



Item
9

Local Plan Committee

17 June 2024

Report of

Sandra Scott

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Title

Colchester Local Plan Review Update and Progress

Wards affected

All wards affected

1. Executive Summary

- 1.1 Officers continue to work on various aspects of the Local Plan Review. This report provides a brief introduction to the Local Plan Review for new members and an update on work undertaken since the February 2024 Local Plan Committee meeting.

2. Recommended Decision

- 2.1 Members are asked to note progress made on the Local Plan Review.

3. Reason for Recommended Decision

- 3.1 The Local Plan Committee oversees work on the Local Plan, and it is essential that the Committee is kept up to date with progress.

4. Alternative Options

- 4.1 The alternative is to not update the Committee at this time, which is not considered appropriate as the Local Plan Committee should remain informed and updated on the work on the Local Plan Review.

5. Background Information

Colchester Local Plan Review

- 5.1 A Local Plan is a statutory requirement as outlined in Section 19 of the Planning and Compulsory Purchase Act 2004. The Local Plan contains policies to guide development by identifying a spatial strategy, site allocations for employment and housing development and seeks to protect the environment, land, and buildings for certain uses to ensure delivery of sustainable communities. There is a statutory requirement for the Local Plan to be reviewed every 5 years, which in the case of Colchester means a new Local Plan will be required by February 2026.
- 5.2 In June 2023, the Local Plan Committee considered a report which explained the current position with the development plan and the further work needed to review the Local Plan. In August 2023, a report was presented which set out a high-level programme for the Local Plan Review, including proposing an iterative Issues and Options engagement programme comprising multiple themed engagements rather than one composite Issues and Options consultation. The Committee agreed the approach to the Local Plan Review at its meeting in October 2023. The decision was taken to use the green network and waterways and the creating a better environment agenda as the starting point for the Local Plan Review. The December 2023 committee report provided an update of work to date and asked the committee to agree engagement on the vision for the Local Plan Review early in 2024. In February 2024, the Committee agreed to consult on the themes of placemaking, climate change and net zero buildings and to continue work under the health and wellbeing theme.

Issues and Options

- 5.3 Regulation 18 of plan preparation and review includes evidence gathering and early consultation. Often this involves consultation on a single draft document at what is known as 'Issues and Options' and 'Preferred Options' stages. Issues and Options itself is not a statutory requirement. The statutory requirement is for a local planning authority to notify consultees, including members of the public, of the subject of a local plan and invite them to make representations about what a local plan ought to contain, what local needs are and which sites should be developed and which should be protected. The Local Plan Committee has agreed that for the Local Plan Review a more iterative and themed based approach to engagement is adopted, running between Autumn 2023 and Summer 2024, rather than the production of a single Issues and Options document. An update is provided on each of the Issues and Options themes below.

Green Network and Waterways

- 5.4 The Committee have previously been updated on the green network and waterways engagement and advised that all comments received are available to view on the consultation portal. [Colchester City Council - Green & Blue Spaces \(oc2.uk\)](https://www.colchester.gov.uk/consultation/colchester-city-council-green-blue-spaces).

