



	<b>Local Plan Committee</b>	<b>Item 9</b>
	<b>7 August 2023</b>	
<b>Report of</b>	<b>Sandra Scott, Place Strategy Manager</b>	01206 282975
<b>Title</b>	<b>Colchester Local Plan Review – Issues &amp; Options</b>	
<b>Wards affected</b>	All wards affected	

## **1. Executive Summary**

- 1.1 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.
- 1.2 The Local Plan Committee's primary focus is to oversee the production and adoption of a Local Plan for Colchester and ensure that it remains up to date. 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. This report sets out Officer's thoughts on an iterative approach to Issues and Options and provides an initial, high-level programme for the Local Plan Review. An Engagement and Consultation Strategy has been prepared and, if approved, will be published on the Council's website to explain the approach to engagement and consultation for the Local Plan Review.

## **2. Recommended Decision**

- 2.1 Members are asked to:
- (i) agree the approach outlined to the Issues and Options engagement; and
  - (ii) agree the Engagement and Consultation Strategy appended to this Report as Appendix A.

## **3. Reason for Recommended Decision**

- 3.1 To enable Officers to progress with work on the Local Plan Review.

## **4. Alternative Options**

- 4.1 The alternative is to publish a stand-alone Issues and Options document for a single consultation period, which is what was prepared for the adopted Local Plan and the Local Plan before that.

## **5. Background Information**

- 5.1 Local Plan Committee considered a report at the June meeting, which included a reminder of the current position with the development plan and the further work needed to review the Local Plan. The development plan is at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise. It is essential that plans are in place and kept up to date.
- 5.2 To be effective plans need to be kept up-to-date. The National Planning Policy Framework states policies in local plans and spatial development strategies, should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary.
- 5.3 The Local Plan is underpinned by an extensive evidence base which provides the justification for the policy approach taken and is considered as part of the Independent Examination which all Local Plans are subject to, as part of the plan making Regulations.
- 5.4 Preparing an up-to-date Local Plan is a significant undertaking and the lead in time commences with the updating and gathering of evidence. The timing for review of the Colchester Plan stems from the Section 1 Local Plan as it is the plan which sets out the Strategic Policies for the area. A new Local Plan will therefore be required by February 2026, as indicated in the Local Development Scheme agreed by the Local Plan Committee in February 2023. The Local Development Scheme shows that initial document preparation including preparing the evidence base will take place from May – November 2023, the Issues and Options will be drafted July-November 2023 with consultation in November/ December 2023. However, since the Local Development Scheme was approved, Officers have been considering ways in which the Issues and Options could be approached differently to improve engagement in this early plan making stage. See below for further details.
- 5.5 The current Local Plan is in two parts with Section One shared with Tendring and Braintree District Council's as the North Essex Strategic Plan. Section Two provides the Colchester City Specific policies and development management policies. The shared Section One Plan includes the Broad area of growth for the Tendring Colchester Borders Garden Community (TCBGC). The Development Plan Document for the Garden Community has progressed and following consultation is due to be submitted to the Planning Inspectorate for Examination imminently.
- 5.6 Consideration has been given to the need for the Local Plan Review to be in two sections as before. However, all matters linked to the Garden Community will be taken forward in the DPD. In addition to this the Section One Plan provides the strategic policy context across North Essex and sets requirements for housing and employment provision for the plan period, identified individually for each Local Authority Area. It is considered that there is no need for a shared plan to set these requirements. It has always been the case that evidence may be

prepared jointly, particularly for shared strategic housing market areas and this will be explored again with the relevant neighboring authorities.

