



LOCAL DEVELOPMENT SCHEME

Colchester City Council's
Local Development
Scheme 2024 - 2027

June 2024



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1. Introduction

The Local Development Scheme (LDS) sets out the Council's timetable for adopting new planning documents which will help guide development across the City. The LDS sets out a three-year rolling programme on the timetable.

Colchester City Council first adopted an LDS in May 2005 with various revisions published since then. The latest revision was in February 2023 which this current version (June 2024) now supersedes. 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 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 Local Plan, including the Statement of Community Involvement, Authority Monitoring Report and adopted guidance.

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

In 2022 Colchester was awarded city status. Colchester Borough Council became Colchester City Council on 23 November 2022. Any reference to Colchester, Colchester City or City within this document refers to the entire administrative area, unless otherwise stated.

2. 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 2027.

The Development Plan is a suite of documents that set out the LPAs 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 this currently includes:

- Section 1 Local Plan (adopted February 2021);
- Section 2 Local Plan (adopted July 2022);
- Tiptree Jam Factory DPD (adopted 2013); and
- Neighbourhood Plans.

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 Colchester Local Plan is in 2 parts. Section 1 provides a shared strategic policy context and addresses cross boundary matters for North Essex together with Braintree and Tendring Councils. Including the Tendring Colchester's Borders Garden Community. The Section 1 Local Plan was adopted by Colchester Borough Council on 2 February 2021.

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. This process is being governed by the Tendring Colchester Borders Garden Community Joint Committee.

Section 2 of the Colchester Local Plan 2017-2033 provides the policy framework, site allocations and development management policies for Colchester up to 2033. This was adopted by Colchester Borough Council on 4 July 2022.

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 are:

- Essex Minerals Local Plan (2014)
- Essex and Southend-on-Sea Waste Local Plan (2017)

More details on the waste and minerals development documents can be found on the Essex County Council [website](#).

3. Documents to be prepared during 2024 to 2027 - an overview

The overview below 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.

A. Phasing of work for Development Plan Documents

The Colchester Local Plan

The Colchester Local Plan is in two sections covering the period to 2033. The Section 1 Colchester Local Plan covers strategic and cross boundary issues for North Essex, including housing and employment targets and allocates the Tendring Colchester Borders Garden Community (TCB GC). This was adopted on 2 February 2021.

The Section 2 Colchester Local Plan sets the policy framework, site allocations and development management policies across Colchester. This was adopted on 4 July 2022.

As outlined in the NPPF, a Local Plan is required to be reviewed every 5 years. Therefore, the Section 1 Local Plan must be reviewed by 2026 and the Section 2 Local Plan by 2027. The Local Plan Review is planned to be as one Plan so will align with the earlier date for review.

Tendring Colchester Borders (TCB) Garden Community Development Plan Document (DPD)

In Partnership with Tendring District Council, a Development Plan Document (DPD) has been prepared to further guide development on the Tendring Colchester Borders Garden Community. The DPD, once adopted by the Council, will include the location and scale of land uses alongside the required infrastructure.

The preparation of the TCBGC DPD has followed the same process as a Local Plan. However, this document contains only non-strategic policies - building upon the strategic policies in the Shared Section 1 Local Plan. The DPD is meant to provide significantly more implementation detail to Section 1 policies to further assist in facilitating the planning application process for the Garden Community.

Section 1 of the Local Plan, Policy SP8, states that no planning consent for development forming part of the Garden Community will be granted until the

TCB DPD has been adopted and that the DPD will set out the nature, form, and boundary of the new community. The DPD has been produced in consultation with stakeholders and includes a concept masterplan showing the disposition and quantity of future land-uses. It was produced alongside the master planning process and provides the framework for the subsequent development of more detailed masterplans and other design and planning guidance for the Tendring Colchester Borders Garden Community.

The DPD has now been submitted for examination, with the hearing sessions held in May 2024, the next stages of the process are in the hands of the Planning Inspector. Adoption is anticipated in Autumn 2024.

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. 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.

The table below provides the Council's estimation of adoption for each Neighbourhood Plan, although as these are prepared by Parish Councils or neighbourhood forums their delivery is beyond the remit of the City Council.

Further Neighbourhood Plans will be added to the table below as required, when they are brought forward by local communities and when the LDS is revised in future.