Vision for the city

- 5.5 Engagement on the 'Developing a Vision for Colchester' took place from February – March 2024. The vision will set the framework for the Local Plan Review, with policies and allocations linking directly to delivering the outcomes set out in the vision. Vision workshops took place with Members, Planning Officers, and Senior Leadership Team at the end of 2023. Two workshops with the Residents Panel were held in March 2024. The workshops and public engagement all asked the following questions:
- What 3 things do you like best about Colchester City (Local Authority Area) as a Place?
 - What do you think are the most important opportunities for Colchester looking ahead to 2041?
 - What 3 things would you most like Colchester to be known for in 2041 and beyond?
- 5.6 The public consultation ran between 8 February – 21 March 2024, 151 responses were received. All comments received are available to view on the consultation portal. [Colchester City Council - Developing a vision for Colchester \(oc2.uk\)](https://www.colchester.gov.uk/consultation/developing-a-vision-for-colchester)
- 5.7 The Residents Panel is managed by Colchester City Council's research team and is made up of Colchester residents who wish to have their say on key issues facing Colchester. Two workshops were held with the Residents Panel on 27 March 2024. The residents panel gives a voice to the community of all ages, abilities and backgrounds, allowing the Council to understand what the residents feel about the services provided to help shape the future of Colchester.
- 5.8 Residents Panel members were invited to attend an in person or online engagement workshop to inform the early work on the Vision for the Local Plan Review. There was a good attendance at the in-person workshop held at the Town Hall with 23 Resident panel members in attendance. Unfortunately, the online workshop in the evening only had 3 Residents Panel members, the planned attendance was 14 but due to unforeseen circumstances most were not able to participate.
- 5.9 A word cloud has been created for each question (see below) as a high level summary with the answers from question one and two taken from the online consultation and the workshops. The word cloud for Question 3 has been created

only using the responses from the online consultation. As you can see, there are some similar themes between the public consultation and the workshops (including Members, Senior Leadership Team, Planning Officers and the Residents Panel), including, greenspaces and history.

