

**June 2024**

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

**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**