Area	Date NP Area agreed	Key Dates & Current stage
Boxted	October 2012	Adopted December 2016
Myland and Braiswick	January 2013	Adopted December 2016
Myland and Braiswick Review	January 2013	Adopted October 2023
Wivenhoe	July 2013	Adopted May 2019
West Bergholt	July 2013	Adopted October 2019
Eight Ash Green	June 2015	Adopted December 2019
Marks Tey	September 2015	Adopted April 2022
West Mersea	November 2016	Adopted April 2022
Tiptree	February 2015	Adopted May 2023
Copford with Easthorpe	May 2015	Adopted October 2023

Area	Date NP Area agreed	Key Dates & Current stage
Great Tey	June 2017	Regulation 16 commenced 12 February to 25 March 2024 and is now subject to an Independent Examination.
Great Horkesley	June 2022	Evidence gathering and plan preparation
Messing	July 2013	Work abandoned no active NHP Group currently
Stanway	June 2014	Work abandoned no active NHP Group currently

B. Phasing of work for Other Planning Documents

Supplementary Planning Documents (SPDs)

Supplementary Planning Documents (SPDs) 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 City. 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 consultation.

Currently there is one SPD programmed which cover the following topic:

- Shop Front Design Guide

The following 5 SPDs have been recently adopted:

- Affordable Housing adopted 6 February 2023
- Climate Change adopted 11 December 2023
- Active Travel adopted 11 December 2023
- Biodiversity adopted 12 June 2023
- Colchester City Centre Master Plan adopted January 2024

The Council may consider additional SPDs are required to be prepared or that existing SPDs require updating. 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 the existing SPDs and the currently proposed SPDs.

Statement of Community Involvement (SCI)

The Statement of Community Involvement (SCI) provides a first step in plan making as it outlines the processes for consultation and engagement during the production of planning documents and determination of planning applications. The most recent iteration of the SCI was adopted in February 2023.

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.

Authority Monitoring Report (AMR)

The Authority Monitoring Report (AMR), previously referred to as the Annual Monitoring Report, is usually published each December to demonstrate the progress of the objectives of the Colchester 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.

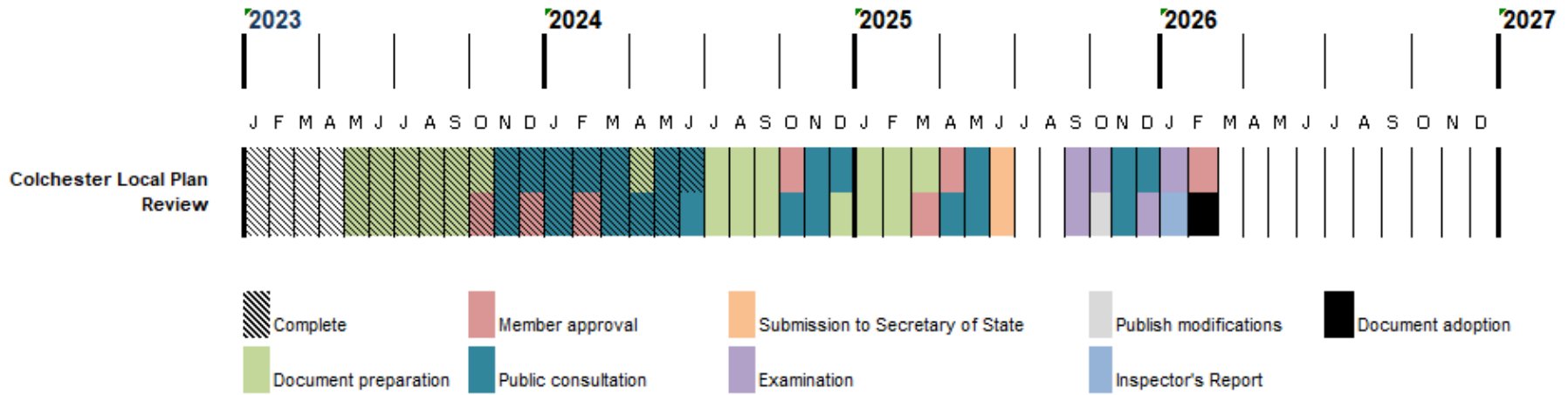
The current guidance notes are listed in Appendix 1 and information on additional guidance will be added to the Council's Adopted Guidance area of the website as and when it is completed.