1. What 3 things do you like best about Colchester City (Local Authority Area) as a Place



Online consultation



Workshops

2. What do you think are the most important opportunities for Colchester looking ahead to 2041?



Online consultation



Workshops

3. What 3 things would you most like Colchester to be known for in 2041 and beyond?

Online consultation

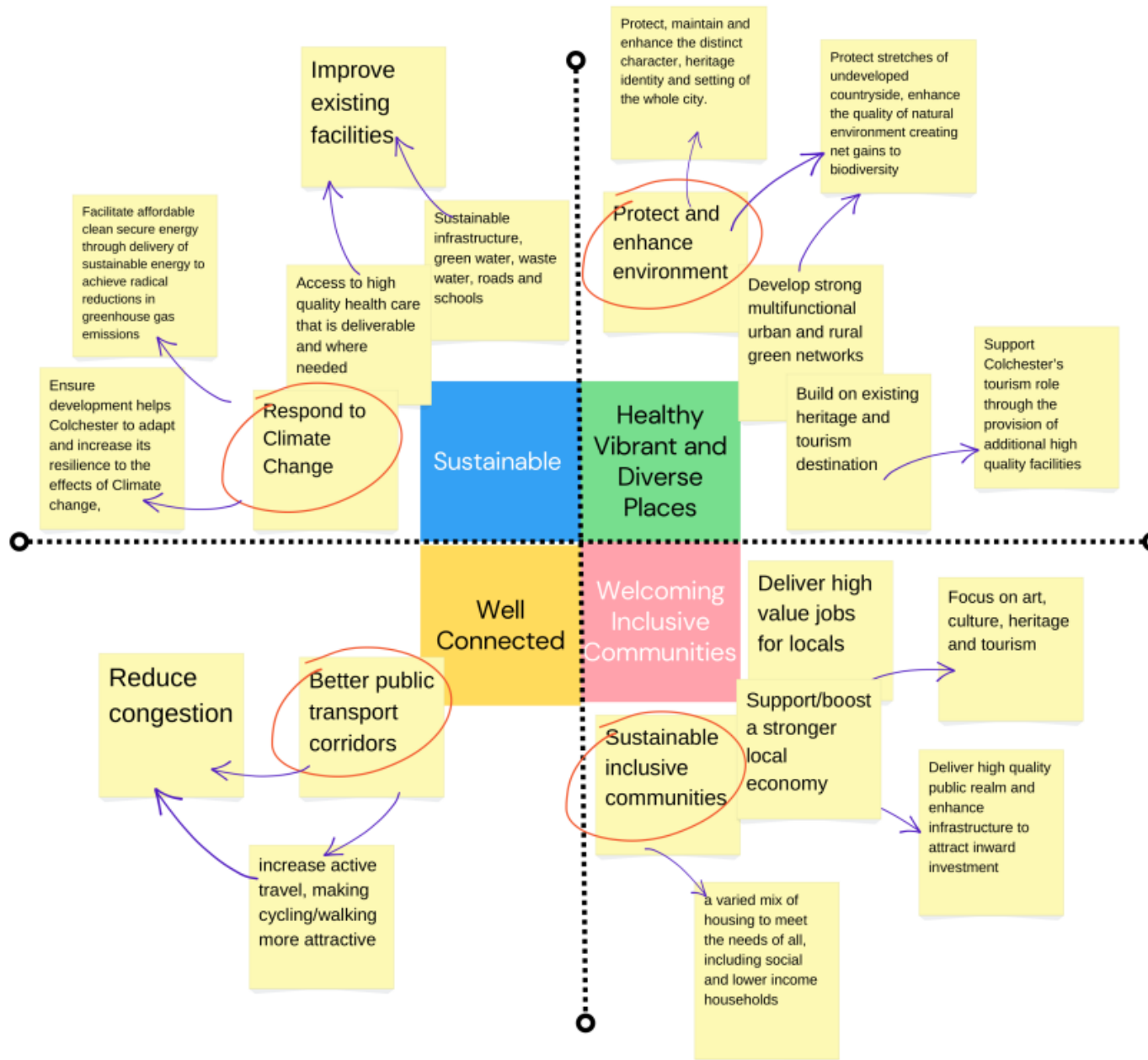


5.10 Looking at the online engagement comments and comments from the various workshops, themes and objectives have started to emerge. The key themes include:

- Sustainable
- Healthy vibrant and Diverse Places
- Well connected
- Welcoming and inclusive Communities

5.11 The visual, below, has been created to show the themes and objectives.

5.12 Whilst this engagement specifically focused on the vision, all of the Issues and Options engagements and emerging evidence will feed into the drafting of a vision for the Local Plan Review.



Climate Change Mitigation and Adaptation

- 5.13 Essex County Council's [recommended climate change policies](#) were published for engagement on 16 April 2024. The engagement closed on 30 May 2024. Stakeholders were asked if the Planning Policy Position for Net Zero Carbon Homes and Buildings in Greater Essex is suitable and appropriate to include in the Colchester Local Plan Review. Essex County Council's planning policy position for net zero carbon homes and buildings in Greater Essex was included on the website and a link to further information and supporting evidence regarding the policies available on the [Essex Design Guide](#) was included.
- 5.14 42 comments were received to this engagement. Responses were mixed with generally positive responses from the public and statutory consultees and objections from developers largely suggesting that planning policies should reflect Building Regulations. There were a number of comments supporting the net zero policy but strongly objecting to including Middlewick Ranges in the Local Plan. People made the point that Middlewick Ranges Local Wildlife Site is a significant carbon sink.
- 5.15 Officers will consider all of the comments made and share them with Essex County Council's Climate Action Planning Unit. Officers will also continue to follow progress with the Judicial Review of the government's 13 December 2023 Written Ministerial Statement (WMS) 'Planning – Local Energy Efficiency Standards Update'. This WMS restricts the ability of local authorities to set energy performance standards beyond Building Regulations, other than through the use of the Standard Assessment Procedure (SAP). This curtails the use of innovative and effective policies that achieve net zero buildings through addressing total energy use. Essex Climate Action Commission and Essex County Council commissioned Estelle Dehon KC at Cornerstone Barristers to provide legal advice on the matter concerning the ability of local planning authorities to set local plan policies that require development to achieve energy efficiency standards above Building Regulations. The [open advice document](#) which is available on the Essex Design Guide website, establishes the legal justification for requiring higher targets for energy performance standards for development than the national baseline.
- 5.16 As plan preparation progresses, Officers will consider, in light of these comments and evidence, whether to recommend including the Net Zero Carbon Homes and Buildings in Greater Essex policies within the Local Plan Review.

Placemaking

- 5.17 In February 2024, the Committee agreed to publish a Placemaking questionnaire to seek views about the pattern, scale, character, and design quality of places.

