

Colchester Borough Local Plan 2017 – 2033 – Section 2 Examination

MAIN MATTERS, ISSUES AND QUESTIONS WITH DRAFT HEARINGS PROGRAMME

Inspectors – Jameson Bridgwater PGDipTP MRTPI and Anne
Jordan BA (Hons) MRTPI

Hearings commence 1000 Tuesday 20 April 2021

To be held Virtually using Zoom

This programme should be read in conjunction with
the Inspector’s Briefing Note

Andrea Copsey
Programme Officer

Tel: 01303 853289

E-mail: copseyandrea@gmail.com

Web:

The Examination Library is managed by the Programme Officer and contains all submission documents, representations and information relating to the examination. It will be updated as further documents are submitted. Documents can be downloaded from the examination website. In the run up to the examination paper copies can be provided if necessary, by contacting the Examination Office, PO Box 12607, Clacton-on-Sea, CO15 9GN

Important Notes

- Participants should only respond to the questions which directly relate to their previously submitted written representations on the plan. Please clearly indicate in your statement(s) the question(s) you are answering.
- Further statements should be proportionate in length to the number of questions being answered and should not, in total, exceed 3,000 words per Matter.
- The plan is being examined as submitted by the Council. Therefore, at this stage, it is not necessary to consider the merits for development of sites not included in the plan (“omission sites”). Should it be determined that there is a need for additional or different sites to be allocated, we will, in the first instance, ask the Council to consider how it would wish to proceed with the Examination.
- The questions concerning soundness are primarily focussed on the plan’s policies. Insofar as they relate to the plan’s soundness other elements of the plan, including the supporting text, will be considered as part of the discussion of the relevant policies.
- The revised National Planning Policy Framework (NPPF) was published in July 2018 and further revised in February 2019. It includes a transitional arrangement in paragraph 214 which indicates that, for the purpose of examining this Plan, the policies in the 2012 NPPF will apply. Similarly, where the Planning Practice Guidance (PPG) has been updated to reflect the revised NPPF, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, references in this document are to the 2012 NPPF and the versions of the PPG which were extant prior to the publication of the 2018 NPPF.
- The duty to cooperate, public consultation, accordance with the local development scheme and the plan period are all matters which have been addressed as part of the Section 1 Examination.

TIMETABLE

The Main Matters (MM) are set out in detail below.

WEEK 1

Day 1 – 1000 - Tuesday 20 April 2021

- Inspector’s Opening Statement
- Council’s Opening Statement
- Main Matter 1 – Legal Requirements and Overarching Issues relating solely to the policies within CLP Section 2
- Main Matter 2 – Sustainable Growth Policies (Policies SG1 to SG8)
- Main Matter 3 – Environmental Assets Policies (ENV1 to ENV5 and CC1)

Participants [Day 1]

Colchester Borough Council and TBC

Day 2 – 0930 - Wednesday 21 April 2021

- Main Matter 4a – Generic Infrastructure and Mitigation Requirements (Policy PP1)
- Main Matter 4b – Colchester Town Centre (Policies TC1 to TC4)
- Main Matter 5 – North Colchester (Policies NC1 to NC4)
- Main Matter 6 – South Colchester (Policies SC1 to SC3)

Participants [Day 2]

Colchester Borough Council and TBC

Day 3 – 0930 - Thursday 22 April 2021

- Main Matter 7 – East Colchester (Policies EC1 to EC4)
- Main Matter 8 – West Colchester (Policies WC1 to WC5)
- Main Matter 9 – Sustainable Settlements (Policies SS1 to SS16)
- Main Matter 10 – Other Villages and Countryside (Policies OV1 and OV2)

Participants [Day 3]

Colchester Borough Council and TBC

Day 4 – Friday 23 April 2021

Reserve Day if Required (MM1 to MM10)

Participants [Day 4]

Colchester Borough Council and TBC

Day 5 – 0930 - Tuesday 27 April 2021

- Main Matter 11 – Policies DM1 to DM4 – Health and Wellbeing, Community Facilities, Education Provision and Sports Provision
- Main Matter 12 – Policy DM5 - Tourism, Leisure, Culture and Heritage
- Main Matter 13 – Policies DM6, DM7 and DM14 - Economic Development in Rural Areas and the Countryside, Agricultural Development and Diversification and Rural Workers' Housing

