

Colchester Local Plan Review Engagement and Consultation Strategy

August 2023

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Introduction

This Engagement and Consultation Strategy outlines how we will engage and communicate with various stakeholders in order to help produce a new Local Plan for Colchester (the Local Plan Review). Details of this are set out in the sections on engagement and consultation on pages 8-12 below. The preceding sections set out the context for the Colchester Local Plan, and explain the background for the process and timing of the review.

Colchester's development plan

Local Plans are the key documents through which local planning authorities can set out a vision and framework for the future development of the area, engaging with their communities in doing so. Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places.

The Local Plan provides a degree of certainty for communities, businesses and investors, and a framework for guiding decisions on individual planning applications. Local Plans are a key component of the planning system. They shape how land use and places will change and develop in the future. The current development plan for Colchester comprises:

- Section 1 Local Plan (adopted February 2021)
- Section 2 Local Plan (adopted July 2022)
- Tiptree Jam Factory DPD (adopted 2013)
- Essex Mineral Local Plan (2014)
- Essex and Southend-on-Sea Waste Local Plan (2017)

Neighbourhood Plans for:

- Myland and Braiswick;
- Boxted;
- Wivenhoe;
- West Bergholt;
- Eight Ash Green;
- Marks Tey;
- West Mersea;
- Tiptree.

The section 1 Local Plan requires a DPD to be produced to provide more detail in relation to the Tendring Colchester Borders Garden Community (TCBGC). This is being produced jointly with Tendring District Council and is overseen by a Joint Committee.

Importance of an up to date development plan

The development plan is at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise. It is essential that plans are in place and kept up to date.

Section 19(1B) - (1E) of the Planning and Compulsory Purchase Act 2004 sets out that each local planning authority must identify their strategic priorities and have policies to address these in their development plan documents (taken as a whole).

The importance of having an up-to-date Local Plan cannot be overstated. Without a Local Plan to identify where and how the City and areas beyond should develop, planning applications are determined in accordance with national policy which does not provide the local context for Colchester. Without a Local Plan, Colchester would be at significant risk from speculative development. A Local Plan provides certainty of where development can be delivered sustainably across the City area.

To be effective plans need to be kept up-to-date. The National Planning Policy Framework (NPPF) states policies in local plans and spatial development strategies, should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary.

Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) local planning authorities must review local plans, and Statements of Community Involvement at least once every 5 years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. Most plans are likely to require updating in whole or in part at least every 5 years. Owing to the time since submission of the adopted Local Plan and the changes to national policy, including introduction of the standard methodology, the whole plan requires updating.

The NPPF is clear that strategic policies should be prepared over a minimum 15 year period and a local planning authority should be planning for the full plan period. Policies age at different rates according to local circumstances and a plan does not become out-of-date automatically after 5 years. The review process is a method to ensure that a plan and the policies within remain effective. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Due weight should be given to relevant policies in existing plans according to their consistency with the NPPF. It will be up to the decision-maker to decide the weight to give to the policies.

When determining whether a plan or certain policies within a plan should be updated there are many factors to consider, including the following;

- conformity with national planning policy;
- changes to local circumstances; such as a change in Local Housing Need;
- Housing Delivery Test performance;
- whether the Council can demonstrate a 5 year supply of deliverable sites for housing;
- whether issues have arisen that may impact on the deliverability of key site allocations;
- appeals performance;
- success of policies against indicators in the Development Plan as set out in their Authority Monitoring Report;
- plan-making activity by other authorities, such as whether they have identified that they are unable to meet all their housing need;
- significant economic changes that may impact on viability.; and
- whether any new social, environmental or economic priorities may have arisen.

