



Colchester
City Council

Local Plan Committee Meeting

**Grand Jury Room, Town Hall, High Street,
Colchester, CO1 1PJ
Monday, 17 June 2024 at 18:00**

The Local Plan Committee deals with the Council's responsibilities relating to the Local Plan.

Information for Members of the Public

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COLCHESTER CITY COUNCIL
Local Plan Committee
Monday, 17 June 2024 at 18:00

The Local Plan Committee Members are:

Councillor Tim Young	Chair
Councillor Michael Spindler	Deputy Chair
Councillor Andrew Ellis	
Councillor Sean Kelly	
Councillor Richard Kirkby-Taylor	
Councillor Venessa Moffat	
Councillor Martin Parsons	
Councillor Fay Smalls	
Councillor Rhys Smithson	

The Local Plan Committee Substitute Members are:

Other than the Local Plan Committee members, all members of the Council who are not members of the Planning Committee.

AGENDA

THE LIST OF ITEMS TO BE DISCUSSED AT THE MEETING

(Part A - open to the public)

Members of the public may wish to note that Agenda items 1 to 5 are normally brief.

Live Broadcast

Please follow this link to watch the meeting live on YouTube:

[\(107\) ColchesterCBC - YouTube](#)

1 Welcome and Announcements

The Chair will welcome members of the public and Councillors and remind everyone to use microphones at all times when they are speaking. The Chair will also explain action in the event of an emergency, mobile phones switched to silent, audio-recording of the meeting. Councillors who are members of the committee will introduce themselves.

2 Substitutions

Councillors will be asked to say if they are attending on behalf of a Committee member who is absent.

3 Urgent Items

The Chair will announce if there is any item not on the published agenda which will be considered because it is urgent and will explain the reason for the urgency.

4 Declarations of Interest

Councillors will be asked to say if there are any items on the agenda about which they have a disclosable pecuniary interest which would prevent them from participating in any discussion of the item or participating in any vote upon the item, or any other registerable interest or non-registerable interest.

5 Minutes of Previous Meeting

The Councillors will be invited to confirm that the minutes of the meeting held on (insert date) are a correct record.

2024-02-22 CCC Local Plan Committee Minutes 9 - 16

2024-05-22 CCC Local Plan Committee Minutes 17 - 18

6 **Have Your Say! (Hybrid Local Plan meetings)**

Up to eight members of the public may make representations to the Local Plan Committee on any item on the agenda or any other matter relating to the business of the Local Plan Committee. Each representation may be no longer than three minutes. Members of the public wishing to address the Local Plan Committee must register their wish to address the meeting by emailing democratic.services@colchester.gov.uk by 12:00 noon on the working day before the meeting. In addition, a written copy of the representation should be supplied.



7 **Local Development Scheme** 19 - 48

The Committee are invited to approve the changes to the Local Development Scheme.

8 **Colchester Local Plan Review: Spatial Strategy and Housing Numbers** 49 - 66

The Committee are invited to note the emerging Local Housing Need figure for the Local Plan Review covering the period up to 2041. The Committee are also invited to note the spatial approaches and spatial options set out in paragraphs 5.19-5.41 of the report which are to be tested by the relevant evidence to inform the consideration and drafting of the Preferred Options Local Plan Review.

9 **Colchester Local Review: Update and Progress** 67 - 84

The Committee are invited to note the progress made on the Local Plan Review.

10 **Exclusion of the Public (not Scrutiny or Executive)**

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 Background Information Version 2 July 2022 85 - 90

**Part B
(not open to the public including the press)**

LOCAL PLAN COMMITTEE

22 February 2024

<i>Present: -</i>	Councillors T. Young (Chair), Arnold, Kirkby-Taylor, Powling, Rippingale, Rowe, Scordis, Smith, Smithson, and Spindler
<i>Substitute Member: -</i>	Cllr Powling substituted for Cllr Barber Cllr Arnold substituted for Cllr Burrows Cllr Rowe substituted for Cllr Sunnucks
<i>Also in Attendance: -</i>	Cllr Goacher Cllr Harris Cllr Nissen Cllr Warnes

296. Minutes of Previous Meeting

The minutes of the meetings held on the 11 December 2023 and 15 January 2024 were confirmed as a true record.

297. Have Your Say!

Glyn Evans addressed the Committee pursuant to provisions of Meetings General Procedure Rule 5 (1). The Committee heard that they were speaking at the meeting regarding public trust, transparency, honesty, credibility, and ability to listen actively. The Committee heard that when they had previously served as a Councillor for Wivenhoe they had seen some poor decisions with regards to Ecology in places such as Salary Brook regarding door mice and hedgerows. The Committee heard that they had been a naturalist who had addressed the Council in 2019 on the woodland project where many trees had died. The Committee heard that Essex Wildlife Trust and Colchester Natural History Society had disassociated themselves with the Council pertaining to the woodland and biodiversity work. The speaker detailed that Middlewick had found its way into the Local Plan and detailed that a second opinion was not required and detailed that the Council had already received 17. The speaker concluded by asking members to show whether they would still vote for a local plan with Middlewick in the Local Plan.

The Chair responded that it was for the Chair to call for votes from the Committee and that Members did not have a report before them to remove Middlewick from the Local Plan and that the Local Plan reviewing process was continuing through evidence gathering with the final decision being made by Full Council.

At the request of the Chair the Democratic Services Officer read out a statement from Alan Short as follows:

“At the Local Plan Committee on 11th December 2023 several speakers under have your say asked that the designation of Middlewick Ranges in the Local Plan for the development of 1000 houses be removed.

Councillor Martyn Warnes in his statement said: “that the time to act is now” and others called for a focused review. In a later meeting on 15th January 2024 Karen Syrett responded and said it could be done but it was ‘not straightforward’.

Later Paul Dundas in the subsequent discussion asked: “Now, if a site is removed because we choose to do so, what potential if any liability does that leave on the council as part of this process?”

The response confirmed that there would be no liability.

In the written statement from Councillor Martin Goss it said “The MoD have now decided to sell even more land which opens a risk to even more housing on the site, roughly another 700 at least. It is time to take a fresh look at Middlewick and see whether the whole site can be removed legally from the Local Plan.”

Natural England suggests that Middlewick Ranges should not be included for development given the site is of SSSI level quality. It calls for any decision made to be based on current information rather than the highly inadequate study done more than 4 years previous, commissioned by the owners of the land. It further reserves the right to oppose any planning proposals submitted to the Planning Committee; the very real prospect of a SSSI designation hangs over any prospective Middlewick application.

The land is again being considered by a buyer and the likely cost of the rejection of a planning application under the Local Plan as it now stands followed by an appeal will be a considerable drain on the council’s resources. We also know that a very large area has been submitted under the call for sites.

If a focused review based on a desk study and current legislation was quickly taken and the planning officers used their award winning skills with their suggested complicated removal which we are told could be done, the full council is very likely to remove the Middlewick Ranges immediately from the Local Plan. The chances of Full Council voting FOR a Local Plan with Middlewick in it now seems extremely far-fetched.

Question: To planners – bearing in mind Middlewick threatens the integrity of the Local Plan and the mounting evidence against its inclusion, and that it will take time to replace, what is stopping you committing to a Focused Review tonight without further delay?

To councillors – you will have to vote for an updated Local Plan this autumn, and are now fully aware that this site should never have been included, as verified by 17 experts and numerous organisations like RSPB and Essex Wildlife Trust. Therefore, will you instruct planners this evening and going forward that you would not vote for the Local Plan with Middlewick on it?”

The Chair responded that Alan Short had attended the Full Council meeting that took place on the previous evening where they had made comments about the Chair (Cllr T. Young) and Cllr Goss and outlined that he had received an email from Alan Short earlier in the day which read as follows:

“Dear Tim, I wish to apologise for my statement last night in your alleged role in the suppression of the Natural England letter on the Wick. I would have said so last night to the

meeting if I had been given the opportunity and the chance. I was relying on what the Gazette had said at the time and had no idea this was untrue. I will be there again tonight and will publicly apologise ... I still think the inclusion of the Wick in the plan is a mistake and the sooner it is removed the better. I appreciate that this will be a Full Council decision but despite the Planning Officers not wanting to remove it the decision was a mistake based on inadequate information and Natural England came to the party very late."

The Chair outlined that they had replied to Alan Short accepting the apology and agreed that the claim would no longer be talked about.

Richard Martin addressed the Committee pursuant to provisions of Meetings General Procedure Rule 5 (1). The Committee heard that the inclusion of Middlewick in the Local Plan Review was not sound and that this had been the conclusion of the independent advice and detailed that the original Stantec report could no longer be used as evidence. The speaker detailed that the experimental methods of mitigation would be a catastrophe and detailed that Councillors were misinformed when Middlewick was put into the Local Plan.

Martin Pugh addressed the Committee pursuant to provisions of Meetings General Procedure Rule 5 (1). The Committee heard that the speaker had been walking past Middlewick where they had seen vehicles doing exploratory work and raised concerns about the utter contempt of wildlife on the site. The speaker detailed that the site was being reviewed with an utter contempt for wildlife and detailed that there needed to be a focussed review and that the Council needed to intervene on site as the ecology on the site had been debunked and detailed that the original report had been cartoonish in its inadequacy.

Councillor Goacher addressed the Committee as a visiting Councillor. The Committee heard that the Council was in its current position and that could not be changed immediately and detailed that the Committee would get a vote on Middlewick in the Autumn and outlined that they could see the same debate happening then. The speaker detailed that one of the other sites that had been put forward for housing was opposite Cymbeline Meadows and questioned what the process would be for this area. The speaker concluded by outlining that they did not want to pre-empt the process for this and detailed that for item 7 the conservation area could be bigger than what was being proposed.

Councillor Harris addressed the Committee as a visiting Councillor. The Committee heard that they were attending on behalf of Berechurch residents and detailed that they were grateful for the letter that had been sent to all Councillors from the Colchester Natural Society and Essex Field Club. The Committee heard that the Ministry of Defence (MOD) and consultants had got the details wrong with regards to ecology at Middlewick and that the area was a rare green space. The speaker detailed that the area around Middlewick currently suffered from severe road congestion and that a review should take place to remove Middlewick from the Local Plan. The speaker concluded by detailing that they were confused as to why so many iterations of maps had been included in the report for the Evidence Base and Call for sites update.