4. Documents to be prepared during 2024 to 2027 - detailed profiles

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

The image below provides a summary of the key milestones for each document.

Local Plan Review Timetable 2023 - 2026



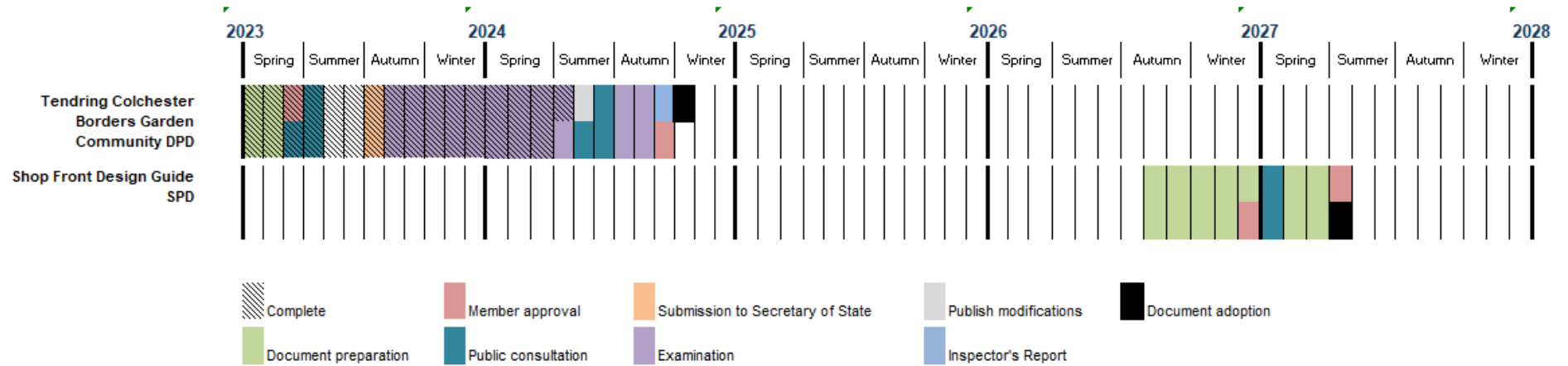
Colchester Local Plan Review

Subject and Scope	This document will develop the overall strategic objectives and areas for growth in the city. The Local Plan will replace both the Section 1 and Section 2 Local Plan.
Geographical area	All Colchester City
Status	Local Plan document
Chain of conformity	Must be in conformity with the National Planning Policy Framework.
Timetable for production	
Initial document preparation	May 2023 – November 2023
Preparing evidence base (documents will be commissioned at different stages during plan preparation)	May 2023 – September 2023
Iterative Consultation on Issues and Options	November 2023 to June 2024
Drafting Preferred Options	March 2024 – October 2024
Member approval – Preferred Options	Autumn 2024
Consultation on Preferred Options and Sustainability Appraisal	October – December 2024
Summarising representations to Preferred Options, draft a response & make amendments to the plan	December 2024 – January 2025
Review evidence base and draft the Submission Version Plan	January- March 2025
Member approval – Submission Draft	March/April 2025
Publication Draft of Local Plan document and Sustainability Appraisal for consultation	April - May 2025
Submission of DPD and summary of comments received to Secretary of State	June 2025
Independent examination	Autumn 2025
Consultation on modifications	Winter 2025
Inspector's Report	Winter/ Spring 2026
Adoption	Winter/ Spring 2026

Production arrangements	Led by Planning Policy Team; input from all internal CCC 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 will set the overall spatial strategy for the Borough and will be reviewed as required after adoption, with the review period being within 5 years.

The government recently consulted on changes to the NPPF, which propose changes to Local Plans. The consultation explains that new style local plans will be prepared from late 2024. The timetable in the LDS reflects the current local plan system, but if new style plans are brought in, this timetable will be reviewed. The timetable has been drafted so that initial work, including engagement, consultation and evidence gathering, will take place from July 2023. If new style plans are in place from late 2024 as currently envisaged, Officers will review the timetable.

