ability to carry out normal day-to-day activities.

Evidence Base

An up-to-date information base on key aspects of the social, economic and environmental characteristics of the area, to enable the preparation of a sound spatial plan that meets the objectives of sustainable development.

Guidance Notes

From time to time we will publish guidance notes on a range of planning topics. These will be similar to Supplementary Planning Documents but will be much more informal. They will be used to provide information and advice rather than set out policies. We intend that they will be a practical part of the policy's framework.

Independent Examination

The council must arrange for an independent examination of the submitted Local Plan Document, the purpose of which is to consider

the "soundness of the plan". An independent inspector will be appointed by the Secretary of State to conduct the examination and it is his/her role to consider the Development Plan Document as a whole and to determine its soundness. In assessing this, the inspector will consider all representations made on the submitted Development Plan Document and the changes that have been suggested by those making representations.

Local Development Framework (LDF) (now Local Plan)

This was the term given to the portfolio of planning policy documents which as a group provided the framework for delivering the spatial planning strategy for the area during the period 2004-2012. The publication of the National Planning Policy Framework in April 2012 means that the term has been superseded by 'Local Plan'.

Local Plan (previously Local Development Framework)

The adopted planning policies setting out the strategic policy, detailed development management policies and site allocations for a local authority area.

National Planning Policy Framework – The NPPF sets out the Government's national planning requirements, policies and objectives. It replaces much of the national advice previously contained within Planning Policy Statements, Planning Policy Guidance and Circulars. It is a material consideration in the preparation of Local Plan documents and when considering planning applications.

Neighbourhood Plan – A plan for a small neighbourhood area which is prepared by an authorised local group. The plan must be in general agreement with the overall plan for the local authority and can include general planning policies and allocations of land for new development.

Planning Performance Agreement (PPA) – An agreement between an local planning authority and an applicant to provide a project management framework for a major planning application.

Proposals Map

The adopted proposals map illustrates on an Ordnance Survey base map, all the relevant policies from Local Plan Documents. It must be revised as new Local Plan Documents are adopted, and it should always reflect the up-to-date planning strategy for the area. Proposals for changes to the adopted proposals map will accompany submitted Development Plan Documents in the form of a submission proposals map.

Statement of Community Involvement (SCI)

This will set out the standards that the council intend to achieve in relation to involving the community and all stakeholders in the preparation, alteration and continuing review of all Local Plan Documents and in significant planning applications, and also how the local planning authority intends to achieve those standards. A consultation statement showing how the council has complied with its Statement of Community Involvement should accompany all Local Plan Documents.

Supplementary Planning Document (SPD)

These documents contain policy guidance to supplement the policies and proposals in Development Plan Documents (see above). They will not form part of the development plan or be subject to independent examination.

Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA)

An appraisal of the economic, social and environmental effects of a plan from the outset of the preparation process, so that decisions can be made that accord with sustainable development. The sustainability appraisal process incorporates requirements of the European Directive on Strategic Environmental Assessment.

Further Information

For further information and advice on planning issues, please refer to the following list.

Planning Aid	<p>A charity that provides free, independent and professional advice and support on planning issues to people and communities who cannot afford to hire a planning consultant.</p> <p>Website: www.rtpi.org.uk/planningaid E-mail - advice@planningaid.rtpi.org.uk</p>
Royal Town Planning Institute (RTPI)	<p>The professional body for town planners. Its website contains a wealth of planning related information.</p> <p>www.rtpi.org.uk On-line directory of planning consultants www.rtpiconsultants.co.uk</p>
The Planning Portal	<p>The Government's one-stop shop for planning information, with information on the planning system, planning application submission assistance, information on local developments and appeals as well as government research.</p> <p>Website: www.planningportal.gov.uk E-mail: support@planningportal.gsi.gov.uk</p>
Rural Community Council of Essex (RCCE)	<p>An organisation that works to empower local communities, and promote community-led regeneration initiatives.</p> <p>www.essexrcc.org.uk</p>
Royal Institute of British Architects (RIBA)	<p>The professional body for architects. Its website contains useful information relating to architecture.</p> <p>www.riba.org.uk</p>
Essex County Council (ECC)	<p>The County Council for Essex which deals with minerals and waste issues.</p> <p>www.essexcc.gov.uk</p>
Department for Communities and Local Government (DCLG)	<p>Website contains access to national planning guidance and policies.</p> <p>Website: www.communities.gov.uk E-mail: contactus@communities.gov.uk</p>

Effective Consultation

Consultation Guidelines

- ☞ It is important to plan effectively before beginning any type of consultation - be clear on your aims, objectives and time scale. Involve local community groups and/or the Parish Council where possible.
- ☞ Be clear about who is being consulted and why.
- ☞ Try to use more than one method of consultation in order to get more valid and reliable data.
- ☞ Be flexible and prepared to modify or change your consultation at the last minute.
- ☞ Present information in a clear and concise way and avoid jargon.
- ☞ Be open and honest with your consultees.
- ☞ Be sensitive to the needs of those you are consulting with. Respect local knowledge and cultural differences.
- ☞ Embrace all sections of the community and aim to include hard to reach groups such as young people and those in ethnic minority groups.
- ☞ Be sure to give consultees enough time to respond to the consultation.
- ☞ Conduct objective analysis once all the responses have been collated.
- ☞ A thorough and objective evaluation should be carried out at the end of the consultation to identify strengths and weaknesses for future exercises.
- ☞ Try using new technology to introduce new and more interactive methods of consultation and which can also aid analysis and feedback.
- ☞ Have fun! – Consultation is a great opportunity to meet new people and have fun. Use visual displays and interactive methods wherever possible to encourage participation.