- 5.7 There will be an opportunity for the Local Plan review for both Colchester and Tendring to include common strategic policies which cover the issue of housing and job numbers to be delivered as part of the Tendring Colchester Borders Garden Community and the contribution which these will make to the housing requirements and provision in the next plan period. This can be explored through the plan making process with both authorities carrying out their own single Local Plan review. There is no specific justification known at this time for a shared plan or policies with Braintree and there is no particular added value identified in doing so with either authority in the next Plan making round. The consideration to the approach to the Local Plan Review and Issues and Options for Colchester are therefore based on one single Local Plan for the City area covering strategic policies, site allocations and development management policies for the next plan period.
- 5.8 However, if a need arose through the plan making process officers would reconsider the single plan approach. Reasons for doing this could include the promotion of a large scale development opportunity across the administrative border(s), or in light of national planning reform or issues raised through the duty to co-operate.

## **Issues and Options**

- 5.9 Issues and Options consultations take place at an early stage in plan making and usually include a single document, which is consulted upon for 6 weeks and forms part of the Regulation 18 consultation. Issues and Options itself is not a statutory requirement. The statutory requirement (Regulation 18) is for a local planning authority to notify consultees of the subject of a local plan and invite them to make representations about what a local plan ought to contain (Often know as Preferred Options). Officers suggest that for this Local Plan Review we take a more iterative approach to engagement rather than produce a single Issues and Options document, between Autumn 2023 and Spring 2024. The benefits to this, are that it will be quicker to process continuous smaller engagement than one consultation; engagement can be fed back to the Local Plan Committee on a continuous and ongoing basis so Members have more meetings to absorb what is being said by stakeholders on different topics; and engagement can tie in with the development of the evidence base. An Engagement and Consultation Strategy (Appendix A) is a background paper to this report. If approved, it will be published on the Council's website to explain the approach to engagement and consultation for the Local Plan Review.
- 5.10 Officers consider that engagement could include the key themes of the green network and waterways; vision for the city; climate change mitigation and adaptation; Call for Sites; design and place; and health and wellbeing.

- 5.11 Officers have already commenced work on a framework for the green network and waterways. The existing green network and waterways network has been mapped as an audit and baseline of the current location and condition of all types of green and blue spaces. The intention is to engage with stakeholders and local communities, including Town and Parish Councils, to enable them to provide an important local perspective on this evidence and to think about opportunities to enhance the green network and waterways through the Local Plan Review. If the Committee agree the suggested approach for the Issues and Options, Officers will publish the baseline green network and waterways map online and seek comments on whether it is correct, the condition of green spaces and waterways and opportunities to improve the network. These opportunities will then be considered alongside the sites submitted as part of the Call for Sites and the emerging Local Nature Recovery Strategy (a separate report is presented to this committee meeting providing information about the Local Nature Recovery Strategy). Officers consider that new housing allocations, which will be needed as part of the Local Plan Review, could facilitate new green spaces including creating better linkages between existing green spaces and waterways for the benefit of people's health and wellbeing and for wildlife.
- 5.12 The next stage of work will be a Call for Sites. This will include a call not just for housing and employment sites, but also sites for offsite biodiversity net gain (BNG) and green spaces. At a future meeting, the Local Plan Committee will be asked to approve the methodology for the Strategic Land Availability Assessment (SLAA).
- 5.13 Other engagement as part of an iterative Issues and Options, could include asking stakeholders for ideas on the vision for the city. This could be through an online tool where stakeholders can write as much or as little about the city they want to see in 15 years. Emerging work on climate change policies that could be applied across Essex could be shared online, asking stakeholders for their views on whether emerging draft policies go far enough or are too stringent. Officers would like to explore the potential for design codes as part of the Local Plan and would like to engage with the health sector to ensure that health and wellbeing is a key thread running through the Local Plan Review.
- 5.14 These are just some initial ideas, and more details will be presented to the next Local Plan Committee meeting. One of the benefits of an iterative Issues and Options engagement is linking this to the evidence base and allowing stakeholders to share their views on the evidence base as it emerges and as the plan is being drafted.
- 5.15 Officers intend to update the Local Plan Committee at each meeting on the progress with the Local Plan, including any Issues and Options engagement which has taken place. The engagement also allows for informal workshops/briefings with Members at each key stage. This will ensure that Members are kept informed of the views of stakeholders throughout the plan preparation process. Officers will also prepare an overview of the iterative Issues and Options engagement activities, including a summary of the headline issues and connections between themes.

