



Local Development Scheme

Colchester Borough Council's Local Development
Scheme 2016-2019

**February
2017**

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Introduction

The Local Development Scheme (LDS) sets out the Council's timetable for adopting new planning documents which will help guide development in the Borough. This LDS covers the period 2016 to 2019.

Colchester Borough Council first adopted a Local Development Scheme (LDS) in May 2005 with various revisions published since then. The latest revision was in August 2016 which this current version (February 2017) now supersedes. Earlier versions of the Colchester LDS were prepared under the requirements of the 2004 Planning and Compulsory Purchase Act and The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.

Since 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 adopted and forthcoming 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 formal Local Plan, including the Statement of Community Involvement, Authority Monitoring Report and adopted guidance.

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

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 2019.

Earlier plans were completed further to the provisions of the Planning and Compulsory Purchase Act 2004 and were known as Local Development Framework documents. Under the 2004 Act, Colchester adopted a full suite of Local Development Framework documents including a Core Strategy (adopted in 2008), Development Policies (adopted in 2010) and Site Allocations (adopted in 2010).

Following a change of government in 2010, a new set of Town and County Planning (Local Planning) (England) Regulations came into force in April 2012 (and amended in November 2012) and these revert to the former terminology of a 'Local Plan'. The purpose of the documents, however, remains the same whether they are referred to as a Local Development Framework or a Local Plan.

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/>.

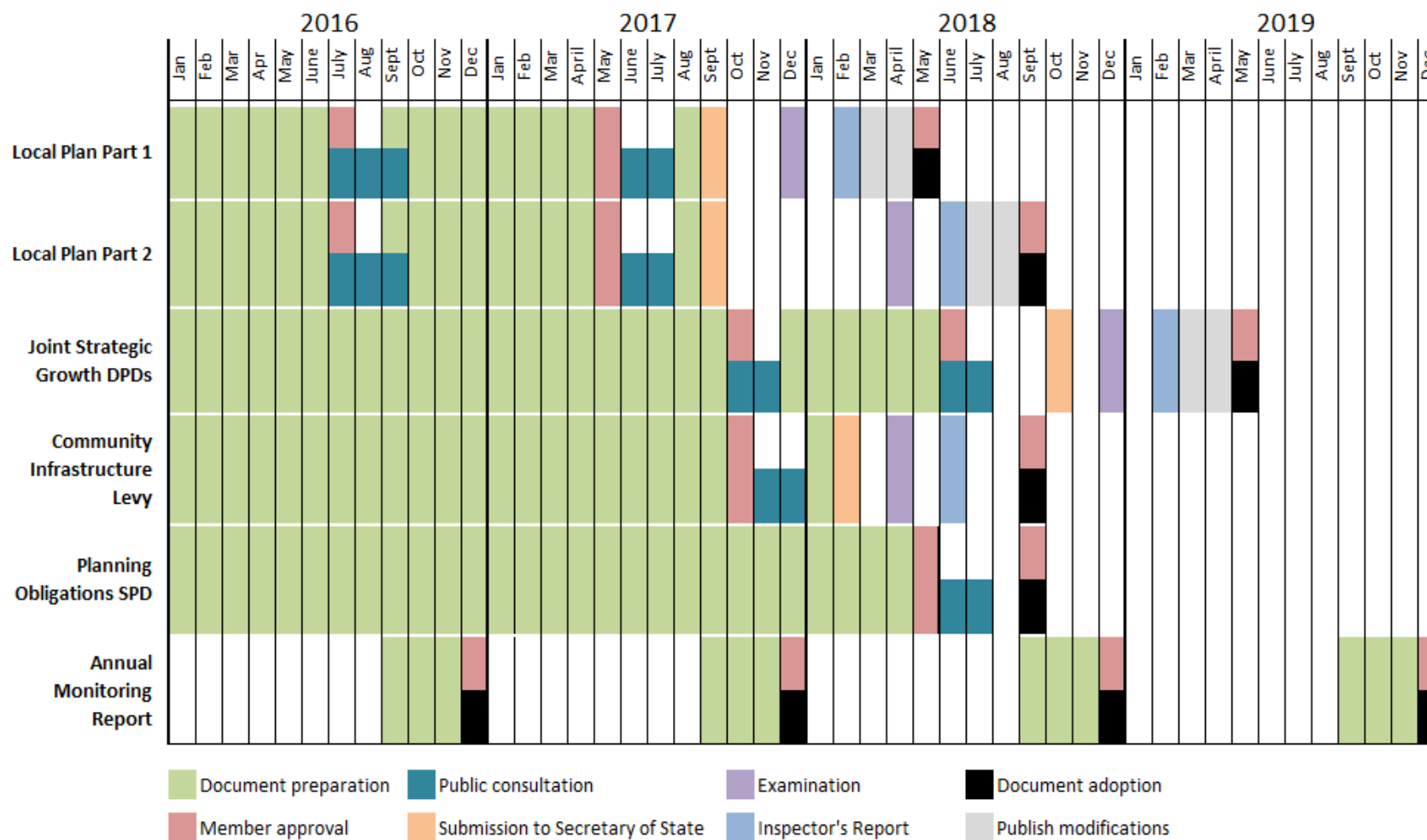
The Council completed a Focused Review of its Local Plan documents in July 2014 to bring selected policies into conformity with the NPPF.