Councillor Warnes addressed the Committee as a visiting Councillor. The Committee heard that the review encompassed Middlewick and the former ranges which were also associated with Acid Grassland which went close to Abbots Road. The speaker detailed that the proposals for the site were now including Donyland Woods and confirmed that these would have an impact on Old Heath and the Hythe and Berechurch Wards and detailed that they supported a review of the Local Plan and the Middlewick allocation therein. The Committee heard that they would also support a focussed review of Middlewick ranges and the wider proposals. The speaker concluded by detailing that there was a wealth of information

available on ecology grounds to reject the latest proposals on the site and that there was a lot of ecological information that the Committee needed to consider.

Councillor Nissen addressed the Committee as a visiting Councillor. The Committee heard that they were addressing the Committee in their role as Chair of the Environment and Sustainability Panel. The speaker detailed that they had asked about the feasibility of a desk study for Middlewick Ranges to study and analyse the errors in the Stantec report and asked that a focussed review is carried out to ensure the protection of a rare piece of land. The speaker concluded by detailing that they supported the proposals outlined in item 7 in the agenda to expand the conservation zone.

At the request of the Chair the Joint Head of Planning (Karen Syrett) responded to the points that had been made by the Have your Say Speakers. The Committee heard that all the points that had been raised by speakers had been noted and clarified that there was not a vote before the Committee on individual sites and detailed that Full Council had been requested by a have your say speaker to look into a focussed review for Middlewick which was not supported by the Portfolio Holder or from Officers due to the resource implications and instead supported a full review of the Local Plan. The Joint Head of Planning detailed that evidence would need to be collected for any review to the Local Plan and that solely removing Middlewick could have unintended consequences across the City. The Committee heard that there would be a consultation on the sites and that the Council would need to Publish a Regulation 19 version of the reviewed Local Plan that would need to be sent to the Planning Inspectorate. It was detailed that following this there would be possible modifications that would need to be enacted and then consulted upon and surmised that removing Middlewick from the plan would not be a quick fix and that a comprehensive review of the plan for the entire City was needed. The Joint Head of Planning continued by detailing that the letter from Natural England referred to the development management stage of the process and how they would work with the Local Planning Authority and interested parties noting that Natural England were supporting the independent ecology work which would include a desktop exercise and detailed that they did not foresee anyone objecting to the Ecology Work. The Committee were asked to note that they were not being asked to vote for the Local Plan tonight and that the Council could not control what the MOD was doing but noted that the Leader of the Council shared concerns about the MOD and their intentions as well as works that they were undertaking. The Joint Head of Planning concluded by outlining that the decision had been taken to undertake a full review of the Local Plan that would allow a reconsideration of all sites and that as of yet no formal planning application had been submitted to the Council regarding Middlewick.

The Place Strategy Manager (Sandra Scott) added that the Council had been in contact with Natural England and that they were supporting the independent Survey which was being carried out on their advice and although there were references to SSSI value of the site, Natural England had not formally designated the area of Middlewick as a Site of Special Scientific Interest.

In response to a question regarding the unintended consequences of the removal of Middlewick from the Local Plan from the Committee, the Joint Head of Planning detailed that the allocated 1000 homes on Middlewick would have to be found elsewhere.

John Akker addressed the Committee via zoom pursuant to provisions of Meetings General Procedure Rule 5 (1). The Committee were urged to consider the position of rural communities which could not offer easy access to employment or other infrastructure. The Committee heard that there was a resource deficit of planning in Colchester and that with the Local Plan Review taking place there were concerned residents and questioned how they

would be kept informed of the call for sites and what the process would be after that with regards to keeping parish councils informed.

298. Amendments to Colchester Conservation Area No 4: North Station Road and Environs, Character Appraisal & Management Proposals

The Historic Buildings and Areas Officer, Eirini Dimerouki presented the report to the Committee noting that they had previously approved that a consultation be carried out and that the summary of responses was contained within the report noting the concerns and comments that had been raised. The Committee heard that the concerns raised had been addressed and that Officers sought approval from the Committee to extend the boundary of the conservation area and to start the formal process for the Article 4 directions.

Sir Bob Russell addressed the Committee pursuant to provisions of Meetings General Procedure Rule 5 (1). The Committee heard that North Station Road was one of the most cosmopolitan streets in the City and that the area had been a part of their life for 70 years and thanked officers for the report and the research therein. The speaker detailed their concern that tyre and exhaust replacement businesses were included in the conservation area and that they were at a loss as to why £400,000 had been allocated to fix the link and why trees were being planted in metal boxes. The speaker concluded by questioning the second schedule regarding commercial works such as Sea trade House where additional drug use issues had been identified.

At the request of the Chair the Joint head of Planning, Simon Cairns, responded that the Riverside scheme had already commenced and that what was proposed would not act in a retrospective way and detailed that Officers understood the concerns of the local community but that the issues raised were outside of the Council's control.

Sir Bob Russell responded to the points made and asked that the Council consult with the LGA regarding the proposals not being implemented and asked that Legal advice was sought on this matter.

Members debated the proposal on issues including: that there were still some issues with some specific places within the conservation area designation, that ward members supported the proposals, and that the proposal would see further improvements in the area.

RESOLVED (UNANIMOUSLY) That the Local Plan Committee Resolved to approve:

The proposed extension of "Colchester Conservation Area No 4: North Station Road and Environs" to include a further 6 terraced houses in Causton Road (shown in map included in Appendix I).

And

To adopt the revised draft "character appraisal and management proposals" (As shown in appendix II)

And

To agree to commence the statutory process for the making of the Article 4 Directions (draft Directions included in Appendix III)

299. Colchester Local Plan Review: Issues and Options Update

The Place Strategy Manager, Sandra Scott, presented the report to the Committee noting that the update centred around the engagement taking place through the agreed iterative approach. The Committee heard that the vision engagement was underway and that all comments and ideas would be included in informing other areas of the Local Plan Review. It was noted that the engagement on the vision had been agreed in December and would continue to run until March 2024 and that the Council would be working with the Residents Panel where further themes would be looked at. The Committee heard that for health and wellbeing technical consultations would be taking place with Health Professionals and that it was recognised that this was an important part of the engagement of placemaking alongside community, natural and historic spaces. It was noted that best practice Climate Change policies were currently being drafted by Essex County Council and that there was potential for these to inform the local plan placemaking and climate change elements.

In response to questions from the Committee the Place Strategy Manager confirmed that the Council was receiving generally positive comments in respect of the green network and waterways element and had received a number of suggested opportunities including on Middlewick and confirmed that a link to the consultation portal would be sent to Councillors. It was noted that although a postcode was not attached to where the comments came from they could be seen on a map extract layer on the portal.

In response to further questions from the Committee the Place Strategy Manager detailed that planning can help address mental health and wellbeing issues and that the issues and options feedback would recognise the interrelationship on this and join it together in the review process.

RESOLVED (UNANIMOUSLY) That the Local Plan Committee note the progress made as part of the Issues and Options for the Local Plan Review.

300. Colchester Local Plan Review – Evidence Base and Call for Sites Update

The Principal Planning Policy Officer, Bethany Jones, presented the report to the Committee detailing that the evidence base and call for sites supported the Local Plan Review and detailed that some studies required specialist consultants that would be working on these in the next few months including the local housing needs assessment. The Committee heard that officers had been progressing a number of evidence based documents which included the call for sites which had been undertaken and allowed the suggestion of sites for housing, commercial and green uses. It was noted that 195 submissions had been received but confirmed that as they were all separate there could be some duplication or overlapping of sites in the report before the Committee. Members were asked to note that the submissions did not mean that the sites would be automatically included in the Local Plan Review and would be subject to a further individual assessment on their merits.

Councillor Lilley addressed the Committee as a visiting Councillor. The Committee heard that there was concern that they and officers were in the same position as previous years and that as this was the start of the process it was too early to comment. The speaker detailed that residents were worried about Middlewick as well as the woodland being allocated as housing which had been put forward in the document and as such this had started a mass panic and confirmed that they would be happy to lead a save the woodland campaign. The speaker concluded by detailing that Members were asking to remove the development from the area and put in a motion to protect the area.

Sir Bob Russell addressed the Committee pursuant to provisions of Meetings General Procedure Rule 5 (1). The Committee heard that where there were sites for housing that the names of all those who had proposed them be published and detailed that they needed to ask what sites were being put forward by the Ministry of Defence. Further to this the speaker sought clarification on the proposed status within the document for Cymbeline Meadows.

At the request of the Chair the Principal Planning Policy Officer responded that the call for sites had been available for everyone to put forward sites and not just housing sites but green/blue spaces as well. It was confirmed that no sites had been submitted by the Ministry of Defence and confirmed that a number of green sites had been proposed,

Sir Bob Russell responded to the points made and asked that the different sort of sites be made clearer in the report.

Graham Barney (Chair of Copford with Easthorpe Parish Council) addressed the Committee pursuant to provisions of Meetings General Procedure Rule 5 (1). The Committee heard that there was concern within their parish that the housing needs survey would be taken into account and that the 15 proposed sites would have an impact on conservation area, heritage and National Highways land. The speaker detailed that new houses would need to be in the right place, with good access and that there needed to be contributions as local facilities were overloaded with significant increases in traffic. The speaker concluded by asking that residents were involved in the reviewing of the allocations process.

At the request of the Chair the Principal Planning Policy Officer responded that the impact on the conservation area and impact on heritage would be looked at in the review of the sites and that the Local Plan Review would be informed by all evidence and not just the site assessments. The Principal Planning Policy Officer concluded by detailing that Officers were engaging with Parish Councils on where we are in the process and where we will be going.

Nigel Sagar addressed the Committee pursuant to provisions of Meetings General Procedure Rule 5 (1). The Committee heard that their comment was pre-emptive and was in regard to Hall Road. It was noted that a further site had been put forward and asked the Committee to think about the consequences of increasing homes in an area that has a Neighbourhood Plan.

At the request of the Chair the Principal Planning Policy Officer responded that a briefing had been held recently with Town and Parish Councils and that officers would be in contact with those who have a neighbourhood plan and keep them informed of the review.

Nigel Sagar responded to the points made and detailed that the road mouth for Hall Road was not acceptable and that further homes could not be accepted on in the area.

Members debated the report on issues including: that there was concern that there were large sites in Tiptree which had previously had applications on them.

At the request of the Chair the Joint Head of Planning (Karen Syrett) responded that all evidence would be considered when allocating sites including the site history of previous applications.

Members debated the report before them and noted that it was difficult to differentiate the different uses of the sites and asked that in future reports a key or colour coding was included for clarity.

RESOLVED (UNANIMOUSLY) That the Local Plan Committee noted the submissions received through the Call for Sites Process

And

That the Local Plan Committee noted the updates for the evidence base documents required to support the Colchester Local Plan Review.