Participants [Day 5]

Colchester Borough Council and TBC

Day 6 – 0930 - Wednesday 28 April 2021

- Main Matter 14 – Policies DM8 to DM11 - Affordable Housing, Development Density, Housing Diversity and Gypsies, Travellers and Travelling Showpeople
- Main Matter 15 – Policies DM12, DM13 and DM15 - Housing Standards, Domestic Development and Design and Amenity

- Main Matter 16 – Policy DM16 – Historic Environment

Participants [Day 6]

Colchester Borough Council and TBC

Day 7 – 0930 - Thursday 29 April 2021

- Main Matter 17 – Policies DM17 to DM19 – Retention of Open Space and Recreation Facilities, Provision of Public Open Space and Private Amenity Space
- Main Matter 18 - Policies DM20 to DM22 - Promoting Sustainable Transport and Changing Travel Behaviour, Sustainable Access to Development and Parking
- Main Matter 19 - Policies DM23 to DM25 – Flood Risk and Water Management, Sustainable Urban Drainage Systems and Renewable Energy, Water, Waste and Recycling
- Main Matter 20 - Monitoring

Participants [Day 7]

Colchester Borough Council and TBC

Day 8 – Friday 30 April 2021

Reserve Day if Required (MM11 to MM20)

Participants [Day 8]

Colchester Borough Council and TBC

Please note

Timings - whilst the start time for each day is fixed, the morning, afternoon, and lunch breaks and close of sessions are dependent on the discussions during the hearing and therefore maybe subject to change.

The Inspector has set out his Main Matters and Issues below. These are based on the main headings and chapters of the Colchester Borough Local Plan 2017 – 2033 – Section 2. This will allow everyone who wishes to make representations at the Hearing to participate at the appropriate time.

The hearings programme is draft and maybe subject to minor changes please ensure that you keep updated at the examination website.

MAIN MATTERS, ISSUES AND QUESTIONS (MIQs)

Abbreviations

CLP Section 1 – Colchester Borough Local Plan – Section 1

CLP Section 2 – Colchester Borough Local Plan – Section 2

NPPF – National Planning Policy Framework (2012)

Main Matter 1 – Legal Requirements and Overarching Issues relating solely to the policies within CLP Section 2

Does CLP Section 2 meet all other legal requirements, specifically:

- Does the content and timescale for preparation of CLP Section 2 accord with the latest version of the Local Development Scheme?
- Has CLP Section 2 consultation complied with the Statement of Community Involvement and public consultation requirements in the Town and Country Planning (Local Plan) (England) Regulations 2012?
- Has CLP Section 2 been subject to a Sustainability Appraisal (SA) and have the requirements for Strategic Environmental Assessment been met? Is it clear how the SA influenced the final plan and dealt with mitigation measures?
- Have the requirements for appropriate assessment under the Habitats Regulations been met? Have the results of the Habitats Regulations Assessment been carried forward in the CLP Section 2?
- Has the preparation of CLP Section 2 complied with the Town and Country Planning (Local Plan) (England) Regulations 2012?
- Are there any cross-boundary issues including Gypsies, Travellers and Travelling Showpeople within CLP Section 2 that required the Council to engage effectively with neighbouring authorities and other relevant organisations which have not already been addressed in CLP Section 1?
- Does the policies map correctly illustrate geographically the application of policies in the CLP Section 2?

Consistent with National Policy

Does CLP Section 2 accord with national policy for plan making in the NPPF, specifically:

- Does CLP Section 2 contribute to the achievement of the three dimensions of sustainable development – economic, social, and environmental?
- Has it been positively prepared and is it 'aspirational but realistic'? (paragraph 154 of the NPPF)

- Is CLP Section 2 consistent with the NPPF in all other respects? Or if not, what is the justification for any inconsistency?
- Are there any policies within CLP Section 2 which are Strategic Policies, and should they be identified as such?
- Do the policies in CLP Section 2 provide a clear indication of how a decision maker should react to a development proposal?

Main Matter 2 – Sustainable Growth Policies (Policies SG1 to SG8)

Are the Sustainable Growth Policies justified by appropriate available evidence, having regard to national guidance, and local context, including Section 1 of the CLP?