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 Waste Local Plan (2001) (pre-submission consultation for Revised Waste Plan programmed 2016)

More details on the waste and minerals development document can be found on the Essex County Council website (www.essex.gov.uk) following the links from planning to minerals and waste policy.

Documents to be prepared from 2016 to 2019 – an overview



Phasing of work for Local Plan documents

The overview above 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.

The new Local Plan 2017-2033

The Council is undertaking a thorough review of its adopted policies and allocations which will result in a new Local Plan to guide development until 2033 and beyond. An Issues and Options consultation was carried out in January/February 2015, with Preferred Options consultation in summer 2016 and submission of the document to the Secretary of State in October 2017.

Community Infrastructure Levy (CIL)

Colchester Borough Council expects to progress adoption of a CIL Charging Schedule in tandem with the Local Plan. Adoption of a Charging Schedule will allow the Council to charge a standard levy on some developments to fund additional infrastructure.

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. A number of parishes in Colchester have now achieved this stage, as shown below. 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. Further neighbourhood plans will be added as required when they are brought forward by local communities when the LDS is revised in future.

Area	Date NP Area agreed	Current stage
Boxted	October 2012	Adoption 8.12.16
Myland and Braiswick	January 2013	Adoption 8.12.16
West Bergholt	July 2013	Preparation of draft plan
Wivenhoe	July 2013	Pre-submission plan published
Tiptree	February 2015	Preparation of draft plan
Stanway	June 2014	Preparation of draft plan
Eight Ash Green	June 2015	Preparation of draft plan
Marks Tey	September 2015	Preparation of draft plan
West Mersea	November 2016	Preparation of draft plan

Supplementary Planning Documents (SPDs)

Supplementary Planning Documents 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 Borough. 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 consultations. In earlier versions of the LDS, the Council was required to specify details of each SPD intended to be produced. Changes to the Regulations no longer require SPDs to be included in the LDS. Currently the only SPD programmed for the next three year period is the Planning Obligations SPD. 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 details of existing SPD documents and the proposed Planning Obligations SPD.

Phasing of work for other Local Development Documents

Statement of Community Involvement (SCI)

The Statement of Community Involvement provides a first step in plan making as it outlines the processes for consultation and engagement during the production of future documents of all types. The SCI was originally submitted to the Planning Inspectorate in October 2005 and adopted by the Council in June 2006. It was subject to minor amendments in 2008 following changes to the Regulations and was also revised further early in 2011. In January 2013 a further revised SCI was published for consultation which focused primarily on consultation procedures for planning applications. The latest SCI revision was adopted in March 2013 following consideration of the consultation responses.

The production of an SCI is in part governed and directed by guidance and requirements at the national level. Should the regulations change or new examples of best practice be introduced the Council will update the SCI accordingly. At this time the Council is not aware of any need to update the SCI during the next three year period.

Authority Monitoring Report (AMR)

The Authority Monitoring Report, previously referred to as the Annual Monitoring Report, is published each December to demonstrate the progress of the objectives of the adopted 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.

Local Plan Documents to be prepared during 2016 to 2019- detailed profiles

Details of the documents we intend to produce in the next three 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 regards to documents which require submission of the document to the Secretary of State and a formal examination in public.