LOCAL PLAN COMMITTEE
22 May 2024

<i>Present: -</i>	Cllrs Ellis, Kelly, Kirkby-Taylor, Moffat, Parsons, Smalls, M. Spindler and T. Young
<i>Substitute Member: -</i>	
<i>Also in Attendance: -</i>	

301. Appointment of Chair

RESOLVED that Councillor T. Young be appointed Chair for the forthcoming Municipal Year

302. Appointment of Deputy Chair

RESOLVED that Councillor M. Spindler be appointed Deputy Chair for the forthcoming Municipal Year.

June 2024

Report of	Laura Goulding, Planning Policy Officer
Title	Local Development Scheme (LDS)
Wards affected	All

1. Executive Summary

- 1.1 Local Planning Authorities (LPAs) are required to prepare a Local Development Scheme (LDS) in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and Localism Act 2011.
- 1.2 The LDS is an essential project planning 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 has previously reviewed the LDS on a number of occasions with the last update being in February 2023.
- 1.3 The LDS now requires updating to reflect further consultation and timetable variations for the Local Plan Review and the Development Plan Document for the Tendring Colchester Borders Garden Community as well as the timetable for Supplementary Planning Documents.

2. Recommended Decision

- 2.1 To agree changes to the Local Development Scheme.

3. Reason for Recommended Decision

- 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 for the preparation and revision of Development Plan Documents.

4. Alternative Options

- 4.1 The Committee could decide not to update the Local Development Scheme or to make amendments to it. The Council however is required under the Localism Act 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012 to publish up to date information for the public on the preparation and revision of Development Plan Documents through the LDS.

5. Background Information

- 5.1 A Local Development Scheme (LDS) is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008, the Localism Act 2011 and the Housing and Planning Act 2016). This must specify (among other matters) the local development documents which are to be Development Plan Documents, the subject matter and geographical area to which each Development Plan Document is to relate, and the timetable for the preparation and revision of the Development Plan Documents. It must be made available publicly and kept up to date. It is important that local communities and interested parties can keep track of progress. Local planning authorities should publish their Local Development Scheme on their website.
- 5.2 Colchester City Council first adopted an LDS in May 2005, with various revisions published at regular intervals to reflect changes in government regulations and work programmes. The LDS was last reviewed by Local Plan Committee in February 2023.
- 5.3 The LDS sets out which documents will form part of the Colchester Development Plan along with the timetable for the preparation and review of each document. The LDS is also reviewed as required to reflect any changes or implications which impact on the timing of plan preparation.
- 5.4 The revised LDS (which can be found in Appendix A) provides the scope and further details with regards to each document and includes the Project Chart which outlines the timescales proposed and shows how each document will be progressed until 2027. The chart has been updated to reflect the proposed timescales in a clearer way. Below is a summary of the key dates for planning documents which are further explained within the LDS itself:
- **Local Plan Review**
 - Initial preparation began in May 2023
 - Iterative Issues & Options Engagement – November 2023 to June 2024
 - Preferred Options Consultation – October to December 2024
 - Publication Draft Consultation – April to May 2025
 - Submission to Secretary of State – June 2025
 - Independent Examination - Autumn 2025
 - Adoption – Winter/ Spring 2026
- 5.5 The Government recently consulted on changes to the National Planning Policy Framework (NPPF) which includes proposed changes to the Plan Making Process. The timetable in the LDS reflects the current local plan system, but if new style plans are brought in from late 2024 as currently envisaged, this timetable will be reviewed.
- **Joint Development Plan Document (DPD) for Tendring Colchester Borders Garden Community**
 - Issues and Options consultation – Nov 2017- Jan 2018
 - Preferred Options consultation – Winter 2021/22
 - Submission version consultation – Summer 2023
 - Submission to Secretary of State – Autumn 2023
 - Examination – began in Autumn 2023 with hearing sessions Spring 2024
 - Adoption – Winter 2024
- 5.6 The timetable for the Tendring Colchester Borders Garden Community DPD has been updated to reflect the latest position.

5.7 The LDS has also been updated to reflect the latest progress of Neighbourhood Plans across the Council's administrative area. As the Council's role is to advise and support Neighbourhood Plan Groups to deliver their Plans, timetables of their production are not required to be included within the LDS, but an update can be seen below.

- **Recently adopted Neighbourhood Plans**

- Tiptree - Adopted May 2023
- Myland and Braiswick Review - Adopted October 2023
- Copford with Easthorpe - Adopted October 2023

5.8 Great Tey NHP has completed its Regulation 16 consultation between 12 February – 25 March 2024. The Examination commenced in April, subject to it being able to proceed to referendum it is anticipated this will be made during the Summer / Autumn 2024.

5.9 In earlier versions of the LDS, the Council was required to specify details of each Supplementary Planning Document (SPD) intended to be produced. Changes to the Regulations no longer require Supplementary Planning Documents to be included in an LDS, but the Council has chosen to show them to demonstrate the links between all the documents which contribute to the Colchester Development Plan. Timescales have been updated for the Shop Front Design Guide. This is now scheduled for adoption in Summer 2027. Future additional SPDs as well as further guidance notes and development brief documents may however be produced by the Planning Policy Team without formal modification of the LDS because of their non-statutory status in the decision-making process. SPD's could not be produced in advance of the adoption of the Local Plan because they cannot introduce new policy in their own right but only add detail to adopted policies.

5.10 Schedule 7 of the Levelling Up and Regeneration Act 2023 contains provisions to replace SPDs with 'supplementary plans'. The government said that it intends to replace SPDs because their "status can, in practice, be uncertain". Unlike SPDs, supplementary plans will have the same statutory weight as local plans in decision-making on planning applications because they will be subject to examination. The proposed changes also limit the scope of the plans compared to SPD's. Officers will continue to monitor national changes which could impact on the type and scope of documents produced.

5.11 In accordance with Section 15 (9A) (b) of the Planning and Compulsory Purchase Act 2004, a summary of the amendments made to the LDS since its last publication are set out in Appendix 2 of the Local Development Scheme document.

6. Equality, Diversity and Human Rights implications

6.1 An Equality Impact Assessment has been prepared for the Local Plan and is available to here - [Equality Impact Assessment June 2017.pdf \(windows.net\)](#)

6.2 There are no particular Human Rights implications.

7. Standard References

7.1 There are no particular references to the Strategic Plan; consultation or publicity considerations or financial; community safety; health and safety or risk management implications.

8. Strategic Plan References

- 8.1 The Strategic Plan is relevant, in particular in contributing towards priorities under the themes:
- Creating safe, healthy and active communities;
 - Growing a fair economy so everyone benefits; and
 - Delivering homes for people who need them.

9. Consultation

- 9.1 Public consultation on the LDS is not specifically required by the Regulations. Each document highlighted in the LDS will be subject to specific public consultation in line with the statutory regulations and the Council's Statement of Community Involvement (SCI) at the appropriate time. Attention could well be focused on plans listed in the LDS resulting in publicity for the Council.

10. Publicity Considerations

- 10.1 The LDS will be published on the Council's website but is not expected to generate publicity for the Council.

11. Financial implications

- 11.1 None.

12. Health, Wellbeing and Community Safety Implications

- 12.1 None.

13. Health and Safety Implications

- 13.1 None.

14. Risk Management Implications

- 14.1 None.

15. Environmental and Sustainable Implications

- 15.1 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.
- 15.2 Each Development Plan Document will take into account the Climate Emergency sustainable developments objectives set out in the NPPF.

Appendices

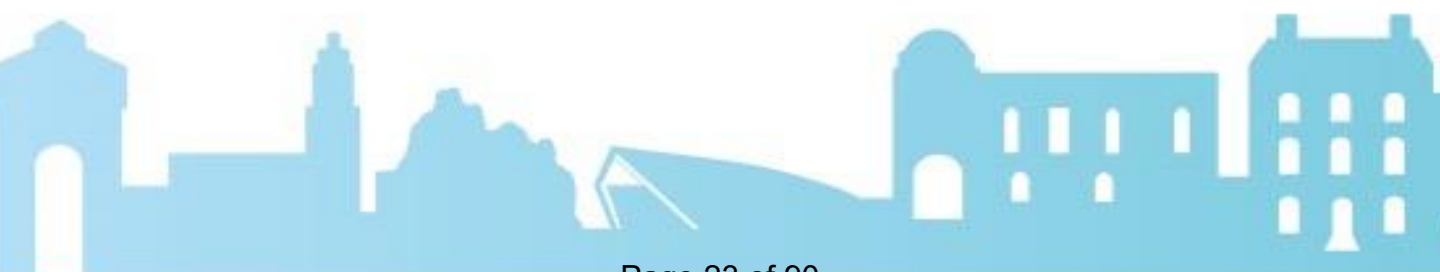
Appendix A – Local Development Scheme June 2024



LOCAL DEVELOPMENT SCHEME

Colchester City Council's
Local Development
Scheme 2024 - 2027

June 2024



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1. Introduction

The Local Development Scheme (LDS) sets out the Council's timetable for adopting new planning documents which will help guide development across the City. The LDS sets out a three-year rolling programme on the timetable.

Colchester City Council first adopted an LDS in May 2005 with various revisions published since then. The latest revision was in February 2023 which this current version (June 2024) now supersedes. Since 2011 the production of an LDS has been guided by the requirements of s.111 of the Localism Act 2011 which amended s.15 of the Planning and Compulsory Purchase Act 2004 and is further supported by the Town and Country Planning (Local Planning) (England) Regulations 2012.

The LDS will:

- Provide a brief description of all the Local Plan documents and Neighbourhood Plans to be prepared and the content and geographical area to which they relate.
- Explain how the different documents relate to each other and especially how they relate to the Local Plan.
- Set out the timetable for producing Local Plan documents, giving the timings for the achievement of the following milestones:
 - consulting statutory bodies on the scope of the Sustainability Appraisal
 - publication of the document
 - submission of the document
 - adoption of the document
- Provide information on related planning documents outside the Local Plan, including the Statement of Community Involvement, Authority Monitoring Report and adopted guidance.

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

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

2. Planning Context

The Council has a good record in meeting the milestones set out in the earlier versions of the LDS and our past delivery rates inform the future programme for the preparation of Local Plan documents up to the end of 2027.

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

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

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

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

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

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

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

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

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

3. Documents to be prepared during 2024 to 2027 - an overview

The overview below demonstrates the main milestones, as set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, for the production of each of the documents we intend to prepare over the next three years. The tables later in the document set out each stage of plan preparation and the amount of time the Council expects each stage to be completed. The LDS is kept under review to reflect any changes in local circumstances and/or government policy.