LDS Timetable 2023 - 2027



Tendring Colchester Borders Garden Community Development Plan Document (DPD)

Subject and Scope	This document(s) will include policies and allocations to support the strategic allocation for new development at the Tendring Colchester Borders Garden Community. This is being prepared jointly with Tendring District Council.
Geographical area	As specified in the Local Plan which shows broad locations to the east of Colchester.
Status	Local Development Plan Document
Chain of conformity	Must conform with the broad allocation in the Shared Strategic Section 1 Local Plan with Tendring and Braintree District Councils.
Timetable for production	
Initial document preparation	January 2017 – October 2017 (Completed)
Member Approval – Issues and Options	November 2017 (Completed)
Publication and 6 week consultation	November to December 2017 (Completed)
Document Preparation	Winter 2020/21 to Winter 2021/22 (Completed)
Member Approval –Draft DPD	Spring 2022 (Completed)
Draft DPD consultation	Spring 2022 (Completed)
Summarising representations to consultation, draft a response & make amendments to the plan	Summer 2022 to Winter 2022/23 (Completed)
Member approval – submission document for consultation	Spring 2023 (Completed)
Submission DPD consultation	Summer 2023 (Completed)

Submission of DPD and summary of comments received to Secretary of State	Autumn 2023 (Completed)
Examination in Public (EIP)	Spring 2024 (Completed)
Inspector's report	Summer 2024
Consultation on modifications	Summer 2024
Adoption	Winter 2024
Production arrangements	Planning Policy Team in CCC along with TDC will lead with input from internal CCC service groups, adjacent local authorities, and Essex County Council as appropriate. A Tendring Colchester Borders Garden Community Project Team has been established. The SCI has determined how external parties and members of the public will be involved.
Timetable for review	<p>The AMR will assess the effectiveness of the policies and allocations.</p> <p>The DPD will be reviewed as required after adoption, with the review period being within 5 years.</p>

Shop Front Design Guide SPD

Title	Shop Front Design Guide SPD
Role and content	To provide further details on shop front design considerations across the Colchester City Centre Area.
Status	Supplementary Planning Document
Chain of conformity	The SPD will support the policies within the adopted Local Plan.
Geographic coverage	Colchester City
Timetable and milestones:	Member approval for consultation – Winter 2026/27 Public consultation – Spring 2027 Adoption – Summer 2027
Arrangements for production	Production led by CCC Planning Policy Team and Historic and Buildings and Areas Officer and engagement with city centre stakeholders. Informed by public consultation in accordance with the SCI.
Post production - Monitoring and review mechanisms	CCC to monitor after adoption through the AMR.

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 undertaken. A full review of the existing evidence base will be undertaken prior to work commencing on the Local Plan Review, including identifying where new studies are required.

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

Each document will be made publicly 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. Other documents may also be produced as needed during the process, such as topic papers.

Sustainability Appraisal (SA), Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA)

All policies and proposals contained within the Local Plan will be subject to a Sustainability Appraisal and also a Strategic Environment Assessment and Habitat Regulations Assessments where appropriate. This involves scoping reports and assessments throughout the preparation of the Local Plan to ensure an iterative approach. These documents form part of the evidence base.

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.

5. Monitoring and Review

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 (AMR) is no longer a statutory requirement, local authorities need to continue to demonstrate how plan objectives are being delivered. Colchester City Council continue to prepare and publish an AMR, usually published in December.

The AMR will analyse the period of the previous financial year (1 April to 31 March). The report will:

- Set out how the Council is performing in the production of documents against the timescales and milestones set out in the LDS.
- Provide information on how the strategies/policies/targets in the Local Plan are being achieved.
- Advise on whether any documents need reviewing; and
- Provide data and information across the City's administrative area.

Following the initial adoption of a 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 City.

Should an update to the LDS be required, this will be prepared by officers and considered by the Council's Local Plan Committee.

6. Resources

The Local Plan process will be led by the Planning Policy Team as part of Place and Prosperity at Colchester City Council. The Place Strategy Manager will be responsible for the overall Local Plan project and policy direction. The Planning Policy team includes Principal Planning Policy Officers, Planning Policy Officer and Assistant, Active Environment Officer as well as other support staff who will be responsible for various elements of the Local Plan process.

There is a dedicated Garden Community Project Team (shared between Colchester and Tendring Councils) who are leading the delivery of the Colchester Tendring Borders Garden Community Development Plan Document. This includes a Planning Manager, Programme Support Officer and Finance Officer. The Planning Policy Team will also be involved in this project working alongside colleagues from Tendring District Council and Essex County Council.