Example questions were appended to the February report. The questionnaire will cover the broad themes of:

- Creating a place
- Approaches to future development and growth
- Homes, Communities and Employment
- Natural and Historic Environment
- Design
- Colchester City Centre
- Health and Wellbeing
- Sustainability

5.18 A Placemaking questionnaire aimed at those who live, work and frequently visit Colchester will be published for consultation in June. Following the success of engagement with the Residents Panel to inform the vision, a further workshop session is being scheduled in July for placemaking. Officers are also seeking to engage with the younger residents of Colchester directly through the Sixth Form College, following successful engagement as part of the City Centre Masterplan and are also exploring other options to engage with younger groups where possible. A more specific questionnaire will also be published aimed at developers/house builders, planning agents, urban designers, architects, and other professionals within the built environment to get a better understanding of how design related policies are impacting the places that are delivered in Colchester. This will be available on the Council's consultation portal from June.

Health and Wellbeing

5.19 Health and Wellbeing crosses many aspects of planning and health and wellbeing and is intertwined with the green network and waterways, climate change/net zero homes and buildings and placemaking Issues and Options themes. Health and wellbeing could be the golden thread running through the Local Plan Review.

5.20 The primary focus for engagement on this theme is through the North East Essex Health and Wellbeing Alliance. This will provide the opportunity for healthcare professionals to be engaged at an early stage and throughout plan making to ensure the Local Plan Review adequately plans for healthcare infrastructure and shapes and influences placemaking for the benefit of health and wellbeing. It is also important to include other key stakeholders such as Sport England to engage directly to help inform the issues and options linked to this theme. An initial focus group / workshop with representatives from the Health and Wellbeing Alliance and other stakeholders including Sport England will be held in June which will help inform the issues and options and the scope of the evidence required to inform the Local Plan Review.

5.21 Engaging with wider stakeholders and local communities on health and wellbeing matters is also important. The Placemaking questionnaire includes a section on health and wellbeing. The Alliance and other key stakeholders will help to balance the issues with the options, developing evidence and considering solutions which can potentially inform policy and place making in the Local Plan Review.

Further Engagement

5.22 Member briefings in February and May have been held, giving all members the opportunity to be kept informed of the progress on the work on the Local Plan Review and the approaches taken to engage with the Town and Parish Councils. A briefing was held for Town and Parish Councils on 12 February 2024 and a neighbourhood planning briefing was held on 10 April 2024. Following these briefings, an invitation was given for Officers to meet with all Town and Parish Councils within their town/ village. At the time of writing this report, 14 meetings have taken place. Officers appreciate the time Town and Parish Councillors have given. Their comments and local knowledge have helped progress work on the settlement boundary review.

Evidence

5.23 Local Plans are underpinned by a huge amount of evidence. One of the tests of soundness is that the plan must be ‘justified’, which means an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.

5.24 A separate report is presented to this Committee which summarises work undertaken on the spatial strategy and early high level interim findings from the Local Housing Need evidence. The table below summarises progress on the remaining evidence base. Officers will keep this under review and seek to provide additional evidence if it is considered necessary, or review the need and scope as required. Where work has commenced, a summary of this follows.

Evidence	Purpose	Inhouse, consultants or hybrid	Timetable/ Progress
Green and Blue Infrastructure Framework	To map the green network and waterways in the city and consider improvements to this as part of the spatial strategy.	Inhouse	Ongoing – consultation on evidence complete in Winter 2023. Guiding Principles (the framework) Summer 2024.