Evidence base

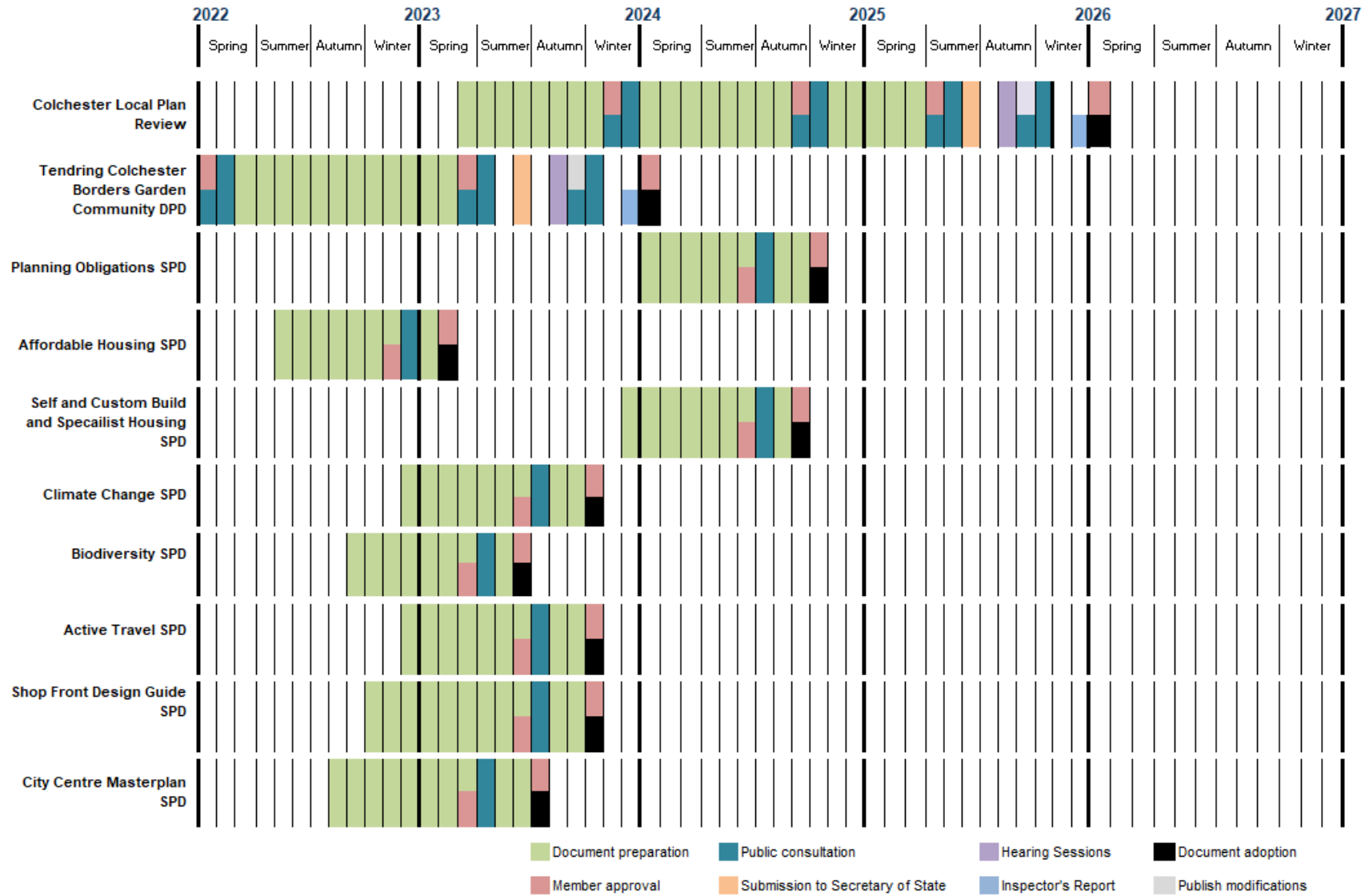
Local Plans are underpinned by an extensive evidence base which provides the justification for the policy approach taken and are considered as part of the Independent Examination which all Local Plans are subject to, as part of the plan making Regulations.

A local planning authority may need to gather new evidence to inform their review. Proportionate, relevant and up-to-date evidence should be used to justify a decision not to update policies.

Timing

Preparing an up-to-date Local Plan is a significant undertaking and the lead in time commences with the updating and gathering of evidence. The timing for review of the Colchester Plan stems from the Section 1 Local Plan as it is the plan which sets out the Strategic Policies for the area. A new Local Plan will therefore be required by February 2026, as indicated in the Local Development Scheme (LDS) agreed by the Local Plan Committee in February 2023. An extract from the LDS is set out on the following page.

LDS Timetable 2022 - 2026



Local Plan Process

A Local Plan must be prepared in accordance with national policy, guidance, and regulations. The plan making process can be summarised as:

Stage 1 – Evidence Gathering – reviewing and developing a range of evidence base documents to inform the Plan. These may be completed by the Council or Consultants appointed, depending upon the subject matter.

Stage 2 – Issues and Options – identifying and understanding the main issues to be addressed in the Local Plan and considering the different approaches, including a public consultation.

Stage 3 – Preferred Options – Having considered the various options and responses from the consultation, a revised Plan is produced and subject to public consultation. This is known as the Regulation 18 Consultation.

Stage 4 – Publication Draft – Having considered the latest round of public consultation responses and any further updates to the evidence base, a final draft version of the Local Plan which the Council wishes to submit is prepared and published for consultation. This is known as the Regulation 19 Consultation.

Stage 5 – Submission. Following the statutory period of consultation, the Publication Draft Local Plan, evidence base and all representations are submitted to the Secretary of State.