A. Phasing of work for Development Plan Documents

The Colchester Local Plan

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

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

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

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

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

The preparation of the TCBGC DPD has followed the same process as a Local Plan. However, this document contains only non-strategic policies - building upon the strategic policies in the Shared Section 1 Local Plan. The DPD is meant to provide significantly more implementation detail to Section 1 policies to further assist in facilitating the planning application process for the Garden Community.

Section 1 of the Local Plan, Policy SP8, states that no planning consent for development forming part of the Garden Community will be granted until the

TCB DPD has been adopted and that the DPD will set out the nature, form, and boundary of the new community. The DPD has been produced in consultation with stakeholders and includes a concept masterplan showing the disposition and quantity of future land-uses. It was produced alongside the master planning process and provides the framework for the subsequent development of more detailed masterplans and other design and planning guidance for the Tendring Colchester Borders Garden Community.

The DPD has now been submitted for examination, with the hearing sessions held in May 2024, the next stages of the process are in the hands of the Planning Inspector. Adoption is anticipated in Autumn 2024.

Neighbourhood Planning

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

The first stage of developing a Neighbourhood Plan is to designate a neighbourhood area. Once a neighbourhood area has been agreed, preparation of a Neighbourhood Plan can be carried out by a parish or town council, or in the case of unparished areas, a neighbourhood forum.

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

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

Area	Date NP Area agreed	Key Dates & Current stage
Boxted	October 2012	Adopted December 2016
Myland and Braiswick	January 2013	Adopted December 2016
Myland and Braiswick Review	January 2013	Adopted October 2023
Wivenhoe	July 2013	Adopted May 2019
West Bergholt	July 2013	Adopted October 2019
Eight Ash Green	June 2015	Adopted December 2019
Marks Tey	September 2015	Adopted April 2022
West Mersea	November 2016	Adopted April 2022
Tiptree	February 2015	Adopted May 2023
Copford with Easthorpe	May 2015	Adopted October 2023

Area	Date NP Area agreed	Key Dates & Current stage
Great Tey	June 2017	Regulation 16 commenced 12 February to 25 March 2024 and is now subject to an Independent Examination.
Great Horkesley	June 2022	Evidence gathering and plan preparation
Messing	July 2013	Work abandoned no active NHP Group currently
Stanway	June 2014	Work abandoned no active NHP Group currently

B. Phasing of work for Other Planning Documents

Supplementary Planning Documents (SPDs)

Supplementary Planning Documents (SPDs) complement policy contained in the Local Plan. They cannot set new policy but are treated as a material consideration in the determination of planning applications across the City. Although SPDs are not subject to examination, they are produced in consultation with the community and other interested parties and are still subject to regulations regarding their consultation.

Currently there is one SPD programmed which cover the following topic:

- Shop Front Design Guide

The following 5 SPDs have been recently adopted:

- Affordable Housing adopted 6 February 2023
- Climate Change adopted 11 December 2023
- Active Travel adopted 11 December 2023
- Biodiversity adopted 12 June 2023
- Colchester City Centre Master Plan adopted January 2024

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

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

Statement of Community Involvement (SCI)

The Statement of Community Involvement (SCI) provides a first step in plan making as it outlines the processes for consultation and engagement during the production of planning documents and determination of planning applications. The most recent iteration of the SCI was adopted in February 2023.

The production of an SCI is in part governed and directed by guidance and requirements at the national level. Should the regulations change, or new examples of best practice be introduced the Council will update the SCI accordingly.

Authority Monitoring Report (AMR)

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

Adopted Guidance Notes

Guidance notes and other documents are produced as required by the Council to assist in explaining specific protocols and other technical matters. They are non-statutory documents that are essentially informative and may be used to assist the determination of planning applications or in other areas where planning decisions are required. These include guidance on topics such as air quality, contaminated land and archaeology but they may also contain spatially specific guidance in the form of site design briefs.

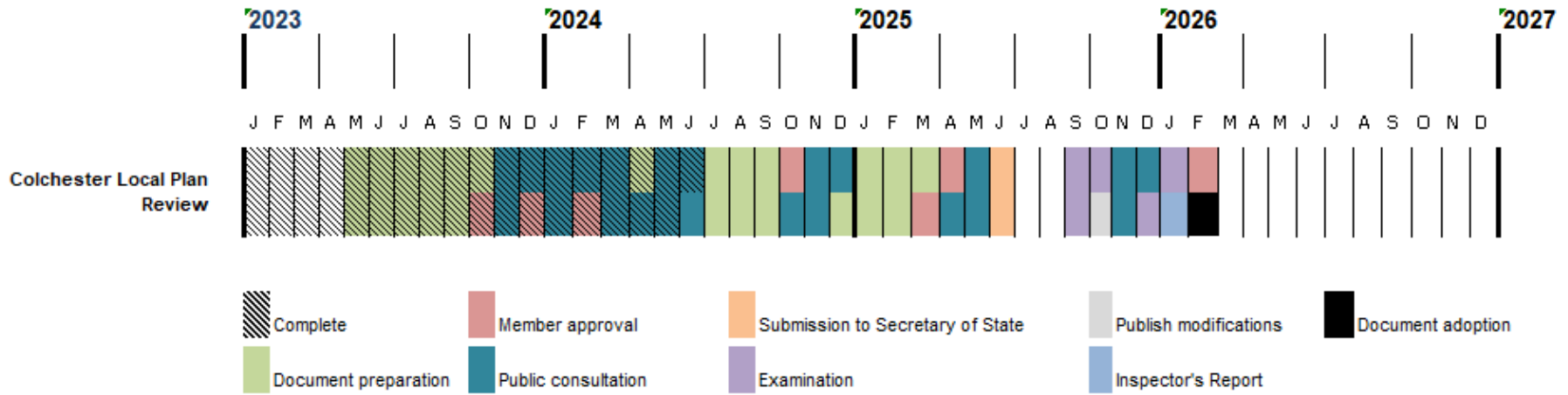
The current guidance notes are listed in Appendix 1 and information on additional guidance will be added to the Council's Adopted Guidance area of the website as and when it is completed.

4. Documents to be prepared during 2024 to 2027 - detailed profiles

Details of the documents we intend to produce in the next four years follow in the tables below. The timetable for the production of documents reflects previous experience. The Planning Inspectorate (PINs) are also consulted about the production timetable specifically with regard to documents which require submission of the document to the Secretary of State and a formal examination in public.

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

Local Plan Review Timetable 2023 - 2026



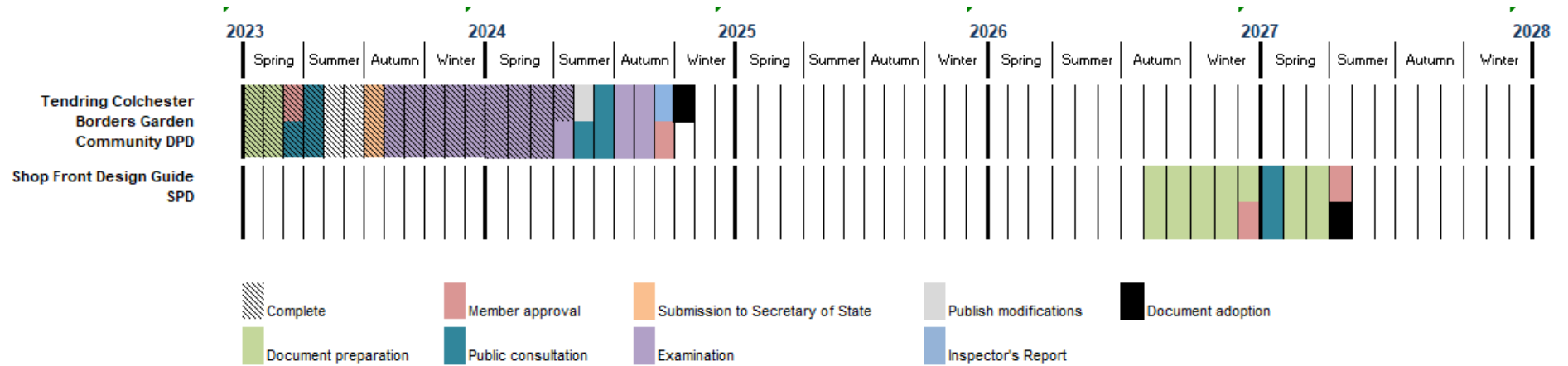
Colchester Local Plan Review

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

Production arrangements	Led by Planning Policy Team; input from all internal CCC service groups and Essex County Council as appropriate. The SCI outlines how external parties and members of the public will be involved.
Timetable for review	The Local Plan will set the overall spatial strategy for the Borough and will be reviewed as required after adoption, with the review period being within 5 years.

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

LDS Timetable 2023 - 2027



Tendring Colchester Borders Garden Community Development Plan Document (DPD)

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

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

Shop Front Design Guide SPD

Title	Shop Front Design Guide SPD
Role and content	To provide further details on shop front design considerations across the Colchester City Centre Area.
Status	Supplementary Planning Document
Chain of conformity	The SPD will support the policies within the adopted Local Plan.
Geographic coverage	Colchester City
Timetable and milestones:	Member approval for consultation – Winter 2026/27 Public consultation – Spring 2027 Adoption – Summer 2027
Arrangements for production	Production led by CCC Planning Policy Team and Historic and Buildings and Areas Officer and engagement with city centre stakeholders. Informed by public consultation in accordance with the SCI.
Post production - Monitoring and review mechanisms	CCC to monitor after adoption through the AMR.

Evidence Base

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

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

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

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

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

Integration with other Strategies

The Local Plan has a key role in providing a spatial dimension for many other strategies and helping their co-ordination and delivery. The Council works closely with other public bodies and stakeholders to satisfy the duty to co-operate on strategic matters and the evidence base reflects collaborative working with other authorities and stakeholders.

5. Monitoring and Review

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

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

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

Following the initial adoption of a Development Plan Document, it is anticipated that subsequent reviews will be in the form of a rolling programme following recommendations from the Local Plan Committee.

The AMR will provide information regarding the performance of each document as well as identifying areas where strategies/policies/targets are not being achieved. The outcomes will be dependent on a variety of influences such as changes to Government policy or pressures for development(s) across the City.

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

6. Resources

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

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

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

Place and Prosperity

- Planning
- Economic Growth
- Sustainability

Other CCC Services

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

Partners

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

Stakeholders and the Community

The Statement of Community Involvement (SCI) sets out in detail who we will consult and at what stage in the production of all documents. The SCI covers both plan making and decision taking, therefore all aspects of the Council's statutory planning functions have been included within the SCI.

7. Risk Assessment

There are several factors which may impact upon the ability of the Council to keep to the timetable for the production of documents. The table below considers and deals with the main risks.