Evidence	Purpose	Inhouse, consultants or hybrid	Timetable/ Progress
Call for Sites	To identify potential sites for green infrastructure, Biodiversity Net Gain, housing, employment.	Inhouse	Complete – Call for Sites undertaken Winter 2023. As no offsite BNG sites were submitted an offsite BNG call for sites will commence in June 2024.
Strategic Land Availability Assessment (SLAA)	To consider the suitability, availability and achievability of all sites proposed for development.	Inhouse / hybrid / external input where required	Ongoing – Methodology agreed December 2023. Desktop Review commenced January 2024. Individual Assessments commenced spring 2024.
Settlement boundary review	To review the boundaries & characteristics of all settlements within Colchester district and consider alongside the sites assessed through the SLAA.	Inhouse	Ongoing – Stage 1 completed March 2024. Stage 2 has commenced & will include comments from Town and Parish Councils and a summary of sites assessed through the SLAA.
Climate Change and Net Zero Carbon Homes and Buildings	To justify policies and targets in relation to net zero carbon homes and buildings.	Consultants commissioned by ECC	ECC have drafted recommended net zero policies supported by an evidence base for use across Essex. The Council published these for engagement between 16 April – 30 May 2024.

Evidence	Purpose	Inhouse, consultants or hybrid	Timetable/ Progress
Gypsy and Travellers Accommodation Assessment (GTAA)	To identify the need for gypsy and traveller plots/sites.	Consultants – Essex wide commission.	Work underway, report due Quarter 2 of 2024.
Biodiversity Protection & Biodiversity Net Gain Study	To consider likely effects on biodiversity from potential allocations and recommend mitigation and biodiversity net gain measures.	Consultants	Ongoing - consultant appointed February 2024.
Local Housing Needs Assessment	To establish the housing requirement and mix of housing required. To establish and justify the affordable housing figure.	Consultants	Interim draft report received – see separate committee report.
Infrastructure Delivery Strategy Including Infrastructure Audit	To document the infrastructure required to identify required mitigation to support the Plan. Initial work- Infrastructure Audit	Consultants	Work has commenced on the infrastructure audit. Consultants appointed May 2024.
Employment study	To understand the amount and type of employment space needed in the plan period and help inform policy approach.	Consultants	Brief drafted and invitation to quote open. Anticipate appointment June 2024
Town centre & retail study	To understand the quantum and policy approach for retail and town centre uses needed in the plan period.	Consultants	Brief drafted and invitation to quote open. Anticipate appointment June 2024
Transport Evidence	To understand the transport requirements to support / inform the Local Plan Review.	ECC / Consultants	Modelling updates agreed to commence June 2024 Further testing to support the Preferred Option draft Plan Summer / Autumn 2024.

Evidence	Purpose	Inhouse, consultants or hybrid	Timetable/ Progress
Water Cycle Study	To demonstrate that water can be supplied, wastewater treated, and development won't cause flooding.	Consultants - potentially a joint commission with Tendring District Council	Brief prepared and due for invitations for quote in June 2024.
Strategic Flood Risk Assessment	To identify areas at risk of flooding.	Consultants – possibly ECC	Brief drafted and bids being assessed. Anticipate appointment June 2024
Heritage Impact Assessment	To consider likely effects on heritage assets from potential allocations and recommend mitigation measures where required to inform policy.	Consultants	Brief to be prepared and invitations to quote June 2024.
Landscape Character Assessment Review	To include a review of the existing landscape character assessment. Review to consider coastal areas & valued landscapes.	Consultants	Brief prepared & appointment expected in June 2024.
Design Code	To ensure the Plan can deliver on National Policy requirements on beauty and design.	Potential options being explored to include hybrid if possible	To follow later, in support of Submission Plan.
Health Impact Assessment	To consider the health impacts of the plan.	Inhouse utilising work / engagement with the North East Essex Health and Wellbeing Alliance	Draft to be prepared during Preferred Options preparation. Update and finalise before Submission.
Viability Assessment	To demonstrate that the Submitted Plan is viable.	Consultants	Brief prepared expected to invite quotes in June for work as required during preparation of Submission Plan.
Sustainability Appraisal (SA)	Legal requirement for all DPDs.	Consultants	Scoping report completed & statutory consultees consulted

Evidence	Purpose	Inhouse, consultants or hybrid	Timetable/ Progress
			16 April – 21 May 2024. Consultants working on SA, which will be ongoing throughout plan preparation.
Habitat Regulations Assessment (HRA)	To confirm no adverse effects on the integrity of habitats sites.	Consultants	Brief sent out in May 2024, with appointment expected in June 2024.
Equality Impact Assessment	To determine if there is any adverse impact or illegal discrimination or any unmet need or requirements, in accordance with Equality Act 2010.	Inhouse	To be prepared prior to submission.

