

2 October 2017

Report of	Assistant Director Policy and Corporate	Author	Laura Chase ☎ 282473
Title	Draft Publication Local Plan Consultation Responses		
Wards affected	All wards		

**The Local Plan Committee is asked to note the responses received following the consultation on the Publication Draft Local Plan.**

### 1. Decision(s) Required

- 1.1 The Committee is asked to note the content of the report.

### 2. Reasons for Decision(s)

- 2.1 To make members aware of the representations received on the Publication Draft Local Plan.
- 2.3 Section 1 and Section 2 of the Local Plan have been published for consultation pursuant to Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Local Plan is subject to a statutory six week public consultation period and the Sustainability Appraisals five weeks; however, the consultations were extended by two weeks following a decision by Committee members to allow more time for response during the summer period.

### 3. Alternative Options

- 3.1 There are no alternative options – the report is a summary of the representations received. It is helpful for Members to be aware of the issues arising from the statutory consultation process as it advances to submission and examination of a new Local Plan. The alternative of not proceeding with a new Local Plan would leave the Council in a vulnerable position going forward with no clear steer for the future growth and development of the Borough. It would result in existing policy becoming outdated and not in accordance with national policy requirements.

### 4. Supporting Information

- 4.1 This report concerns the consultation undertaken on the Publication Draft Local Plan and provides a high level summary of responses received. All representations received will be submitted to the Planning Inspectorate for

examination alongside the plan and supporting documents and will be considered during the examination.

- 4.2 The preparation of Local Plans is governed by The Town and Country Planning (Local Planning) (England) Regulations 2012. There is also policy and guidance within the National Planning Policy Framework (NPPF) and Planning Policy Guidance (PPG).
- 4.3 Work on the Council's new Local Plan began in 2014 and involved consultation on an initial Issues and Options consultation in January/February 2015. The Committee has received reports in June and August 2015 noting the results of the Issues and Options consultation and providing progress on the development of the plan and its supporting evidence base. During this period, the Council also invited landowners and developers to put forward potential sites for development which the Council has then assessed for suitability.
- 4.4 In July 2016 the committee considered the full Preferred Options Local Plan and agreed public consultation over an extended ten week period running from 9 July to 16 September 2016. As noted in the report on Preferred Options consultation considered by the 7<sup>th</sup> November 2016 committee, the consultation attracted 2995 representations from 1482 respondents. This compares to a total of 649 responses from individuals and organisations at the Issues and Options stage in 2015.
- 4.5 The Local Plan has now progressed to Publication Draft stage and this committee agreed at its June meeting to carry out public consultation for an eight week period between 16<sup>th</sup> June and the 11<sup>th</sup> August. A report detailing the consultation methodology was considered at the last meeting of the Committee on 30<sup>th</sup> August 2017.
- 4.6 The consultation process involved publishing the document and supporting information on the website; notification of the consultation to the Council's extensive list of interested organisations and individuals; and a series of public drop-in sessions which were advertised through social media, press coverage, and posters circulated to parish councils. The sessions held are detailed below;

Venue	Date
Stanway Village Hall	17 June 10-14:00
Colchester High St market stall	23 June 10-14:00
Greenstead Community Centre	24 June 10-14:00
Great Tey Village Hall	27 June 16-20:00
Marks Tey Village Hall	1 July 10 – 14.00
Abberton & Langenhoe Village Hall	3 July 16-20:00
Langham Community Centre	6 July 16-20:00
MICA Centre West Mersea	8 July 10-14:00
Abbotts Road Community Centre	12 July 16-20.00
William Loveless Hall Wivenhoe	11 July 16-20:00

- 4.7 At the drop-in sessions, attendees were provided with background information on the Local Plan process; access to copies of the consultation document; opportunities to ask questions of the officers in attendance; and information on how to respond formally to the consultation, including advice on using the consultation portal.
- 4.8 Officers estimate that approximately 600 people attended the drop-in events in total. In light of the cross-boundary policies and allocations in the first section of the Local Plan, a Colchester officer attended Braintree/Tendring Local Plan drop-in sessions at Coggeshall and Elmstead, while Braintree officers were represented at the Marks Tey event. An Essex County Council highways representative attended the events at Great Tey and Coggeshall.
- 4.9 At the time of writing, a total 1200 representations from 573 representors had been received. Approximately 60% of these were made using the on-line consultation system with the remainder received via e-mails and letters and then recorded on the consultation system. Further information on totals will be provided at the meeting. While the Council requested further information from respondents to clarify their views on the plan when not provided, no representations were rejected even if this further information was not submitted. All representations received within the 8-week consultation period accordingly will be forwarded to the Planning Inspectorate with the information provided. The Inspector will then need to decide how they deal with those representations which do not address all points, particularly in relation to soundness and legal compliance. The following representors submitted representations on behalf of the following number of individuals:

CAUSE – 1125

Stop350 West Mersea - 1163

Dawes Lane West Mersea - 77

Middlewick – live electronic petition – approximately 1100 at close of consultation period

Copford -221

Great Tey - 69

Fordham -26

Total – 3,781

The additional individuals represented through a joint representation bring the approximate overall total of people responding to the Local Plan consultation approximately 4300.