Factors to consider

- ☞ Why am I consulting?
- ☞ Who do I want to consult with?
- ☞ Has research on this topic already been conducted?
- ☞ What methods will I use to consult?
- ☞ How will I make sure that a representative sample of the borough's population are consulted?
- ☞ Are there any equality issues or impacts to consider, and if so, what action will you take to address this?
- ☞ How do you intend to use equality monitoring information?
- ☞ Where will I consult?
- ☞ What equipment/facilities will be needed? What will be my costs?
- ☞ What media (if any) will I use to promote this consultation?
- ☞ Are there any potential limitations? How will I overcome these?
- ☞ How will I inform consultees of the outcomes and any progress?

Planning Policy
Strategic Policy and Regeneration
Colchester Borough Council
planning.policy@colchester.gov.uk
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If you need help reading or understanding this document, please take it to our Customer Service Centre, High Street, Colchester. Or phone 01206 282222. Text phone users should dial 18001 followed by the full number. We will try to provide a reading service, a translation, or any other format you need.

**Statement of Community Involvement 2013 Revision
Consultation summary**

The consultation on the revised Statement of Community Involvement (SCI) ran for a period of six weeks from 7 January to 25 February 2013. Copies of the consultation document and supporting information were made available to view at Colchester Library and the Customer Service Centre, Angel Court. The information was also accessible on the Council's website at www.colchester.gov.uk/planningconsult. A press release was issued and notification was sent to those on the Council's Local Development Framework consultation database. In total there were 6 responses to the consultation, including the comments by Myland Community Council made at the 13 December Local Plan Committee. The comments and suggested changes to the document are detailed below.

Consultation responses

Section	Respondent	Comments made	Officer comment / Change to document
General	Ramblers	The ECC advice note on Development and Public Rights of Way should be cross-referenced. The wider affects of development on rights of way should be taken into consideration.	Applicants would be made aware of the publication as needed through the application process. ECC consults their Public Rights of Way team on relevant planning applications.
	Kelvedon Parish Council	The committee consider that any future planning proposals in Tiptree should take into consideration the amount of traffic already using the B road to and from Kelvedon and the inadequate A12 junctions.	The SCI sets out the processes for consultation with a wide range of consultees on plans and planning applications, including adjacent authorities. The document does not prescribe the detailed content of how proposals should be judged, which is

Section	Respondent	Comments made	Officer comment / Change to document
			covered by other national and local planning policy documents.
	Natural England	No specific comments, but supportive of the principle of early and meaningful consultation	Noted.
	Highways Agency	No comment.	NA
5 Community Involvement and Planning Applications including 5.11, 5.15 and 5.22	Tiptree Parish Council	<p>1-Where senior officers are to determine consultation methods, Parish and Town Councils should be notified and given the opportunity to comment.</p> <p>2-Creation of an 'objection trigger rate' whereby a detailed planning application becomes the norm to ensure as wide as possible consultation over the details of a major application is secured rather than decision being made between individual planning officers and developers.</p> <p>3-Alternatively, the Borough Council could give Parish and Town Councils the opportunity to request a call-in for a major application of outline planning permissions.</p>	<p>1-The Council already recognises the need to provide increased levels of information and consultation on high profile applications. Introducing additional consultation on consultation requirements would compromise meeting targets for processing planning applications.</p> <p>2-Requirements for outline planning permissions have recently been reduced in line with Government commitments to reduce red tape, so the proposal would not accord with this approach.</p> <p>3-Applications can already be called in by a ward member, who could action any requests by local councils.</p> <p>4-Parish and Town Councils are consultees for reserved matters applications. Parish and Town Councils can address any failures to submit</p>

Section	Respondent	Comments made	Officer comment / Change to document
		<p>4- Parish and Town Councils could be involved in monitoring the progress of reserved matters.</p> <p>5-Parish and Town Councils should be invited to facilitate a forum through which major developers can come and present their thoughts and views to councillors, with public interaction.</p> <p>6- Parish and Town Councils should be given the opportunity to speak at the Planning Committee</p>	<p>reserved matters through planning enforcement mechanisms.</p> <p>5-This idea could be taken forward by the Colchester Association of Local Councils. Meetings between Parish and Town Councils and developers are already encouraged under the existing planning application process.</p> <p>6- The wording has been revised to provide that at the Chairman's discretion, and where prior notification has been given, further objectors will be allowed to speak on particularly complex or controversial applications. Usually this will be with a maximum number of 3 speakers for and 3 speakers against any application. This provides flexibility to provide for both Parish/Town Councillors and speakers from non-parished areas to speak.</p>
5.22	Myland Community Council	Current public speaking arrangements at Planning Committee permit one speaker in opposition to an application which is impractical, particularly for large applications.	Paragraph to be amended as above.
7 Monitoring and review	Tiptree Parish	Parish and Town Councils should be sent an annual monitoring statement	The Council publishes an Annual Monitoring Report each year which

Section	Respondent	Comments made	Officer comment / Change to document
	Council	<p>covering all Supplementary Planning Documents (SPDs) within their area. In addition they should be given the opportunity to comment.</p> <p>The Borough Council should inform Parish and Town Councils on an annual basis as to whether the SCI has been reviewed and if not to expand upon its reasons for not reviewing the document within that year.</p>	<p>includes targets for all Development Plan Documents which provide the planning basis for SPDs. The report is presented at the December Local Plan Committee, which provides opportunities for public review and comment. The Annual Monitoring Report also provides a mechanism for identifying planning policies which require review, including the SCI.</p>