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

Place and Prosperity

- Planning
- Economic Growth
- Sustainability

Other CCC Services

- Parks, Open Space and Waterways
- Environmental and Protection Services
- Community Enabling
- Research and Engagement
- Strategic Government Services (Democratic Services and Elections)
- Communications

Partners

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

Stakeholders and the Community

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

7. 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 Tendring Colchester Borders Garden Community DPD 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. 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. The LDS would need to be amended accordingly.</p>
<p>Changes to the Planning System – Government Legislation and Guidance</p> <p>High Risk, High Impact</p>	<p>There is uncertainty surrounding the future plan making process as a result of the current NPPF Consultation and the Levelling Up and Regeneration Bill.</p> <p>The Council will continue to keep fully informed of any changes and/or publication of Government Legislation and the NPPF. In the event there are significant changes to the plan making process, officers will assess the impacts and any subsequent revisions to the Local Plan Review timescale and procedure.</p>
<p>Loss/turnover of staff</p> <p>Medium Risk, High Impact</p>	<p>The Planning Policy Team have benefitted from low turnover in recent years, but there is currently a national shortage of planning officers and the risk needs to be acknowledged.</p>
<p>Financial shortfall</p> <p>Medium Risk, High Impact</p>	<p>Preparation of Development Plan 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 (replaced by New Homes Bonus) and its Service and Financial Planning process to allow for the preparation of the Local Plan. 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>

Issue and level of risk	Comment and proposed mitigating measures
<p>Changing Political Priorities 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 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 Low Risk, High Impact</p>	<p>A legal challenge may be lodged within 6 weeks of adoption of a Development Plan Document. The degree to which this will happen is uncertain. 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>

Appendix 1 - Supplementary Planning Guidance/Documents and Planning Guidance Notes - status as of June 2024

Table 1 Existing Supplementary Planning Documents

Subject	Adoption Date
City Centre Masterplan	January 2024
Active Travel	December 2023
Climate Change	December 2023
Biodiversity	June 2023
Affordable Housing	February 2023
Recreational Disturbance Avoidance and Mitigation Strategy	August 2020
Provision of Open Space, Sport and Recreational Facilities	July 2006, updated April 2019
Street Services	October 2012, revised February 2016
Sustainable Drainage Systems Design Guide	April 2015
Community Facilities	September 2009, revised July 2013
North Colchester Growth Area	June 2012
Shop Front Design Guide	June 2011
Sustainable Construction	June 2011
Backland and Infill Development	December 2010
Car Parking Standards (ECC)	September 2009
Colne Harbour Masterplan	January 2008
Garrison Masterplan	November 2002

Table 2 Existing Guidance Notes and Development Briefs

Subject	Adoption Date
Canopy Cover Assessment	October 2022
Permitted Development	August 2022
ABRO Development Brief	December 2021
Dedham Vale Management Plan	2016
Planning for Broadband	February 2016
Managing Archaeology in Development	2015
Essex County Hospital	December 2014
Magdalen Street Rail Sidings	August 2014
Magdalen Street Development Brief	February 2014
Stanway Southern Sites Access Development Brief	December 2013
Developing a Landscape for the Future	September 2013
Tollgate Vision	July 2013
Rural Workers Dwellings	August 2012
Planning guidance note on Air Quality	August 2012

North Colchester Growth Area	June 2012
Town Centre Public Realm Lighting Strategy	June 2011
Development and Public Rights of Way Procedure and Policy for Public Path Creations	January 2010
Procedure for Public Path Diversions	June 2008
External Materials Guide for New Development	October 2007
	July 2004

Table 3 Proposed Supplementary Planning Documents

Subject	Expected Adoption Date
Shop Front Design Guide	Summer 2027

Appendix 2 – Summary of Amendments to the June 2024 LDS

In accordance with Section 15 (9A) (b) of the Planning and Compulsory Purchase Act 2004, a summary of the amendments made to the LDS since its last publication are set out below:

Cover Page	Updated with new dates
Tendring Colchester Borders Garden Community	Updated to align with progress Updated timetable
Neighbourhood Plans	Updated status for Myland, Tiptree, Copford. Great Tey
Statement of Community Involvement	Updated dates
Local Development Scheme timetable	Updated dates
Local Plan timetable	Updated dates
Local Development Scheme Gant chart	Removed Local Plan, Self and Custom build Housing and Planning Obligations SPD
Local Plan Gant chart	Created new chart for Local Plan progress only
Appendix 1	Updated table 1, 2 and 3