Issue and level of risk	Comment and proposed mitigating measures
<p>Significant public opposition to plan proposals.</p> <p>High Risk, Medium Impact</p>	<p>The production of the Tendring Colchester Borders Garden Community DPD and specifically the allocation of land is likely to be contentious. Whilst every effort will be made to build cross-community consensus, there is a high risk of significant public opposition.</p>
<p>Inability of PINS to deliver examinations/reports to timetable.</p> <p>Low Risk, Medium Impact</p>	<p>The capacity of the Planning Inspectorate is an issue given the demands on its limited resources. PINS may not be able to provide Inspectors at the appropriate times.</p> <p>If problems do occur, caused by factors outside the council's control, we may have to accept some slippage of the timetable. The LDS would need to be amended accordingly.</p>
<p>Changes to the Planning System – Government Legislation and Guidance</p> <p>High Risk, High Impact</p>	<p>There is uncertainty surrounding the future plan making process as a result of the current NPPF Consultation and the Levelling Up and Regeneration Bill.</p> <p>The Council will continue to keep fully informed of any changes and/or publication of Government Legislation and the NPPF. In the event there are significant changes to the plan making process, officers will assess the impacts and any subsequent revisions to the Local Plan Review timescale and procedure.</p>
<p>Loss/turnover of staff</p> <p>Medium Risk, High Impact</p>	<p>The Planning Policy Team have benefitted from low turnover in recent years, but there is currently a national shortage of planning officers and the risk needs to be acknowledged.</p>
<p>Financial shortfall</p> <p>Medium Risk, High Impact</p>	<p>Preparation of Development Plan documents is a costly exercise, involving preparation of an evidence base, production of documents, consultation and examination.</p> <p>In previous years the Council has allocated funds through the Housing & Planning Delivery Grant (replaced by New Homes Bonus) and its Service and Financial Planning process to allow for the preparation of the Local Plan. Additional Council expenditure will be subject to scrutiny.</p> <p>Examination costs may inflate due to the length/complexity of the Examination. This will be kept under review.</p>

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

Appendix 1 - Supplementary Planning Guidance/Documents and Planning Guidance Notes - status as of June 2024

Table 1 Existing Supplementary Planning Documents

Subject	Adoption Date
City Centre Masterplan	January 2024
Active Travel	December 2023
Climate Change	December 2023
Biodiversity	June 2023
Affordable Housing	February 2023
Recreational Disturbance Avoidance and Mitigation Strategy	August 2020
Provision of Open Space, Sport and Recreational Facilities	July 2006, updated April 2019
Street Services	October 2012, revised February 2016
Sustainable Drainage Systems Design Guide	April 2015
Community Facilities	September 2009, revised July 2013
North Colchester Growth Area	June 2012
Shop Front Design Guide	June 2011
Sustainable Construction	June 2011
Backland and Infill Development	December 2010
Car Parking Standards (ECC)	September 2009
Colne Harbour Masterplan	January 2008
Garrison Masterplan	November 2002

Table 2 Existing Guidance Notes and Development Briefs

Subject	Adoption Date
Canopy Cover Assessment	October 2022
Permitted Development	August 2022
ABRO Development Brief	December 2021
Dedham Vale Management Plan	2016
Planning for Broadband	February 2016
Managing Archaeology in Development	2015
Essex County Hospital	December 2014
Magdalen Street Rail Sidings	August 2014
Magdalen Street Development Brief	February 2014
Stanway Southern Sites Access Development Brief	December 2013
Developing a Landscape for the Future	September 2013
Tollgate Vision	July 2013
Rural Workers Dwellings	August 2012
Planning guidance note on Air Quality	August 2012

North Colchester Growth Area	June 2012
Town Centre Public Realm Lighting Strategy	June 2011
Development and Public Rights of Way	January 2010
Procedure and Policy for Public Path Creations	June 2008
Procedure for Public Path Diversions	October 2007
External Materials Guide for New Development	July 2004

Table 3 Proposed Supplementary Planning Documents

Subject	Expected Adoption Date
Shop Front Design Guide	Summer 2027

Appendix 2 – Summary of Amendments to the June 2024 LDS

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

Cover Page	Updated with new dates
Tendring Colchester Borders Garden Community	Updated to align with progress Updated timetable
Neighbourhood Plans	Updated status for Myland, Tiptree, Copford. Great Tey
Statement of Community Involvement	Updated dates
Local Development Scheme timetable	Updated dates
Local Plan timetable	Updated dates
Local Development Scheme Gant chart	Removed Local Plan, Self and Custom build Housing and Planning Obligations SPD
Local Plan Gant chart	Created new chart for Local Plan progress only
Appendix 1	Updated table 1, 2 and 3





Local Plan Committee

Item
8

17 June 2024

Report of

**Sandra
Scott, Place
Strategy
Manager**

01206 282975

Title

**Colchester Local Plan Review: Spatial Strategy and
Housing Numbers**

Wards affected

All wards affected

1. Executive Summary

- 1.1 Consultants have been commissioned to prepare the evidence base required for Local Housing Needs to inform the Local Plan Review. Officers have also progressed work to inform potential spatial options which may be appropriate for the strategy for growth up to 2041. This report covers the initial housing need number for the whole City area, as informed by emerging evidence prepared by Icen Projects. It provides a further explanation of the factors which will inform the housing need number, required to be met through the Local Plan Review to cover the period up to 2041. It also sets out the options for the broad spatial approach and spatial options which will be subject to testing to inform the Preferred Options Local Plan which will be presented to the Local Plan Committee in the Autumn with a view to public consultation in the Autumn / Winter 2024.

2. Recommended Decision

- 2.1 Members are asked to note the emerging Local Housing Need figure for the Local Plan Review covering the period up to 2041.

2.2 Members are asked to note the spatial approaches and spatial options set out in paras 5.19-5.41 of the report which are to be tested by the relevant evidence to inform the consideration and drafting of the Preferred Options Local Plan Review.

3. Reason for Recommended Decision

3.1 To enable work on the review of the Local Plan to be progressed based on sound evidence in accordance with the national policies and in order to meet the deadline for submission of plans under the existing system.

3.2 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 report on progress, but this would not allow members to meaningfully inform the Preferred Options Plan.

5. Background Information

- 5.1 The Local Plan Committee has considered reports about the Local Plan Review at regular intervals since June 2023. A separate report on this Agenda sets out a general update on progress and provides feedback and information on the next steps.
- 5.2 This report takes forward the initial work and early evidence in respect of housing need and the options for the spatial approach, to inform the most appropriate spatial strategy for the Local Plan Review.
- 5.3 Section 19 (1B-1E) The Planning and Compulsory Purchase Act 2004 requires that the Development Plan (the Local Plan) must include strategic policies to address the local authority's priorities for development and use of land in its area. Paragraph 20 of the National Planning Policy Framework (NPPF) indicates that Strategic Policies should set out an overall strategy for the pattern, scale and design and quality of places.
- 5.4 This report covers the initial housing need number for the whole City area, as informed by emerging evidence prepared by Iceni Projects. It provides a further explanation of the factors which will inform the housing need number, required to be met through the Local Plan Review to cover the period up to 2041. It also sets out the options for the broad spatial approach and spatial options which will be subject to testing to inform the Preferred Options Local Plan which will be presented to the Local Plan Committee in the Autumn with a view to public consultation in the Autumn / Winter 2024.

Housing Numbers

- 5.5 In considering matters related to housing numbers and the Local Plan Review it is helpful to clarify the terms frequently used which are different, although inter-related, to ensure a common understanding by all;
 - **Local Housing Need** – This is the number of homes identified as being needed, as informed by the relevant government guidance for assessing the annual need in the Council area. It is nationally evidenced (using what is known as the 'standard method') and is the starting point for every local plan.
 - **Housing Requirement** - This is the number of homes identified in a strategic policy in the Local Plan for net housing growth for the relevant plan period for the whole plan area. This is based on consideration of a range of evidence and factors such as land availability, constraints, market and other local factors, which may influence the availability, suitability and deliverability throughout the plan area for that plan period.

- **Housing Supply** - The houses and sites which contribute to meeting the overall housing requirement, which is made up of a mixture of sites including; those already committed but yet to be built out (usually those with planning permission but not yet commenced), windfall sites, permitted development and sites which are allocated in the existing or proposed Local Plan which do not yet have planning permission but have been evidenced and justified as part of the Plan making process.
- 5.6 The National Planning Policy Framework (NPPF) at paragraph 60 states that, *in order to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed.* Paragraph 61 of the NPPF advises that the minimum number of homes needed should be informed by a local housing need assessment, conducted using the standard method in the national planning guidance. The outcome of the standard method is an advisory starting point for establishing a housing requirement for the area. Paragraph 61 of the NPPF goes on to state that *“there may be exceptional circumstances, including relating to the particular demographic characteristics of an area which justify an alternative approach to assessing housing need; in which case the alternative approach should also reflect current and future demographic trends and market signals”.*
- 5.7 A Local Housing Need Assessment has been commissioned to inform the Colchester Local Plan Review, which is being undertaken by Icen Projects and will cover the requirements set out in the Planning Policy Guidance and NPPF. Paragraph 67 of the NPPF indicates that the Local Planning Authority should establish a housing requirement figure for their whole area which shows the extent to which the identified housing needs can be met over the plan period. It makes clear that this must include any needs which cannot be met within neighbouring areas.
- 5.8 The initial outputs from the Local Housing Needs Assessment have provided the Council with an overall housing need figure based on the standard method in accordance with the Planning Practice Guidance. The annual need is 1043 dwellings per annum. This is an increase of 123 houses per annum based on the requirement in the current adopted Local Plan of 920 per annum.
- 5.9 The work being undertaken by Icen Projects includes consideration of the extent to which any exceptional circumstances as referred to in the NPPF and Planning Guidance may apply to Colchester. Paragraph 5.12 below of this report cover this point in more detail.
- 5.10 There is no indication at this time that there will be any requirement for Colchester to meet the housing needs of other authorities. Neither are there any exceptional circumstances identified in the draft work that would justify a lower figure than that identified using the Standard Methodology. It needs to be remembered that other exceptional circumstances may lead to the housing

requirement being higher than the identified housing need, such as to reflect growth ambitions linked to economic development or infrastructure investment.

