

Guidance Note

Section 2 Colchester Local Plan 2017 to 2033

Proposed Main Modifications Consultation

4 October to 15 November 2021



Please read this guidance note before completing the response form

Introduction

The Colchester Local Plan was submitted to the Secretary of State on 9 October 2017 to begin independent examination by a government appointed Inspector. Section 1 of the Local Plan (Shared Strategic Section 1 Local Plan) for Colchester Borough Council, Braintree District Council and Tendring District Council as adopted by Colchester Borough Council on 1 February 2021.

Section 2 of the Local Plan (which contains policies and allocations specific to Colchester only) has been examined separately, following adoption of the Section 1 Local Plan. In accordance with Section 20 (7C) of the Planning and Compulsory Purchase Act 2004, following hearing sessions in April 2021, the Inspector has recommended main modifications he considers necessary to make the plan sound.

A six week consultation on the proposed main modifications is to occur from **4th October and ending at 5pm on 15th November 2021**. All relevant comments received during the consultation period will be considered by the Planning Inspectors before any modifications are finalised.

The consultation documents consist of:

- Schedule of Proposed Main Modifications
- Schedule of Proposed Additional Modifications
- Schedule of Proposed Policies Map Modifications
- Sustainability Appraisal (SA)
- Habitats Regulation Assessment (HRA)

The consultation relates specifically to these documents and in particular the main modifications which have been recommended by the Inspectors. This consultation is not an opportunity to repeat or raise further representations about the published plan or to seek further changes to the plan.

A 'Tracked Changes' version of the Section 2 Local Plan has also been produced to show how the proposed modifications would appear in full. All consultation documents are available to view on the Council's Examination website www.colchester.gov.uk/local-plan

Hard copies of the consultation documents will be available at the Colchester Town Library during the consultation.

Part A - Personal Details

Please note that it is not possible for representations to be considered anonymously. Representations will be published on the Council's website and forwarded to the Inspectors. Address and contact details will be removed from published responses.

The Council reserves the right not to publish or take into account any representations which it considers offensive or defamatory.

Please supply an email address if you have one as it will allow us to contact you electronically. Everyone who submits a representation will be added to the relevant consultation database (if not already included) so that we can keep you up to date with the plan. If you do not wish to be contacted in this way, please state this clearly on the form.

If an agent or consultant has been engaged to act on your behalf please fill in both sets of details in full. Correspondence will be sent to the agent.

Please use a separate form where possible, for each proposed main modification and/or document on which you are commenting. You only need to send each comment once. All representations received by the Council will be submitted to the Inspectors. You do not need to complete and return this form if you have completed a response using the Council's online Consultation Portal.

Part B – Representation

Comments are invited to the consultation documents only:

1. **Schedule of Proposed Main Modifications**

There are 95 proposed main modifications recommended by the Inspector to make the draft Section 2 Plan sound and legally compliant. The Inspector will take all the responses to this consultation into account before finalising the main modifications. Please include the main modification number within your response.

2. **Schedule of Proposed Additional Modifications**

There are 77 proposed additional modifications of a minor of factual nature that are also published for consultation. These are suggested by the Council and are not specifically requires the Inspectors to make the Plan sound and legally compliant. However, in the interest of transparency and completeness the Council is inviting comments on these.

3. **Schedule of Policies Maps Modifications**

There are 21 proposed modifications to the Policies Maps which are either to reflect the proposed main modifications or to update factual inaccuracies.

4. **Sustainability Appraisal (SA)**

The SA is an assessment of the environmental, social and economic effects of the Section 2 Local Plan, as proposed to be modified.

5. **Habitats Regulations Assessment (HRA)**

The HRA reports the effects of the Section 2 Local Plan, as proposed to be modified.

Soundness

Soundness is explained in National Planning Policy Framework (NPPF) paragraph 182. The Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy.

More details and further guidance on what is meant by the term 'soundness' can be found below and at; www.planningportal.gov.uk

Positively prepared

This means that the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified

The Plan should be the most appropriate strategy when considered against reasonable alternatives, based on a proportionate, robust and credible evidence base.

Effective

The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities, sound infrastructure delivery planning and no regulatory or national planning barriers. It should be flexible to changing circumstances

Consistent with national policy

The Plan should be consistent with national policy. Departure must be clearly justified.