## Evidence base

5.16 Local plans require a thorough and up to date evidence base. The table below shows the evidence base that Officers suggest is needed for the Local Plan Review and an indication of whether this could be undertaken in-house or whether specialist consultants are needed. The table also suggests at which stage in the plan making process the evidence will be needed. This table is presented for information and will develop as work progresses on the Local Plan Review.

Evidence	Purpose	Inhouse, consultants or hybrid	Timescale
Green network and waterways framework	To map the green network and waterways in the city and consider improvements to this as part of the spatial strategy	Inhouse	Baseline map prepared – publish for engagement mid-late 2023
Call for sites	To identify potential sites for green infrastructure, BNG, housing, employment	Inhouse	Mid-late 2023
Strategic Land Availability Assessment	To consider the suitability of all sites submitted by landowners/ developers	Inhouse	LPC to agree methodology late 2023 – SLAA to follow call for sites
Settlement boundary review	To review the boundaries of all settlements within the city and consider alongside the sites submitted as part of the call for sites. Combine with discussions with Parish/ Town Councils about neighbourhood planning.	Inhouse	Prepare alongside the SLAA
Housing needs assessment/ Strategic Housing Market Assessment	To establish the housing requirement & mix of housing required	Consultants	During preferred options preparation
Affordable housing/ housing mix	To establish and justify the affordable housing figure. To include housing mix – combine with above	Consultants	During preferred options preparation
Sustainability Appraisal (SA)	Legal requirement for all DPDs	Consultants - but could	Throughout plan preparation:

<b>Evidence</b>	<b>Purpose</b>	<b>Inhouse, consultants or hybrid</b>	<b>Timescale</b>
		carry out scoping inhouse	Scoping late 2023/ early 2024 Draft SA at preferred options & SA at submission
Habitat Regulations Assessment	To confirm no adverse effects on the integrity of habitats sites	Consultants	Draft to support preferred options & final report at submission
Water Cycle Study	To demonstrate that water can be supplied, wastewater treated and development won't cause flooding	Consultants	During preferred options preparation
Strategic Flood Risk Assessment	To identify areas at risk of flooding	Consultants – possibly ECC	During preferred options preparation
Employment study	To understand the amount and type of employment space needed in the plan period	Consultants	During preferred options preparation
Town centre & retail study	To understand the amount and type of retail space needed in the plan period	Consultants	During preferred options preparation
Transport Modelling	Transport impact of different options, links with Transport Strategy, LCWIP etc. Identification of mitigation measures.	ECC/Jacobs (cost)	During preferred options preparation
Infrastructure Delivery Strategy	To document the infrastructure required  Initial work- Infrastructure Audit	Inhouse or hybrid	Work has commenced on the infrastructure audit. Needed during preferred options preparation & updated before submission
Viability assessment	To demonstrate that the submitted plan is viable	Consultants	During submission version plan preparation
GTAA	To identify the need for gypsy and traveller plots	Consultants – Essex wide	Work already underway
Energy and climate change	To justify policies and targets in relation to energy and climate change	ECC & consultants commissioned by ECC	ECC have commissioned evidence base & have commenced work on

Evidence	Purpose	Inhouse, consultants or hybrid	Timescale
			model climate change policies to be applied across Essex
Health impact assessment	To consider the health impacts of the plan	Inhouse	Prepare a draft HIA during PO preparation Update and finalise before submission
Equality impact assessment	Update existing	Inhouse	Before submission

## 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 No consultation on matters in this report is required at this stage but future engagement and consultation will be undertaken 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.

## **Background papers**

Appendix A- Engagement and Consultation Strategy