Exceptional Circumstances

- 5.11 The National Planning Policy Framework (NPPF) and the Planning Practice Guidance (guidance) are clear that the use of the standard method is not mandatory and that an alternative approach could be applied but only in exceptional circumstances. The NPPF does not set out what an 'exceptional circumstance' might be other than referring to particular demographic characteristics and market signals. However, the guidance refers to exceptional *local* circumstances. It is therefore reasonable to consider the meaning of exceptional circumstances to be locally specific through either being uncommon across local authorities or uncommon in terms of the scale of consequences. As such Officers consider that circumstances that apply elsewhere are unlikely to be 'exceptional'. A study undertaken to support the Isle of Wight Planning Strategy concluded that a case for 'exceptional circumstances' was not seen as the right approach to assess local housing need for the Isle of Wight. This in part was due to the fact that as a case for exceptional circumstances runs counter to the standard method, it would be highly contested at the plan's examination. This was despite considerable evidence which demonstrates it to be an area which is locally different to other English planning authorities.
- 5.12 There are many risks associated with a Local Plan which pursues an alternative approach to assessing housing need. In the first instance it needs to be based on robust evidence. In compiling such evidence, the Council runs the risk that the results could mean a higher number - there is no guarantee that number will be lower. How low is acceptable? The resulting figure may be lower but still unacceptable. Undertaking additional evidence, without any guarantee of outcomes, will add time and cost. This needs to be weighed against the risk and consequential implications for not meeting deadlines for reviewing the Local Plan. Any plan not using the Standard Method will be subject to particular scrutiny in terms of soundness at the examination stage. An Inspector could find the plan unsound which would mean the Council did not have an up to date plan.
- 5.13 The interim findings of the work being undertaken by Icen Projects has tested for exceptional circumstances by looking at; Data used in 2014-based projections; Recent demographic trends (including from the Census and more recent population data); and Housing Completions. None of this data pointed to anything exceptional (in an upward or downward direction).
- 5.14 Officers have researched whether any other Local Planning Authorities have successfully pursued a case for exceptional circumstances as referenced in the National Planning Policy Framework and Practice Guidance. Whilst a few constrained cities are attempting to justify an alternative to the standard method, many of these have an uplift that applies and is yet to be tested at Examination.

Officers are not aware of any plan making authorities in England who have successfully used an alternative method to the standard method, which reduced their housing need figure.

- 5.15 It is the case that some authorities are accepting the Standard Method as the identification of need but are seeking to justify that the need cannot be met in defining the housing requirement when taking into account constraints and land supply and other exceptional considerations. These examples tend to fall into similar categories, none of which apply to Colchester, including;
- Green Belt Authorities and or tightly constrained cities; (Oxford City Examination underway)
 - Local Authorities where a very significant part of the whole authority area is subject to national constraints such as National Landscapes (AONB), or other exceptional environmental constraints affecting the whole Local Authority Area (such as air quality) (Wealden District at Regulation 18 stage) and Epping Forest (adopted – a number of exceptional circumstances apply including Green Belt, Air Quality Impacts on a Special Area of Conservation)
 - Exceptional local factors which apply impacting on the ability of the Local Planning Authority to meet the identified need (Eg Isle of Wight)
- 5.16 In all cases there was a need for these authorities' to work with neighbouring authorities to seek to meet their unmet needs. In circumstances where this has not been successful and a lower unmet need is pursued and can be supported by relevant evidence a justification may be supported. It is unlikely however that neighbouring authorities, i.e. Braintree, Tendring and Maldon, will accept the unmet need in Colchester.

Housing Requirement

- 5.17 As indicated in para 5.8 above the Local Plan should establish a housing requirement figure for the whole area which reflects the evidence, constraints and opportunities which together identify the extent to which the housing needs can be met over the plan period. The relevant considerations to inform the housing requirement for the Colchester Local Plan include;
- Environmental evidence
 - Infrastructure evidence (including from all statutory infrastructure providers)
 - Transport evidence
 - Strategic Land Availability Assessment
 - Viability evidence
 - Other relevant evidence

- 5.18 The number of new homes which will need to be provided for through new allocations in the Local Plan Review will be established, and will take into account the existing commitments which are already planned but not yet built and any allocations from the currently adopted Local Plan or Neighbourhood Plan which have not yet been delivered but need to be reassessed to establish whether they are to be carried forward as allocations into the Local Plan Review.
- 5.19 A separate report on the Local Plan Review update sets out the progress on the key evidence base work. As outputs of this work become available they will be used to inform the plan making. In the event that any of the evidence highlights a fundamental problem which would affect the ability of Colchester to meet its identified housing needs, a Report to consider the options further would be brought to the Local Plan Committee.

Spatial Strategy Options

- 5.20 The Spatial Strategy will be central to the Local Plan. In establishing a strategy for the growth of the City, there are a huge number of factors to take into account. The Local Plan will need to balance the need of protecting the countryside and our natural environment, while accommodating the level of growth required across the City to 2041. In accordance with the NPPF it will also need to plan for new infrastructure requirements to support the growth planned. There will be many challenges in seeking to deliver growth whilst creating a better environment as a starting point. These include preventing the coalescence of settlements and protecting the rural character of the area, whilst allowing towns and villages to grow sustainably to meet local needs for housing, employment and infrastructure.
- 5.21 A number of spatial options have been identified to help inform the work on the Local Plan. To set the context for these options a number of broad spatial approaches are described with the options comprising one or more of these approaches. A summary of each of these approaches, followed by the spatial strategy options is set out below. It is important to keep the options realistic and relatable, so it is helpful to understand the broad spatial approaches at a high level which have informed the options themselves.
- 5.22 All spatial strategy options must ensure that the identified housing need for Colchester is met, including needs for different groups within the community including affordable housing, families with children, older people, students, people with disability, service families, travellers, people who rent their homes and people wishing to commission or build their own homes, in accordance with National Planning Policy Framework paragraph 63, as informed by the evidence being prepared by Icen Projects.
- 5.23 All spatial strategy options will need to include the Tendring Colchester Borders Garden Community (TCBGC) which is addressing the longer term needs for both

Colchester and Tendring. The Garden Community will continue to deliver growth in the new plan period and beyond. The proportion of growth to be met from the TCBGC will be the same regardless of the preferred spatial options for the Local Plan.

- 5.24 In accordance with paragraph 70 of the NPPF, all spatial strategy options will also be required to ensure at least 10% of the identified housing need is on sites no larger than 1ha (or justify why this cannot be achieved) and seek opportunities to support small sites for community-led developments for housing and self-build and custom build housing.

Spatial approaches

- 5.25 ***Substantial Growth – Garden Communities and Suburbs*** This approach includes development of one or more garden communities or suburbs within Colchester (In addition to TCBGC). This could include strategic development allocations across Colchester that follow the Garden Community Principles as set out in the Section 1 Local Plan, notably Policy SP7 – Place Shaping Principles. A Garden Community would be a self-sustaining new community meeting the day to day needs for its residents. Key infrastructure would be provided as part of the development. These allocations could be of varying sizes but would likely be for a Garden Community at least 1,400 homes and smaller for a Garden Suburb.
- 5.26 ***Hubs and Spokes Model*** This approach recognises the relationship between settlements within Colchester. It identifies hubs and spokes – hubs are larger villages or small towns (currently identified as Sustainable Settlements in the adopted Local Plan) that provide services and facilities or a key transport hub and are a focus for the smaller villages and hamlets that surround it (spokes). This approach would also apply to the urban area of Colchester, where there are wards within the City that also provide services and facilities to a wider neighbouring geographical area. Under this approach, an appropriate and proportionate amount of growth will be considered for each group of hubs and spokes areas.
- 5.27 ***Environment Led*** Under this approach planning for a better environment is the primary focus. Although all approaches will have this embedded to some extent, this spatial strategy approach takes this further. This approach could identify settlements that have limited or no growth due to their existing environmental sensitivities. Under this approach, growth will be directed to settlements that have potential for conserving and enhancing the environment through development. This would enable growth to be a facilitator for environmental gain and enhancement as well as identifying areas that require additional protection due to national environmental constraints such as nature conservation designations and landscape and heritage designations.

- 5.28 **Transport Corridors** This option directs growth to key Transport Corridors. These corridors may be directly from or to Colchester City Centre and will include a range of transport modes including rail and road, including the A12. There is also potential for a transport corridor to include the route of the Rapid Transit System (RTS). This may also have the potential to include opportunities to expand or deliver enhanced connections to the RTS or other key transport corridor or new corridors.
- 5.29 **Expansion and Regeneration of Colchester Urban Area** This approach would seek to focus development to the Colchester urban area, creating urban extensions to deliver large scale new communities on the edge of Colchester. Under this approach there would be limited development of settlements outside of the urban area of Colchester, although these would likely need to accommodate the required proportion of small sites. Development of the City Centre would need to be at a higher density due to the limited development opportunities within the Centre. Regeneration areas could be identified within the Urban Area to encourage growth and redevelopment. These could include areas such as parts of the City Centre and Hythe.
- 5.30 **Proportionate Growth** This approach delivers growth proportionately across all of Colchester's settlements. This approach would enable growth in each of the settlements across the City with the population of each settlement used to generate a housing figure for each which is proportionate to the size of the existing population. The distribution of growth within each settlement would vary and also needs to take into account the services and facilities within each settlement. The approach will need to consider if the smallest settlements in the current settlement hierarchy, identified as either other villages or countryside, would be included in a spatial option based on this approach. The Colchester Urban Area would also be included within this approach and would need to accommodate the level of growth calculated based on the existing population of the Urban Area and existing services and facilities.
- 5.31 **Community Gain** This approach seeks to deliver growth across Colchester where there are the biggest public benefits and gains provided through development. This could include infrastructure provision such as improved connectivity and mobility, a new school, a new medical facility, community facilities, retail and employment opportunities, higher provision of affordable housing or meeting a specific housing need e.g. aging population, environmental gains such as provision of new green infrastructure in the form of a new Country Park, open space, new or improved play space. These public gain opportunities would need to be in addition to the current policy requirements. For example, delivering 30% affordable homes is not considered a public gain as this is the current policy requirement, however a site delivering 100% affordable housing would be considered more favorably under this approach.