Local Plan

Subject and Scope	This document will develop the overall strategic objectives and areas for growth in the Borough. The Local Plan will combine the policies and allocations currently found within the Core Strategy, Development Policies and Site Allocations documents. The Local plan is split into Part 1 (joint strategic plan with Braintree DC and Tendring DC) and Part 2 (specific to Colchester)
Geographical area	All Colchester Borough and cross border work with Tendring and Braintree
Status	Local Plan document
Chain of conformity	Must be in conformity with the National Planning Policy Framework.
Timetable for production	
Initial document preparation	January 2014 – June 2016
Member approval – Preferred Options	July 2016
Consultation on Preferred Options and Sustainability Appraisal	July - September 2016
Member approval – Submission Draft	May 2017
Publication Draft of Local Plan document and Sustainability Appraisal for consultation	June/July 2017
Submission of DPD and summary of comments received to Secretary of State	October 2017
Independent examination of Part 1	December 2017
Publication of Interim Report	February 2018
Independent examination of Part 2	April 2018
Inspector's report	June 2018
Consultation on modifications	July/August 2018
Adoption	September 2018
Production arrangements	Led by Spatial Policy group; input from all internal CBC 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 Full review will set the overall spatial strategy for the Borough and will be reviewed within 5 – 10 years of adoption.

Strategic Growth Development Plan Document(s)

Subject and Scope	This document(s) will include policies and allocations to support strategic allocations for new development. These are likely to be Joint Plans produced with Tendring DC and/or Braintree DC.
Geographical area	As specified in the Local Plan. Preferred Options show broad locations to the east and west of Colchester.
Status	Local Development Plan Document
Chain of conformity	Must conform with the broad allocations in the Colchester Local Plan and the relevant Local Plan of adjacent local authorities if appropriate. The plan will update the allocations for the relevant area of the Borough.
Timetable for production	
Document preparation	January 2016 – April 2017. Some community engagement in this period.
Member Approval – Preferred options	October 2017
Publication and 6 week consultation	October/November 2017
Member Approval – Submission document	June 2018
Pre-Submission consultation	June/July 2018
Submission of DPD and summary of comments received to Secretary of State	October 2018
Independent examination	December 2018
Inspector's report	February 2019
Consultation on modifications	March/April 2019
Adoption	May 2019
Production arrangements	Spatial Policy group in CBC will lead with input from internal CBC service groups, adjacent local authorities and Essex County Council as appropriate. The SCI has determined how external parties and members of the public will be involved.
Timetable for review	The Authority Monitoring Report (AMR) will assess the effectiveness of the policies and allocations.

Community Infrastructure Levy

Subject and Scope	Community Infrastructure Levy
Geographical area	Colchester Borough
Status	CIL charging schedule, governance arrangements, implementation plan, installment policy and other associated documents.
Chain of conformity	Must conform with Local Plan as well as the NPPF.
Timetable for production	
Previous consultation on draft documents	July – September 2011 and November – December 2011
Member Approval of draft Schedule	October 2017
Publication and 6 week consultation	November/December 2017
Submission of Charging Schedule and summary of comments received to Secretary of State	February 2018
Independent examination	May 2018
Inspector's report	June 2018
Adoption	September 2018
Production arrangements	Spatial Policy group. Input from internal CBC service groups and Essex County Council as required.
Timetable for review	It is anticipated that the regulation 123 list (infrastructure items) will be reviewed and updated as required on an annual basis. The charging schedule and other CIL documents will be reviewed as required. The Authority Monitoring Report will assess the effectiveness of CIL charges.

Authority Monitoring Report

Subject and Scope	This document provides an analysis of how the Colchester planning policies are performing against a range of established indicators.
Geographical area	Colchester Borough
Status	Annual production, non-statutory but meets need to show evaluation of policies.
Chain of conformity	None
Timetable for production – same process followed each year	
Project work	September – November
Member Approval	December
Publication	December
Production arrangements	Spatial Policy group. Input from internal CBC service groups and Essex County Council as required.
Timetable for review	The Authority Monitoring Report is produced in the autumn of each year and is presented to the last Local Plan Committee meeting in the calendar year.