- 4.10 Part of Local Plan preparation includes preparation of a Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) which assesses the environmental implications of every policy and site allocation in the Local Plan, together with all reasonable alternatives. Two separate SA/SEA documents were prepared for Section 1 and 2 and published at the same time as the draft Local Plan for consultation. A total of 7 (at the time of drafting) responses were received to the consultation on the Sustainability Appraisal documents, and these responses will be forwarded as part of the submission of the plan for examination.

4.11 Issues of concern raised in the representations have been summarised in Appendix 1. This high level summary provides an overview of points made for members' information prior to submission of the plan for examination. (NB supportive comments have not been summarised as the examination will focus on scrutinising policies and allocations considered to be 'unsound'). Members and the public can view all representations to the plan in full using the Local Plan software and following the links:

Section 1 - <https://colchester.jdi-consult.net/localplan/readdoc.php?docid=6>

Section 2 - <https://colchester.jdi-consult.net/localplan/readdoc.php?docid=7>

The consultation system can be searched by policy numbers as well as representor names.

4.12 Surrounding local authorities including Braintree, Tendring and Chelmsford provided positive responses to the plan, noting joint work carried out in line with Duty to Cooperate requirements. A Duty to Cooperate meeting was held with Maldon following the close of consultation to discuss any issues which did not result in the identification of any significant issues. Essex County Council expressed broad support for the plan, noted their partnership working with CBC on numerous fronts, and suggested a number of minor changes to clarify wording to be considered through the Examination process. Basildon District Council has identified issues with South Essex authorities being able to meet their housing requirements in full due to Green Belt and environmental constraints and has requested that other Essex authorities, including those in the Colchester/Braintree/Chelmsford/Tendring Strategic Housing Market Area (SHMA), consider addressing this need in their targets. The Essex Planning Officers Association is developing a protocol to ensure that requests such as Basildon's for addressing requirements for dwellings to meet other SHMA needs are dealt with in a consistent and appropriate way.

#### 4.13 **Next steps**

A more detailed Statement of Consultation will be finalised as it is one of the supporting documents required to accompany the Plan when it is submitted for examination. The issues raised will be analysed by the Inspector appointed to examine the plan, with the public examination providing the opportunity for further exploration and debate on the 'soundness' of the plan. The Council will develop Memorandum of Understanding and/or Statements of Common Ground with stakeholders as required to clarify agreed approaches to the resolution of issues raised through the plan-making process.

4.14 It is intended to submit the plan to Government as soon as possible once all submission materials have been completed by all three authorities submitting their linked Local Plans. The Planning Inspectorate will then notify the Councils as to who has been appointed to examine the plan and will schedule in two examinations. The first will consider the strategic and cross-boundary policies and allocations covered by Section 1 and is expected to be scheduled for early next year, while the examination for Section 2 is expected to be scheduled in mid-2018. As noted in the report on Local Plan consultation considered at the 30 August Committee meeting, if any changes are made to the plan following the Regulation 19 consultation, these changes would be prepared as an addendum

to the plan. The addendum would be subject to further consultation and, if necessary, to sustainability appraisal before submission if it is to form part of the plan to be examined.

## **5. Proposals**

- 5.1 The Local Plan Committee is asked to note the summary of issues raised during the consultation on the Draft Publication Local Plan.

## **6. Strategic Plan References**

- 6.1 The 2015 to 2018 Strategic Plan set out to be Vibrant, Prosperous and Thriving. The Local Plan can help achieve all of these objectives.

## **7. Consultation**

- 7.1 Consultation on the Local Plan is guided by the Council's Statement of Community Involvement, which is available on the [Council's website](#). The recent consultation was undertaken in line with the Model Representation Form and Guidance for Plan Publication Stage Consultation published by the Planning Inspectorate, designed to assist the examination process. Braintree and Tendring also used the form.

## **8. Publicity Considerations**

- 8.1 The report may help to publicise the reasons the Council adopted the approach it did to the recent public consultation.

## **9. Financial Implications**

- 9.1 None specifically relating to this report

## **10. Equality, Diversity and Human Rights implications**

- 10.1 An Equality Impact Assessment has been prepared for the Local Development Framework and is available to view on the Colchester Borough Council website by following this pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Equality and Diversity > Equality Impact Assessments > Commercial Services > Local Plan.

## **11. Community Safety Implications**

- 11.1 Development of a Local Plan will address the community safety implications of creating sustainable communities.

## **12. Health and Safety Implications**

- 12.1 Development of a Local Plan will address the health and well-being implications of creating sustainable communities.

### **13. Risk Management Implications**

- 13.1 The adoption of a Local Plan document will help ensure that the Council's planning policies are robust and up-to-date and will help to reduce the risk of inappropriate development being permitted

### **14. Disclaimer**

- 14.1 The information in this report was, as far as is known, correct at the date of publication. Colchester Borough Council cannot accept responsibility for any error or omissions.