Spatial Options

- 5.32 Officers have used the spatial strategy approaches set out above to develop seven spatial strategy options for Colchester. These have been developed taking into account the emerging evidence base and early engagement undertaken as part of the Issues and Options for the Colchester Local Plan Review. Some of these options combine more than one approach. The Spatial Strategy Options currently are set out and summarised below:
- 5.33 **Continuing existing Spatial Strategy** The existing spatial strategy in the Colchester Local Plan focuses growth at the most accessible and sustainable locations. This includes growth within the Urban Area of Colchester and a variety of settlements, including development of a new settlement through the Tendring Colchester Borders Garden Community. The spatial hierarchy focuses growth in the urban area of Colchester. The second tier includes ‘Sustainable Settlements’ across Colchester where appropriate growth is planned for. This second tier also includes the Tendring Colchester Borders Garden Community. The third tier is settlements termed “other villages” where limited growth is supported. The fourth and final tier is the countryside of Colchester where development will only be supported in exceptional circumstances.
- 5.34 **New Garden Community** Alongside the Tendring Colchester Borders Garden Community, significant growth would be located through a new Garden Community at Marks Tey. There would likely be a number of public gains through significant growth such as provision of new infrastructure. This would be a long-term strategy for growth; therefore, growth would also need to be located in other locations across the City. This option would include growth within the Urban Area of Colchester and proportional growth in other existing settlements and villages across the city. This would consider growth to the north of Colchester beyond the A12, to the east around St Johns and Bullocks Wood, to the south around Berechurch and towards Layer de la Haye and to the west towards Copford and Marks Tey. Regeneration areas could be identified within the Urban Area of Colchester, including the City Centre and Hythe.
- 5.35 **Garden Suburbs** In addition to the Tendring Colchester Borders Garden Community, smaller scale new communities would be developed as Garden Suburbs. These could be distributed across the City including within the Urban Area of Colchester to the South and East and around Marks Tey/Copford, Langham, Tiptree and Messing. Similarly to a Garden Community there is potential for a number of public gains in this option including delivery of new infrastructure. This option would include growth within the Urban Area of Colchester and proportional growth in other existing settlements and villages across the city.
- 5.36 **Intensification in the City Centre** This option would look to regenerate and intensify development within the City Centre. Developments would be of a higher

density and could change the skyline of the City Centre. This option would include proportional growth in other existing settlements and villages across the city.

- 5.37 **Transport Corridors** This option would seek to focus growth in key Transport Corridors. These corridors may be directly from or to Colchester City Centre and will include a range of transport modes including rail (Marks Tey, Wivenhoe, Hythe, Chappel and Wakes Colne, Colchester Town and Colchester) and road, including the A12 to the north and around the new junction 24. These may follow the Garden Town and Villages concept. There is also potential for a transport corridor to include the route of the Rapid Transit System (RTS).
- 5.38 This option would include growth within the Urban Area of Colchester and proportional growth in other existing settlements and villages across the city. This would consider growth to the north of Colchester beyond the A12, to the north east around St Johns and Bullocks Wood, to the south around Berechurch and towards Layer de la Haye and to the west towards Copford and Marks Tey. Regeneration areas could be identified within the Urban Area of Colchester, including the City Centre and Hythe.
- 5.39 **Hubs and Spokes** A number of Hubs and Spokes will be identified across Colchester, with a higher level of growth attributed to the hub and smaller growth in the spokes. An early iteration of the Hubs and Spokes model is set out in the table in Appendix 1, however this would need to evolve further as the evidence base emerges. Although Wivenhoe is one of the largest hubs within the Colchester City area, spokes are located within Tendring, therefore it has not been included within this option. This option would also include growth within the Urban Area of Colchester. This option may include proportional growth in other existing settlements and villages across the city, which are not identified as hubs or spokes.
- 5.40 **Environment Led** An environment led Spatial Strategy would seek to limit growth in those locations which are most significantly constrained by environmental designations such as Dedham and Mersea and other locations within or close to the highest level of environmental designation such as the European Habitats sites, SSSIs and National Landscapes or for their heritage significance. Locations which are of environmental value for their landscape, heritage or biodiversity significance through lower tier designations, could support growth with the priority focus to deliver significant enhancements and environmental gains to the area such as through a Country Park. The focus for selecting the range of locations and settlements to accommodate growth would be informed by evidence identifying the locations which would benefit most from enhanced green infrastructure for environmental, amenity and health and wellbeing benefits delivering enhanced provision where the most significant gaps in such provision is currently. Based on the current network and the most

significant gaps in provision identified through the Open Spaces Report are West and South Colchester. This identifies the combined quantity of open space in West Colchester is lower than the recommended provision by 1.9ha per 1000 people, and by 0.64ha per 1000 people in South Colchester. This summary is set out in Appendix 2 to this report.

- 5.41 The options have and will continue to be informed by the ongoing Issues and Options engagement undertaken for the Colchester Local Plan Review. A Member briefing was held in May 2024 setting out these options and to provide an indication of the considerations which may inform preferred options through the evidence base.
- 5.42 The options will all be appraised as part of the Sustainability Appraisal (SA) to consider early on the likely sustainability implications. All options have been developed to the same level of detail and will be further informed by evidence updates. As well as the Sustainability Appraisal these options will be tested as other relevant evidence is prepared, including the infrastructure evidence work. In addition, the Duty to Co-operate Bodies will be given the opportunity to feed in their views on the spatial strategy options. Together these will all help inform the preferred spatial strategy which will be included in the Draft Preferred Options Local Plan.

Settlement Hierarchy

5.43 As part of the spatial strategy, it is necessary to review and update the existing settlement hierarchy. A settlement hierarchy ranks and classifies settlements based on their sustainability.

5.44 In the current Colchester Local Plan, the settlement hierarchy is as follows:

- Colchester Urban Area
- Sustainable Settlements (including the Tendring Colchester Borders Garden Community)
- Other Villages
- Countryside

5.45 The table below outlines those settlements currently identified as “sustainable settlements” and “other villages”.

Sustainable Settlements	Other Villages
Abberton and Langenhoe	Aldham
Boxted	Birch
Chappel and Wakes Colne	Dedham Heath
Copford and Copford Green	Easthorpe

Dedham	East Mersea
Eight Ash Green	Fingringhoe
Fordham	Great Wigborough
Great Horkesley	Layer Breton
Great Tey	Little Horkesley
Langham	Messing
Layer de la Haye	Mount Bures
Marks Tey	Peldon
Rowhedge	Salcott
Tiptree	Wormingford
West Bergholt	
West Mersea	
Wivenhoe	

- 5.46 The Settlement Hierarchy will be reviewed in detail once further evidence and work is completed to inform the preferred Spatial Strategy Options.

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 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 commenced on initial engagement to inform a number of themes and a draft vision for the Local Plan Review. 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.

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.

Appendices

Appendix 1 – Table of potential hubs and spokes related to the Hibs and Spokes Spatial Option.

Appendix 2 – Current parks, natural amenity quantity levels by analysis area

Appendix 1 – Potential Hubs and Spokes (for Hubs and Spokes Spatial Option)

Hubs									
Spokes	Tiptree	West Mersea	Rowhedge	Eight Ash Green	Marks Tey	Chappel	Great Horkesley	Layer de la Haye	West Bergholt
	Messing	East Mersea	Fingringhoe	Fordham	Great Tey	Wakes Colne	Boxted	Abberton and Langenhoe	Wormingford
	Layer Breton	Peldon			Copford and Copford Green		Little Horkesley	Birch	Mount Bures
	Salcott			Aldham	Easthorpe				
	Great and Little Wigborough								

Appendix 2 – Current parks, natural amenity quantity levels by analysis area

Extract from Open Spaces Report¹

Analysis area	Parks and gardens		Natural & Semi-natural		Amenity greenspace		Combined	
	(Hectares per 1000 population)							
	0.25		3.07		1.35		4.67	
	Current provision	+ / -	Current provision	+ / -	Current provision	+ / -	Current provision	+ / -
Central/East	0.34	+0.09	3.27	+0.20	1.32	+0.03	4.93	+0.26
North	-	-0.25	2.95	-0.12	2.06	+0.71	5.01	+0.34
South	-	-0.25	3.10	+0.03	0.93	-0.42	4.03	-0.64
West	-	-0.25	1.22	-1.85	1.55	+0.20	2.77	-1.90

Table 10.3.2: Current parks, natural and amenity quantity levels by analysis area

¹ Open Spaces Report – April 2023. [CBC-null-Open-Space-Report-CCC - Open Space Report - April 2023.pdf \(windows.net\)](#)



Item
9

Local Plan Committee

17 June 2024

Report of

Sandra Scott

Place Strategy Manager 01206 282975

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/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/colchester-city-council-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