Planning Obligations SPD

Title	Planning Obligations SPD
Role and content	To provide further details on the collection of the planning obligations received by the Council as a result of planned developments across the Borough.
Status	Supplementary Planning Document
Chain of conformity	The SPD will support the policies within the Local Plan and the Community Infrastructure Levy.
Geographic coverage	Colchester Borough
Timetable and milestones in months:	<ul style="list-style-type: none"> • Member approval for consultation – May 2018 • Public consultation – June/July 2018 • Adoption – September 2018
Arrangements for production	Colchester Borough Council (CBC) to lead with significant input from Essex County Council. Public consultation to include a press release, advertisement and letters/emails.
Post production - Monitoring and review mechanisms	CBC to monitor after adoption through a review of planning applications.

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, or will be undertaken. These will also be important in monitoring and review, as required by the AMR.

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

Each document will be made publically 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. These documents will be reviewed in the AMR to see if they need to be reviewed or withdrawn. Other documents may also be produced as needed during the process.

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

Integration with other Strategies

The Local Plan has a key role in providing a spatial dimension for many other strategies and helping their co-ordination and delivery. 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.

Documents to be produced as part of the Evidence Base for Local Plan documents

Title	Purpose and Scope	Timescale and review
Strategic Environmental Assessment & Sustainability Appraisal	To provide sound evidence base for all documents (except some guidance notes).	Sustainability Appraisal work will be undertaken alongside the formulation of policy documents.
Townscape Character Study	To provide a sound basis for the SHLAA and built environment policies.	Completed June 2006.
Strategic Land Availability Assessment (SLAA)	To provide evidence for housing land availability and distribution in relation to Local Plan requirements.	Completed July 2016.
Strategic Housing Market Assessment (SHMA)	Joint study with Braintree, Tendring and Chelmsford Councils. This updates the SHMA for Colchester undertaken in 2008. It assesses local housing markets and provides evidence on Objectively Assessed Housing Need. Ongoing work as required.	Completed July 2015. Further work on Affordable Housing need completed Dec. 2015. Objectively Assessed Need update published November 2016.
Employment Land Needs Assessment	The study looks at existing sites and future needs to at least 2032. Further detailed work to be undertaken to inform Local plan production	Completed January 2015. Update and Trajectory completed February 2017.
Retail study	The study analyses retail catchment areas and capacity to assess shopping patterns and assess the future capacity for retail floorspace in the Borough. Further work required to inform the Local Plan and ensure most up to date information is used.	Report completed March 2013, Update completed December 2016.
Infrastructure Delivery Plan	To assess capacity and requirements for infrastructure to support growth to 2032	Infrastructure Delivery Plan Study to be completed March 2017
Garden Communities Concept Framework	To provide assessment of options for Garden Community developments	Study completed June 2016
Landscape Character Assessment	To provide evidence for countryside strategies and housing allocations. East Colchester Environmental Audit to inform consideration of East Colchester Garden Community.	Assessment completed November 2005. Completed November 2015
Haven Gateway Green Infrastructure Study (HAGGIS).	To ensure there are sufficient open space, sport and recreational facilities, that they are in the right places, are of high quality, attractive to users and well managed and maintained.	Study completed April 2008.
Colchester Green Infrastructure Study	To provide additional detail at the local level	Work completed in October 2011.
PPG17 Study	To assess provision and requirements for open space and indoor/outdoor recreational facilities to 2021	PPG17 Study completed February 2008.

Sports Pitches and Indoor Sports Facilities Strategy	To update the PPG17 study and assess requirements for playing pitches and indoor sports facilities	July 2015
Strategic Flood Risk Assessment	To update 2007 and recommend mitigation measures	Spring 2017.
Water Cycle Study	To assess provision and need for water and waste infrastructure	February 2017.
Transport Model for Colchester	To enable area-wide traffic and public transport modelling to take place including the future traffic scenarios to be predicted and transport solution to be tested	December 2015.
	Further work required for Preferred Options	July 2016, updated Sept 2016
East Transit Corridor study	To investigate options for a high-speed, high-frequency public transport link between the University, East Colchester regeneration area and the Town Centre.	Initial stage of feasibility study complete November 2015.
Review of Local Wildlife Sites	Update 2008 review of existing local wildlife sites	Review of 2008 work completed February 2016.
Coastal Protection Belt Review	Update evidence base for Coastal Protection Belt designation	Completed June 2016
Historic Environment Characterisation	This project design presents a programme of work to characterise the historic environment of Colchester Borough	Work completed November 2008.
CIL Viability work	To assess the impact of a Community Infrastructure Levy on the viability of schemes across the Borough	Initial work commenced in 2011, review of evidence base completed in October 2015, further analysis to be completed in 2017.
Demographic and Household Projections	To inform decisions on future Borough growth and Objectively Assessed Housing Need. Joint Essex project led by Essex Planning Officers Association	Phase 7 work published May 2015.
Essex Wide Gypsy and Traveller Accommodation Needs Assessment	An Essex wide study commissioned by the Essex Planning Officers Association to provide information on the appropriate number of gypsy and traveller pitches to be provided	Completed in November 2009. Review completed Summer 2014, updated October 2014. Further work underway reflecting national changes.