Stage 6 – Examination. The Government will appoint an independent Planning Inspector to carry out an Examination of the Local Plan. This will consider if the Plan has correctly followed the legal process and meets national policy and will include a Public Examination. It will consider the representations received and there will be an opportunity for stakeholders and the public to participate in writing or in person at Hearing sessions. The Council will create an 'Examination website' to keep the public and stakeholders informed.

Stage 7 – Modifications. Following Examination, the Inspector is likely to recommend some changes to the Local Plan. These modifications will be subject to a public consultation and all representations will be sent to the Inspector for their consideration. The Inspector will then issue a Report, concluding the examination.

Stage 8 – Adoption. If the Local Plan has passed the examination, the Local Plan, incorporating any modifications recommended by the Inspector, will be presented to Full Council to formally adopt. Once adopted the Plan will have full weight in planning decisions. The Plan will be published on the Council's website. Throughout the process, the CCC website will be updated with the latest information.

Engaging in a different way

The adopted development plan documents were all subject to extensive consultation and engagement in accordance with the relevant Planning Regulations and the Council's [Statement of Community Involvement](#).

The Statement of Community Involvement (SCI) states that at the following three plan making stages: Issues and Options, Preferred Options and Submission, consultation will include a minimum of 6 weeks and will use the following methods: written / email consultations with statutory consultees, general consultees on our database, other relevant stakeholders, individuals and organisations who have expressed a wish to be consulted or have previously made comments; consultation documents available on the Council's website and hard copies available at the Council offices, and libraries, as appropriate, and; invitations for representations to be made on the document will be through the Council's website and/or social media. The preferred method for submitting representations will be via the consultation portal.

The emerging Development Plan Document (DPD) for the Tendring Colchester Borders Garden Community was prepared with extensive engagement led by a dedicated Communications Manager. Engagement included the establishment of a Community Liaison Group and numerous online engagement activities prior to work commencing on drafting the DPD and masterplan. Engagement at the earliest stage of plan making has helped to incorporate the views of stakeholders into the DPD and a similar approach will be taken for the Local Plan Review.

We want to take the learning from the Tendring Colchester Borders Garden Community DPD early engagement; break down barriers to engaging in the plan making process (e.g. a lack of will to read dense and complicated planning documents; a lack of confidence to engage or a lack of transport to attend events in places like village halls in order to participate; a feeling that a minimum level of knowledge of the planning process is needed; and a lack of time, among many others); and take digital opportunities, building on the development of new interactive functions on the JDi Consultation portal, to engage in a new way – a way that goes beyond village hall events and embraces modern, efficient and accessible activities at the earliest stage of plan making.

Issues and Options

Rather than the Issues and Options consultation consisting of one consultation document which is consulted upon for a 6-week period, we want the Issues and Options to be an iterative process focussed on different themes.

We intend to carry out various engagement activities, which will be hosted on the Council's website. Consultees will be notified by email. Examples of engagement activities include:

- The baseline green network and waterways map will be published online and we will seek comments on whether it is correct, the condition of green spaces and waterways and opportunities to improve the network.
- A Call for Sites will be undertaken using the Council's interactive consultation database. This will include a call not just for housing and employment sites, but also sites for offsite biodiversity net gain (BNG) and green infrastructure.
- We will ask stakeholders for their ideas on the vision for the city through an online tool where stakeholders can write as much or as little about the city they want to see in 15 years.
- Emerging work on model climate change policies that could be applied across Essex could be shared online, asking stakeholders for their views on whether emerging draft policies go far enough or are too stringent.
- Views on whether design codes would be appropriate and which elements of the National Model Design Code should be adapted for a local approach.
- Views from the health sector of the ways that health and wellbeing can be integrated into the Local Plan.

Our stakeholders

We recognise how important it is to involve our communities and stakeholders in the development of the Local Plan Review. Our various audiences will play a very important role in contributing to the preparation of the Local Plan Review.

We have a statutory **Duty to Cooperate**¹ with the following organisations, on strategic planning issues: Office of Rail and Road; Environment Agency; Highways Agencies; Historic England; Integrated Transport Authorities; Natural England; Sport England; Highway Authorities; Civil Aviation Authority; Marine Management Organisation; Homes England; The South East Local Enterprise Partnership; Clinical Commissioning Groups; Neighbouring Local Authorities; NHS England; and Essex County Council.