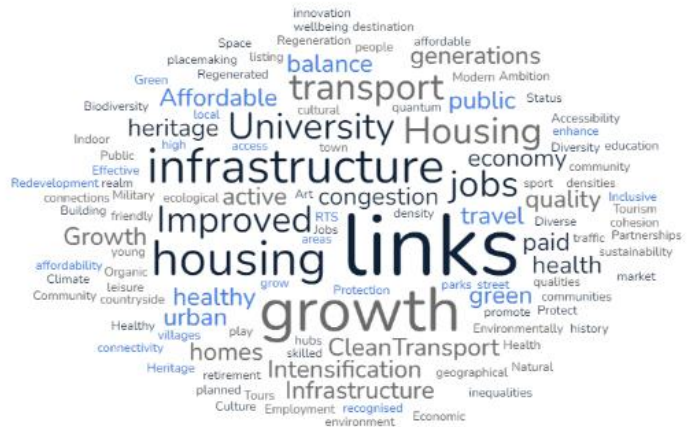
Workshops

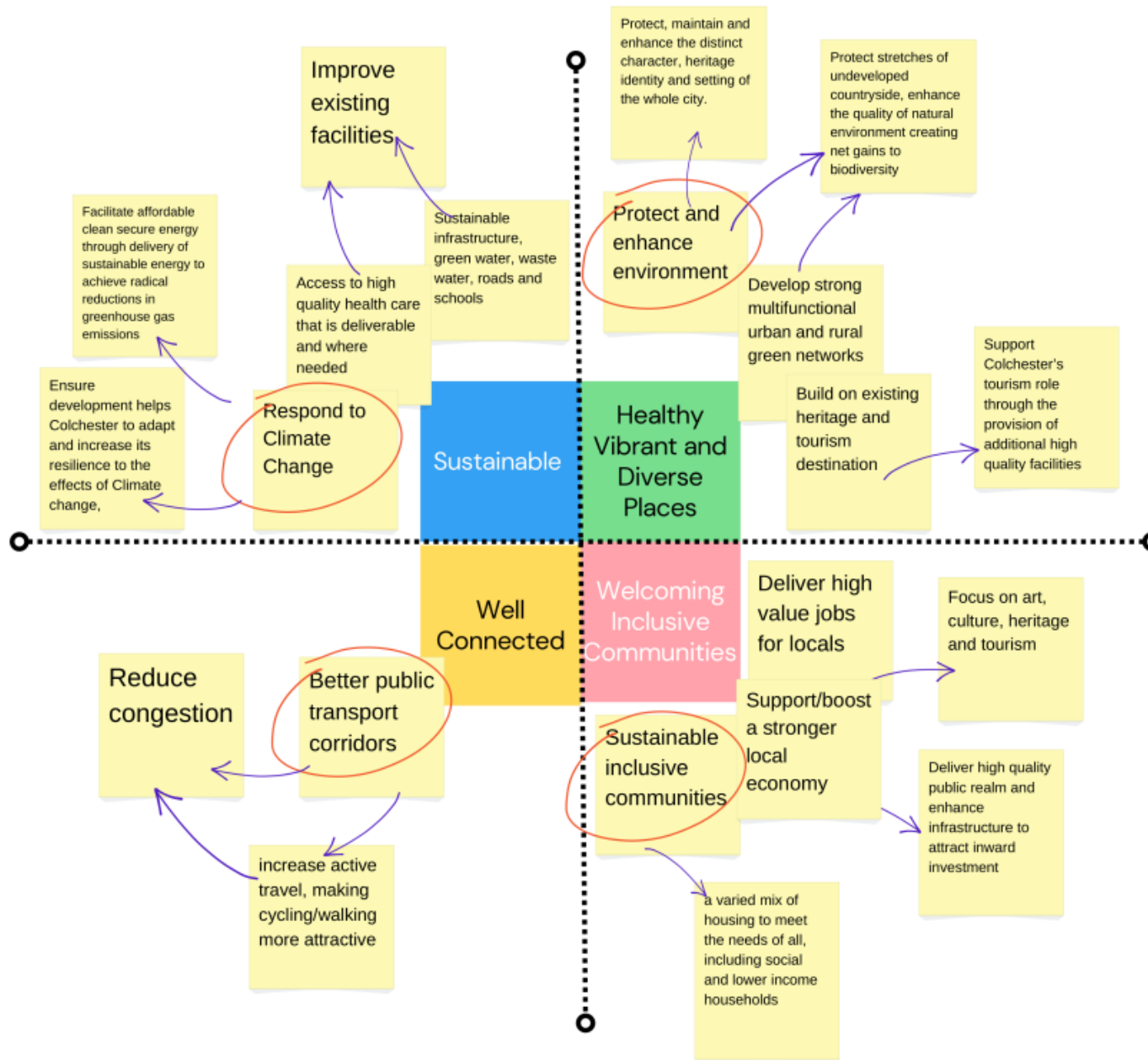
2. What do you think are the most important opportunities for Colchester looking ahead to 2041?

Online consultation



Workshops





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.

Local Plan Committee - Background Information

What is a Local Plan?

A Local Plan is the strategy for the future development of a local area, drawn up by the Local Planning Authority (LPA) in consultation with the community. The Local Plan sets out the vision, objectives, spatial strategy and planning policies for the entire Colchester Borough. A Local Plan provides the overall framework for the borough in terms of employment and housing growth, infrastructure needs and identifying areas that require protection i.e., open space and community uses. The plan making process includes several rounds of public consultation with local communities, stakeholders and statutory consultees.

The Local Plan usually covers a 15-year period and identifies how communities will develop over the lifetime of the Plan.

In law, this is described as the Development Plan Documents adopted under the Planning and Compulsory Purchase Act 2004. A Local Plan must be prepared in accordance with national policy and guidance.

The National Planning Policy Framework (NPPF) states at paragraph 15 that *“The planning system should be genuinely plan-led. Succinct and up to date plans should provide a vision for the future of each area, a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings”*.

Planning involves making decisions about the future of our cities, towns and countryside. This is vital to balance our desire to develop the areas where we live and work with ensuring the surrounding environment is not negatively affected for everyone. It includes considering the sustainable needs of future communities.

Independent Planning Inspectors must examine all Local Plans that local authorities in England prepare. This examination is the last stage of the process for producing a Local Plan. The process should have fully involved everyone who has an interest in the document, and they should have had the chance to comment.

Why is a Local Plan important?

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 protecting the environment, land and buildings for certain uses to ensure delivery of sustainable communities.

Without a Local Plan to identify where and how the borough should develop, planning applications are determined in accordance with national policy which does not provide

the local context of Colchester. Without a Local Plan, the borough would be at significant risk from speculative development. A Local Plan provides certainty of where development can be delivered sustainably across the Borough.

What is a Neighbourhood Plan?

The Localism Act 2012 devolved greater powers to neighbourhoods and gives local communities more control over housing and planning decisions.

A Neighbourhood Plan is a planning document that communities can put together to set out how they would like their town, parish or village to develop over the next 15 years. The Neighbourhood Plan is prepared by the local community for a designated neighbourhood area, usually this is undertaken by the Parish/Town Council or a Neighbourhood Plan Development Forum can be established for areas without a parish/town council.

A Neighbourhood Plan enables communities to identify where new homes and other developments can be built and enables them to have their say on what those new buildings should look like and what infrastructure should be provided. This provides local people the ability to plan for the types of development to meet their community's needs.

A Neighbourhood Plan must undergo a number of formal processes to ensure it is robust and well-evidenced. This includes two formal consultation periods, independent examination and a public referendum.

A Neighbourhood Plan is subject to examination where the Examiner must determine if the Neighbourhood Plan complies with the Basic Conditions as set out in the Town and Country Planning Act 1990 (as amended). Following an Examination, the Neighbourhood Plan must be subject to a referendum. In order for the Neighbourhood Plan to pass a referendum and be 'made' (adopted) the majority of voters (more than 50%) must be in favour of the Neighbourhood Plan.

If a Neighbourhood Plan passes the referendum, this becomes part of the Statutory Development Plan for that area. Where a Neighbourhood Plan has been 'made', both the Neighbourhood Plan and Local Plan are used when determining planning applications alongside national policy.

What is included in the Development Plan for Colchester?

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

Within Colchester Borough this currently includes:

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

Section 1 of the Colchester Local Plan sets out the overarching strategy for future growth across Braintree, Colchester and Tendring, including the Tendring Colchester Borders Garden Community as well as including policies setting the overall housing and employment requirements for North Essex up to 2033. Section 2 provides the policy framework, site allocations and development management policies for Colchester Borough up to 2033.

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

There has been considerable neighbourhood planning activity within Colchester with seven 'made' (adopted) Neighbourhood Plans across the borough. These are:

- Myland and Braiswick
- Boxted
- Wivenhoe
- West Bergholt
- Eight Ash Green
- Marks Tey and
- West Mersea

Four further Neighbourhood plans are at various stages of the plan making process. These include Copford with Easthorpe, Great Horkeley, Great Tey and Tiptree.

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

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

What is included within the Development Framework for Colchester?

The Local Development Framework (LDF) is a non-statutory term used to describe a folder of documents, which includes all the local planning authority's local development documents. A Local Development Framework is comprised of:

1. Development Plan

Currently for Colchester this includes:

- Section 1 Local Plan (adopted February 2021)
- Section 2 Local Plan (adopted July 2022)
- Neighbourhood Plans (Myland and Braiswick, Boxted, Wivenhoe, West Bergholt, Eight Ash Green, Marks Tey and West Mersea)
- Essex Minerals Local Plan (2014)
- Essex and Southend-on-Sea Waste Local Plan (2017)

2. Supplementary Planning Documents (SPD)

An SPD is a document produced by the Local Planning Authority to add further detailed guidance and information on a particular subject such as Sustainable Construction or Open Space, Sports and Recreational Facilities. An SPD is subject to a formal consultation period and then is used as a material consideration when determining planning applications.

Currently for Colchester these are:

- Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) – August 2020
- Affordable Housing – August 2011
- Backland and Infill – December 2010
- Better Town Centre – December 2012
- Cycling Delivery Strategy – January 2012
- Provision of Community Facilities – July 2013
- Provision of Open Space, Sport and Recreational Facilities – July 2006, updated April 2019
- Shopfront Design Guide – June 2011
- Street Services Delivery Strategy – October 2012 revised February 2016
- Sustainable Design and Construction – June 2011
- Sustainable Drainage Systems Design Guide – April 2015
- Vehicle Parking Standards – September 2009
- ABRO Development Brief SPD (December 2021)
- Archaeology and Planning (2015)

A number of these will be reviewed and updated along with new SPDs to be compliment with new policies in the Adopted Local Plan.

3. Local Development Scheme (LDS)

The LDS is a project plan for a three-year period for the production of all documents that will comprise the Development Plan. It identifies each Local Development Plan Document and establishes a timescale for preparing each.

4. Authority Monitoring Report (AMR)

The AMR is a report published annually by the LPA, monitoring progress in delivering the Local Plan policies and allocations. The report covers the financial year from 1 April to 31 March and for Colchester is published in December.

5. Statement of Community Involvement (SCI)

The SCI sets out the standards that the Local Planning Authority (LPA) intend to achieve in relation to involving the community and all stakeholders in the preparation, alteration and continuing review of all Local Development Plan documents and in significant planning applications. The SCI also outlines how the LPA intends to achieve those standards. The SCI itself, is not a development plan document, but is subject to independent examination. A consultation statement showing how the LPA complies with its SCI should accompany all Local Development Plan documents.

What are housing targets and why do we have them?

The Government have committed to delivering 300,000 new homes per year across England to significantly boost the supply of homes.

A Local Plan identifies the minimum number of homes needed through policies which are informed by a local housing need assessment produced in accordance with the Standard Methodology as outlined in national planning guidance, unless exceptional circumstances justify an alternative approach. The Standard Method was introduced through the National Planning Policy Framework (NPPF) in 2019.

For Colchester, the minimum housing requirement has been established in the Section 1 Local Plan. Policy SP4 set out the minimum housing requirement figure for Colchester as 920 dwellings per annum and 18,400 new homes over the period 2013 to 2033. This number was based on the previous assessment method outlined in the NPPF 2012 known as the Objectively Assessed Need. The Local Plan has been examined in accordance with the transitional arrangements outlined in the NPPF 2019, which requires examination of the Plan under the NPPF 2012.

The Council are required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement figure as set out in the Local Plan, this is often referred to as the five year housing land supply (5YHLS).

The Council publish annually a Housing Land Supply Statement. This sets out Colchester's housing land supply position over a five-year period from 1 April of each year and explains how this position complies with the requirements of national policy and guidance. The Statement is prepared by the LPA with engagement from developers and agents regarding expected delivery of new homes.

What happens if the borough does not meet their housing target?

If an LPA cannot demonstrate a five-year supply of housing, national planning policy takes precedence over the Local Plan. The '*presumption in favour of sustainable development*' as outlined in national policy (NPPF paragraph 11d) will be triggered.

This means that if a planning application is considered to deliver sustainable development, then planning permission should be granted, even if the site is not identified for development in the Local Plan. In effect, the Council would have little control over where new homes are built and would be required to approve planning applications for sites that they may not have chosen for development. Many authorities can reject these schemes, but the decision can be overturned, and planning permission granted on appeal.