Green Network and Waterways Guiding Principles

5.25 The Local Plan Committee has previously been advised about the engagement on the green network and waterways, which took place from 9 November 2023 – 5 January 2024. Officers across three teams will incorporate comments, where appropriate, into the Local Plan Review and other Council workstreams including management plans for Council owned sites and the climate emergency action plan. Officers are working with other Council teams to prepare Guiding Principles for Colchester’s green network and waterways. The Guiding Principles will be developed through an understanding of the city’s green network and waterways baseline, the public engagement comments, and a review of relevant strategies and studies. Once finalised, the green network and waterways Guiding Principles will inform all Council work related to green spaces and waterways.

Settlement Boundary Review

5.26 Officers have prepared stage one of the Settlement Boundary Review. Stage one provides an assessment of the comparative sustainability of Colchester’s settlements. It includes:

- A description of the settlement shape and form.
- Settlement profile, which is a concise summary of some of the relevant Census 2021 indicators.
- Summary of school provision from Essex County Council [sources](#).

- Summary of community and social infrastructure.
- Summary of sustainable travel connections. For some of the larger settlements, this section includes commentary on the opportunities to enhance active travel routes within and beyond the settlement.
- Summary and map of existing green spaces within the settlement.
- Summary of existing gaps in green space provision using [Natural England's Access to Natural Greenspace Standards](#) (ANGSt).
- High level constraints and opportunities.

5.27 Stage two of the Settlement Boundary Review will include updates following feedback and conversations with Town and Parish Councils. It will also include a summary of the sites assessed as part of the Strategic Land Availability Assessment, discussion on appropriate growth, and any amendments to the adopted local plan settlement boundary.

Sustainability Appraisal / Strategic Environmental Assessment

5.28 Sustainability Appraisals, incorporating Strategic Environmental Assessments, are a legal requirement for Local Plans. They are carried out alongside plan preparation and assess how sustainable the plan is and reasonable alternatives. Sustainability Appraisals are a useful tool to aid decision making and help justify the preferred strategy.

5.29 The first stage of the Sustainability Appraisal is scoping, which was carried out inhouse. Scoping involves considering baseline information about the plan area, a review of relevant policies, plans, and programmes, identifying sustainability issues that face the plan area and the establishment of a sustainability framework that will be used to assess the plan options as they emerge. There is a requirement to consult Natural England, the Environment Agency, and Historic England on the scoping report. These consultees were consulted between 16 April - 21 May 2024. The comments received were supportive and minor amendments have been made to the scoping report.

5.30 Further stages of the Sustainability Appraisal will be carried out by consultants and work has started on appraising spatial strategy options. A Sustainability Appraisal report will be prepared and consulted upon alongside the Preferred Options Plan.

Strategic Land Availability Assessment and Call for Sites

5.31 Following consultation, the updated Strategic Land Availability Assessment Methodology was revised and adopted by Local Plan Committee on 11 December 2023. In January 2024, Officers commenced the Desktop Review to identify sites in addition to those promoted through the Call for Sites for further assessment. This has identified approximately 80 additional sites. The sites identified through the desktop study will be published as part of the Strategic Land Availability Assessment process.