We are also required to consult 'specific' and 'general' consultation bodies and other consultees including the community, neighbourhood plan groups, businesses and third sector groups. The following list of organisations will be informed of any consultation being undertaken, as appropriate:

Specific Consultation Bodies: Neighbouring Local Authorities; All Parish Councils within and adjoining the boundary of Colchester Borough as appropriate; Essex Police; The Environment Agency; Historic England; Natural England; The Secretary of State for Transport; Electronic Communication Providers; Telephone Operators; Electricity Suppliers; Gas undertakers; Sewage Undertakers; The Homes and Communities Agency; The Ministry of Housing, Communities and Local Government; Marine Management Organisations; Network Rail; National Highways; Public Health England; Electricity and Gas Suppliers; Sport England.

General Consulting Bodies: Voluntary Bodies; Ethnic / Racial / National Groups; Religious Groups and Churches; Disabled Groups; Local Business Support Agencies

Other Consultees: Health Agencies; Learning Agencies; Schools; Transport Bodies and Groups; Sports Clubs; Recreation Bodies; Infrastructure and Service Providers; Design, Town Planning, Conservation and Landscape and Nature Conservation Bodies; Environmental Groups; Planning Consultants and Agents; The Development Industry; Other miscellaneous bodies.

Communities

We will also engage and consult with individual residents who have requested to be added to the consultation database; local community/hobby/interest groups of all kinds; local action groups; local schools, Colleges and the University; local charities; audiences from diverse groups and backgrounds; disabled people and access groups; and people who expressed interest in previous consultation/engagement exercises, among others.

Member engagement

¹ In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012

Local Plan Committee will be asked to agree to each of the iterative engagement opportunities / consultations as well as receiving feedback on an ongoing basis. They will also receive updates on the evidence base as it progresses and informs the emerging work. The Committee will agree to the formal consultations for each of the statutory processes with agreement at the time of the details for those consultations.

What we mean by engagement and consultation

We want to be clear on how we define 'engagement' and 'consultation' and the roles that each will have. For this strategy we have adopted the following definitions, which are compatible with the definitions in the Tendring Colchester Borders Engagement and Consultation Strategy:

Engagement: A variety of online activities we will run as part of an iterative Issues and Options stage, to have conversations and gather ideas and insights from a wide range of stakeholders including local organisations, businesses, charities and individuals to help contribute to the preparation of the Local Plan Review.

Consultation: Statutory consultations we will run for the Local Plan, prior to it being examined. This will encourage formal feedback and representations (comments) on draft plans. This type of consultation is in accordance with our duties to the Town and Country Planning (Local Planning) (England) Regulations 2012. For the Local Plan Review, it will involve consultation on a Preferred Options Plan (or draft plan) in accordance with Regulation 18: Preparation of a local plan of the Town and Country Planning (Local Planning) (England) Regulations 2012; and consultation on the Publication Draft (the plan the Council will submit for examination) in accordance with Regulation 19: Publication of a local plan of the Town and Country Planning (Local Planning) (England) Regulations 2012. The range of consultation methods appropriate for each stage of plan making will be explored and considered further at the relevant stage, taking into account the issues, the statutory requirements and the Statement of Community Involvement.

Indicative Local Plan Review Timetable

Mid-late 2023

We will start to consider what evidence is required for the Local Plan Review and make a start at preparing the evidence base. This will include engagement on the city's green network and waterways and a call for sites.

Early 2024

We will continue to engage with stakeholders through our iterative Issues and Options engagement. This may include asking stakeholders for their ideas on the vision for the city; asking stakeholders for their views on emerging climate change policies; asking for views on whether design codes would be appropriate; and asking the health sector how health and wellbeing can be integrated into the Local Plan.

Mid/late 2024

We will review all comments made as part of the Issues and Options iterative engagement and the emerging evidence base and share these with Local Plan Committee on an ongoing basis. We will start drafting a Preferred Options Plan.

Late 2024

We will publish our Preferred Options Plan for public consultation and consider all representations made. We will continue to develop the evidence base and prepare a Publication Draft Plan.

Mid/ late 2025

We will publish the Publication Draft Plan for public consultation and submit to the Secretary of State for examination.

Late 2025/ early 2026

The Local Plan Review will be examined. An Inspector will consider if the Plan has correctly followed the legal process and meets national policy. The Inspector will consider the representations received and there will be an opportunity for stakeholders and the public to participate in writing or in person at hearing sessions. Following the hearing sessions, the Inspector will publish main modifications for public consultation.

Early 2026

The Inspector will issue the Final Report and the Local Plan Review will be adopted and form part of the development plan.

Keep in touch

Visit the Planning Policy pages of our website: - [Colchester City Council](#)

Email us: planning.policy@colchester.gov.uk

You can sign up to our consultation portal directly - <https://colchester.oc2.uk/> or email us to request to be added to our consultation database to receive notifications of all planning engagement activities and consultations.