- Is Colchester’s spatial strategy and the distribution of development as set out in Policy SG1 supported by robust and up to date evidence and otherwise soundly based?
- Does CLP Section 2 Policy SG2 make adequate provision to meet Colchester’s housing requirement as set out in CLP Section 1 (14720 new homes) and its timescale for delivery within the plan period 2017 - 2033?
- Does CLP Section 2 adequately address the needs for all types of housing and the needs of different groups in the community (as set out in paragraphs 50 and 159 of NPPF)?
- Does CLP Section 2 make adequate provision through site allocations to meet the housing requirement of for Gypsies, Travellers and Travelling Showpeople in Colchester?
- Do CLP Section 2 Policies SG3 and SG4 make adequate provision to meet Colchester’s economic growth requirements for the plan period and its timescale for delivery?
- Are the retail policies (SG5, SG6 and SG6a) of CLP Section 2 which relate to Centre Hierarchy, Town Centre Uses and Local Centres justified by appropriate available evidence, having regard to national guidance, and local context, including CLP Section 1?
- Does CLP Section 2 Policy SG7 provide a clear indication of how a decision maker should secure the necessary infrastructure provision to meet Colchester’s economic growth requirements for the plan period?

Main Matter 3 – Environmental Assets Policies (ENV1 to ENV5 and CC1)

- Are the Environmental Assets Policies set out in CLP Section 2 justified by appropriate available evidence, having regard to national guidance, and local context, including meeting the requirements of CLP Section 1?

Place Policies

Main Matter 4a – Generic Infrastructure and Mitigation Requirements (Policy PP1)

- Is the Generic Infrastructure and Mitigation Requirements policy justified by appropriate available evidence, having regard to national guidance, and local context, and CLP 1?
- Does policy PP1 provide clear direction as to how a decision maker should react to a development proposal?

Main Matter 4b – Colchester Town Centre (Policies TC1 to TC4)

- Are the policies and site allocations for Colchester Town Centre justified by appropriate available evidence, having regard to national guidance, and local context, including the meeting the requirements of the CLP 1?
- Do the housing land site allocations in Colchester Town Centre show how they will contribute to the achievement of the overall housing requirement of the CLP Section 1 (14720 new homes) and its timescale for delivery?

Main Matter 5 – North Colchester (Policies NC1 to NC4)

- Are the policies and site allocations for North Colchester justified by appropriate available evidence, having regard to national guidance, and local context, including the meeting the requirements of the CLP 1?
- Do the housing land site allocations in North Colchester show how they will contribute to the achievement of the overall housing requirement of the CLP Section 1 (14720 new homes) and its timescale for delivery?

Main Matter 6 – South Colchester (Policies SC1 to SC3)

- Are the policies and site allocations for South Colchester justified by appropriate available evidence, having regard to national guidance, and local context, including the meeting the requirements of the CLP 1?
- Do the housing land site allocations in South Colchester show how they will contribute to the achievement of the overall housing requirement of the CLP Section 1 (14720 new homes) and its timescale for delivery?

Main Matter 7 – East Colchester (Policies EC1 to EC4)

- Are the policies and site allocations for East Colchester justified by appropriate available evidence, having regard to national guidance, and local context, including the meeting the requirements of the CLP 1?
- Do the housing land site allocations in East Colchester show how they will contribute to the achievement of the overall housing requirement of the CLP Section 1 (14720 new homes) and its timescale for delivery?

Main Matter 8 – West Colchester (Policies WC1 to WC5)

- Are the policies and site allocations for West Colchester justified by appropriate available evidence, having regard to national guidance, and local context, including the meeting the requirements of the CLP 1?
- Do the housing land site allocations in West Colchester show how they will contribute to the achievement of the overall housing requirement of the CLP Section 1 (14720 new homes) and its timescale for delivery?

Main Matter 9 – Sustainable Settlements (Policies SS1 to SS16)

- Are the Sustainable Settlements policies and site allocations justified by appropriate available evidence, having regard to national guidance, and local context, including the meeting the requirements of the CLP 1?
- Do the housing land site allocations within Sustainable Settlements show how they will contribute to the achievement of the housing requirement of the CLP Section 1 (14720 new homes) and its timescale for delivery?