- 5.32 The Call for Sites was an opportunity for the public, Members, landowners, developers and other stakeholders to promote sites for development across the city. This includes land for use of housing, employment, community facilities and/or infrastructure development. This also included a green infrastructure category to enable land to be promoted for offsite biodiversity net gain, country parks, open space, and other green uses. No sites were put forward for offsite biodiversity net gain. A further call for sites specifically for offsite biodiversity net gain will commence in June. It is anticipated that now the mandatory requirement for all site to provide at least 10% biodiversity net gain, the awareness of this amongst landowners has increased so a second call is hoped to lead to submissions.
- 5.33 A total of 197 submissions have been received by a mixture of landowners, developers, agents, and members of the public. The majority of submissions were promoting sites for residential uses. However, some sites were promoted for other uses, including employment, open space, and local nature reserve/local wildlife site. In some instances, a site may have been promoted for multiple uses. Similarly, some sites have been promoted by more than one individual, for example Middlewick Ranges as a green space by several members of the public. The easiest way to view the sites submitted through the Call for Sites is on the [interactive map](#) and associated [Call for Sites Report](#). A separate [Call for Sites Report](#) has also been published as part of the Evidence Base and Supporting Documents, for those who are unable to use the interactive map.
- 5.34 The information provided in the Call for Sites as published is based on that which was submitted by the respondent/agent. As sites are assessed, it may be that further clarification needs to be sought in some cases. It is also worth noting that in some cases the site boundaries drawn cover the full extent of an area put forward for consideration, which may be larger the area intended for development i.e. may include land within the same ownership or land available for biodiversity net gain, or an alternative supporting use.
- 5.35 The Call for Sites is an essential part of the plan making process, but it is only one part of the evidence base. It is important to remember that just because a site has been promoted through the Call for Sites, this does not necessarily mean that it will go forward as an allocation in the Local Plan or be supported for development of the proposed use.
- 5.36 Officers have compared the list of sites generated from the Desktop Review and those submitted through the Call for Sites to remove any duplication. The next step is to undertake the individual site assessments using the adopted Strategic Land Availability Assessment (SLAA) methodology. This has commenced and will be ongoing for the next few months.

6. Equality, Diversity and Human Rights implications

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

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

7. Strategic Plan References

- 7.1 The current Local Plan provides a key strategic delivery vehicle for many Strategic Objectives in the Council's Strategic Plan (April 2023-April 2026). In particular the following Strategic Objectives are particularly relevant; Respond to the Climate Emergency through policies which seek to conserve and enhance biodiversity; Improve health, wellbeing and happiness, through placemaking and provision of appropriate infrastructure; Deliver homes for those most in need, through housing targets, site allocations and policies providing for affordable housing and a mix of evidenced housing needs; and Grow our economy so everyone benefits, through policy seeking to provide and manage economic growth throughout existing and new communities.

8. Consultation

- 8.1 Public consultation has taken place on the green network and waterways, vision, climate change/ net zero homes and buildings policies and SLAA methodology. Future engagement and consultation will be undertaken as outlined at appropriate stages on preparation of evidence and plan making in accordance with the Planning Regulations and Statement of Community Involvement.

9. Publicity Considerations

- 9.1 None at this stage.

10. Financial implications

- 10.1 There is a significant financial implication in preparing a Local Plan. All evidence base documents that need to be prepared by consultants have an associated cost along with all consultation exercises and the eventual examination. An up-to-date local plan does however help avoid costly appeals.

11. Health, Wellbeing and Community Safety Implications

- 11.1 There are no specific health, wellbeing and community safety implications. Officers are working with the North East Essex Health and Wellbeing Alliance to ensure that health and wellbeing is integrated into the Local Plan Review.

12. Health and Safety Implications

12.1 No direct implications.

13. Risk Management Implications

13.1 No direct implications.

14. Environmental and Sustainability Implications

14.1 The Council has declared a Climate Emergency and has committed to being carbon neutral by 2030. The purpose of the planning system is to contribute to the achievement of sustainable development as defined in the National Planning Policy Framework. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic, social, and environmental objectives.

14.2 The Local Plan Review will take account of any updated evidence and changes in legislation that help contribute towards achieving carbon neutral by 2030. Further consideration of future policy development on the environment, climate change, biodiversity, place making and active environments will seek opportunities towards Colchester becoming a greener city that is resilient to the climate change challenges.