

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 over a 15-year period. The Plan provides the overall framework for the borough in terms of how much employment land and how many new homes are required as well as where they should be located. It also identifies infrastructure needs and things that require protection i.e., open space and community buildings.

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.

Planning involves making decisions about the future of borough which are vital to balance the need to develop 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.

An independent Planning Inspector is appointed to examine all Local Plans. The Plan can only be adopted by the Council if the Inspector thinks it is sound and meets all the statutory requirements.

Why is a Local Plan important?

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 reflect the local context. 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?

A Neighbourhood Plan is a planning document that communities can prepare to set out how they would like their town, parish or village to develop. The Neighbourhood Plan is prepared by the local community (usually this is undertaken by the Parish/Town Council) for a designated neighbourhood area. 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 development 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.

If a Neighbourhood Plan passes the referendum, this becomes part of the Statutory Development Plan for that area. It is then used when determining planning applications alongside the local plan and national policy.

What is included in the Development Plan for Colchester?

The Development Plan is a suite of documents that set out the Council's planning 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 (2021)
- Emerging Section 2 Local Plan (Submitted October 2017) – currently subject to Examination
- Core Strategy (2008) as amended by the Focused Review (2014)
- Site Allocations Policies (2010)
- Development Policies (2010) amended by Focused Review (2014)
- Proposals Maps (2010) and
- Neighbourhood Plans;
 - Myland and Braiswick
 - Boxted
 - Wivenhoe
 - West Bergholt and
 - Eight Ash Green.

When Section 2 of the Local Plan is adopted it will supersede the Core Strategy, Site Allocations Policies, Development Policies and Proposals Maps.

Section 1 of the Colchester Local Plan sets out the overarching strategy for future growth across Braintree, Colchester and Tendring, as well as including policies setting the overall housing and employment requirements for North Essex up to 2033. Section 2 of each of the three Local Plans contain more specific local policies and allocations relevant to each individual area.

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.

Supplementary Planning Documents (SPD)

An SPD is a document produced to add further detailed guidance and information on a particular subject or area. It is subject to a formal consultation period but there is no independent examination. Once adopted it can be used as a material consideration when determining planning applications. An SPD cannot create new policy, only add detail to a policy established in a local plan.

The following SPD's have been adopted in Colchester:

- 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
- Sustainable Design and Construction – June 2011
- Sustainable Drainage Systems Design Guide – December 2014
- Vehicle Parking Standards – September 2009
- North Colchester Growth Area – June 2012
- Colne Harbour Masterplan – January 2011
- Garrison Masterplan – November 2002
- St Botolphs Masterplan – June 2005

Statement of Community Involvement (SCI)

The SCI sets out the standards that the Council applies in relation to involving the community and stakeholders in the preparation of Local Plan documents and in determining planning applications.

Local Development Scheme (LDS)

The LDS is a project plan for a three-year period setting out what documents will be produced and a timescale for preparing each.

Annual Monitoring Report (AMR)

The AMR is a report published annually by the Council containing information on the implementation of the Local Development Scheme and the extent to which planning policies set out in the Council's adopted Local Plan are being achieved.

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.

The Local Plan identifies the minimum number of homes needed through policies which are informed by a local housing need assessment produced in accordance with national planning policy and guidance. An approach known as the Standard Methodology is used unless exceptional circumstances justify an alternative approach.

For Colchester, the minimum housing requirement is 920 new dwellings per year or 14,720 new homes for the plan period (2017 to 2033). The Council must identify sufficient sites in the Local Plan to accommodate these new homes.

As well identifying sites to meet the requirements across the whole plan period, the Council are also required to identify and update annually, a five year supply of specific, deliverable sites, this is often referred to as the five year housing land supply (5YHLS).

The Council publish annually a Housing Land Supply Position Statement which sets out the housing land supply position over a rolling five-year period. The Statement explains how this position complies with the stringent requirements of national policy and guidance. It 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 a Local Planning Authority 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 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. Speculative applications can be submitted, and the authority may have limited grounds on which to refuse them. Even where schemes are refused they may be challenged and planning permission granted on appeal.