Main Matter 10 – Other Villages and Countryside (Policies OV1 and OV2)

- Are the policies for Other Villages and Countryside justified by appropriate available evidence, having regard to national guidance, and local context, including the meeting the requirements of the CLP 1?

Development Management Policies

Main Matter 11 – Policies DM1 to DM4 – Health and Wellbeing, Community Facilities, Education Provision and Sports Provision

- Are the policies relating to Health and Wellbeing, Community Facilities, Education Provision and Sports Provision justified by appropriate available evidence, having regard to national guidance, and local context and CLP 1?
- Do policies DM1 to DM4 provide clear direction as to how a decision maker should react to a development proposal?

Main Matter 12 – Policy DM5 - Tourism, Leisure, Culture and Heritage

- Is the Tourism, Leisure, Culture and Heritage policy justified by appropriate available evidence, having regard to national guidance, and local context, and CLP 1?
- Does policy DM5 provide clear direction as to how a decision maker should react to a development proposal?

Main Matter 13 – Policies DM6, DM7 and DM14 - Economic Development in Rural Areas and the Countryside, Agricultural Development and Diversification and Rural Workers’ Housing

- Are the Economic Development in Rural Areas and the Countryside, Agricultural Development and Diversification and Rural Workers’ Housing Policies justified by appropriate available evidence, having regard to national guidance, and local context, and CLP 1?
- Do policies DM6, DM7 and DM14 provide a clear direction as to how a decision maker should react to a development proposal?

Main Matter 14 – Policies DM8 to DM11 - Affordable Housing, Development Density, Housing Diversity and Gypsies, Travellers and Travelling Showpeople

- Are the policies relating to Affordable Housing, Development Density, Housing Diversity and Gypsies, Travellers and Travelling Showpeople justified by appropriate available evidence, having regard to national guidance, and local context, and CLP 1?
- Do policies DM8 to DM11 provide a clear direction as to how a decision maker should react to a development proposal?

Main Matter 15 – Policies DM12, DM13 and DM15 - Housing Standards, Domestic Development and Design and Amenity

- Are the Housing Standards, Domestic Development and Design and Amenity Policies justified by appropriate available evidence, having regard to national guidance, and local context, and CLP 1?
- Does CLP Section 2 make sufficient provision for inclusive design and accessible environments in accordance with paragraphs 57, 58, 61 and 69 of NPPF?
- Do policies DM12, DM13 and DM15 provide a clear direction as to how a decision maker should react to a development proposal?

Main Matter 16 – Policy DM16 – Historic Environment

- Is the Historic Environment policy justified by appropriate available evidence, having regard to national guidance, and local context, and CLP 1?

- Does policy DM16 provide clear direction as to how a decision maker should react to a development proposal?

Main Matter 17 – Policies DM17 to DM19 – Retention of Open Space and Recreation Facilities, Provision of Public Open Space and Private Amenity Space

- Are the policies that relate to the Retention of Open Space and Recreation Facilities, Provision of Public Open Space and Private Amenity Space justified by appropriate available evidence, having regard to national guidance, and local context, and CLP 1?
- Do policies DM17 to DM19 provide a clear direction as to how a decision maker should react to a development proposal?

Main Matter 18 - Policies DM20 to DM22 - Promoting Sustainable Transport and Changing Travel Behaviour, Sustainable Access to Development and Parking

- Are the Promoting Sustainable Transport and Changing Travel Behaviour, Sustainable Access to Development and Parking policies justified by appropriate available evidence, having regard to national guidance, and local context, and CLP 1?
- Do policies DM20 to DM22 provide a clear direction as to how a decision maker should react to a development proposal?

Main Matter 19 - Policies DM23 to DM25 – Flood Risk and Water Management, Sustainable Urban Drainage Systems and Renewable Energy, Water, Waste and Recycling

- Are the Flood Risk and Water Management, Sustainable Urban Drainage Systems and Renewable Energy, Water, Waste and Recycling policies justified by appropriate available evidence, having regard to national guidance, and local context, and CLP 1?
- Do policies DM23 to DM25 provide a clear direction as to how a decision maker should react to a development proposal?

Main Matter 20 – Monitoring

- Can the Council set out their monitoring and review processes for the CLP 2?