Monitoring and Review

Monitoring

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 is no longer a statutory requirement, local authorities continue to need to demonstrate how plan objectives are being delivered. The AMR has been used to inform the review of this Local Development Scheme.

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

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

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

Review

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

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

Resources

Professional Officer Input

The Local Plan process will be led by the Spatial Policy Team as part of Commercial Services at Colchester Borough Council.

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

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

Commercial Services

- Housing Policy
- Economic Growth
- Regeneration
- Leisure, Tourism and Cultural services

Other CBC Services

- Development Management
- Environmental Protection
- Research and Engagement
- Community Strategies
- Operational Services
- Elections

Others

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

Consultee groups

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

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 Local Plan and specifically the allocation of land is likely to be contentious. Whilst every effort will be made to build cross-community consensus, there is a high risk of significant public opposition.</p>
<p>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.</p> <p>There is also uncertainty as to the Governments plans for planning policy.</p> <p>PINS may not be able to provide Inspectors at the appropriate times.</p> <p>If problems do occur, caused by factors outside the council's control, we may have to accept some slippage of the timetable.</p> <p>The LDS would need to be amended accordingly.</p>
<p>Loss/turnover of staff</p> <p>Medium Risk, High Impact</p>	<p>The Spatial Policy Team have benefitted from low turnover in recent years, but there is currently a national shortage of planning officers.</p>
<p>Financial shortfall</p> <p>Medium Risk, High Impact</p>	<p>Any review of documents is a costly exercise, involving preparation of an evidence base, production of documents, consultation and examination.</p> <p>In previous years the Council has allocated funds through the Housing & Planning Delivery Grant (HPDG) and its Service and Financial Planning process to allow for the preparation of the Local Plan. In the longer term no HPDG funding is available. Additional Council expenditure will be subject to scrutiny.</p> <p>Examination costs may inflate due to the length/complexity of the Examination. This will be kept under review.</p>
<p>Changing Political Priorities</p> <p>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 in the borough could result in political changes and/or there could be changing priorities. Any future changes in the documents to be produced can be dealt with at the annual review.</p>

<p>Legal Challenge</p> <p>Low Risk, High Impact</p>	<p>A legal challenge may be lodged to any document within six week of adoption. The degree to which this will happen is uncertain due to the untried nature of the system emerging. However, a challenge will only succeed if the Council (or Inspector) has made a mistake in procedure or in fact.</p> <p>To avoid a legal challenge, every effort will be made to ensure that procedures are followed and facts are correct.</p>
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Appendix 1 - Supplementary Planning Guidance/Documents and Planning Guidance Notes - status as at February 2017

Existing Supplementary Planning Documents

Subject	Approval Date
Provision of Open Space, Sport and Recreational Facilities	July 2006, charges updated 2012
Backland and Infill Development	December 2010
Community Facilities	September 2009, revised July 2013
Car Parking Standards (ECC)	September 2009
Shop front Design Guide	June 2011
Affordable Housing	August 2011
Cycling Delivery Strategy	January 2012
North Colchester Growth Area	June 2012
Street Services	October 2012, revised February 2016
Better Town Centre	December 2012
Sustainable Drainage Systems Design Guide	April 2015
Sustainable Construction	June 2011

Proposed Supplementary Planning Documents

Planning Obligations SPD (to align with Community Infrastructure Levy Charging Schedule)	Adoption 2017
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If you need help reading or understanding this document, please take it to our Community Hub in Colchester Library or telephone 01206 282222. We will try to provide a reading service, a translation, or any other format you need.