If you think the content of the Plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:

- Is the issue with which you are concerned already covered specifically by national planning policy? If so it does not need to be included?
- Is what you are concerned with covered by any other policies in the Plan on which you are seeking to make representations or in any other Plan?
- If the policy is not covered, how is the Plan unsound without the policy?
- If the Plan is unsound without the policy, what should the policy say?

Further Details

Using the spaces provided please give details of your view on the:

- Schedule of Proposed Main Modifications; or
- Schedule of Proposed Additional Modifications; or
- Schedule of Proposed Policies Map Modifications; or
- Sustainability Appraisal (/SA); or
- Habitats Regulation Assessment (HRA)

If your representation is over 100 words, please include a summary of its main points in the box provided.

Where there are groups who share a common view on how they wish to see a Plan modified, it would be very helpful for that group to send a single representation which represents the view. In such cases the group should indicate how many people it is representing and how the representation has been authorised.

All representations will be considered, published on the Council's Consultation Portal in accordance with the Data Protection Act 2018 and General Data Protection Regulation. We will submit all representations received to the Independent Planning Inspector appointed to examine the Local Plan. Representations made to the additional and policy map modifications are for the Council to consider.

Representations can be made:

- Via the Council's online consultation portal: <https://colchester.oc2.uk/>
- Via the representation form which can be downloaded from the [website](#) and returned via email to local.plan@colchester.gov.uk
- or by post to:
Planning Policy
Colchester Borough Council
Rowan House
33 Sheepen Road
Colchester
CO3 3WG

Submitting your response Online using the consultation portal which can be found: <https://colchester.oc2.uk/>

Guide to Using the Online Consultation System

You can use the online consultation system to make representations during the Local Plan public consultation.

Registering, Logging-In or Requesting a New Password

Step 1: Use the options in the box at the top of the consultation page to Register or Login: <https://colchester.oc2.uk/>
If you have already registered for a previous consultation you do not need to register again, you just need your e-mail address and password to Login. If you can't remember your password you can request a new one. (If you need further help registering, please use our guide on the website or contact us – details below.)

Making a Representation (Before you start please the information above)

Step 2: Select the document you wish to view or comment on from the '**Current Documents Open to public consultation**' box. This consultation is the **Draft Schedule of Main Modifications to Section 2 Colchester Local Plan**


Step 3: From the contents page click on the Modification that you are interested in. (You can submit multiple representations)

Step 4: To submit a representation, click on the speech bubble icon adjacent to the Modification that you are interested in and complete the online response form.



Note: By choosing **Support** at the start of the form you are indicating that you consider the Plan to be Sound and Legally Compliant.
By Choosing **Object** you will be asked further questions regarding Soundness and Legal Compliance.

Step 5: You will receive an email for each of the comments you have submitted which is your confirmation that we have received your representation.

Step 6: To view representations that have been made, click on the following icon  icon

Attachments can be uploaded with your representation where necessary to support the representation, e.g. plans or images. (Abode PDFs or Image files each document up to 4MB)

Please note: Your Representation may not appear online until after the close of consultation. You do not need to e-mail / post your response as well as submitting it online.

Key Points:

- You can save your response and go back to it;
- Drafts are automatically saved under “my drafts” at the top of the page next to your name.
- If you use the back button and loose the form you can go to “my drafts” to continue with your representation
- You may find it helpful to open the response form in a separate window/new tab (Right click when you open the form (via the speech bubble icon) so you can view the document as you make your representation.
- You can edit/delete draft responses at any-time until they are submitted
- You can submit as many representations as you wish on different issues under the same submission
- If you are an Agent you only need to register once and can add as many clients as you wish to make representations on their behalf
- You will be asked for a summary if your full representation is greater than 100 words, but you can write as much as you wish within the full representation
- You can upload attachments- there is no limit to the number of attachments although each one is limited to 4MB (Adobe PDF / Image files).
- Once you have logged in, you can view all representations you have previously made and any drafts not yet submitted

Note: Using the online system at <https://colchester.oc2.uk/> ensures accurate interpretation of your representation, guaranteed receipt within the deadline, and the most efficient use of the Councils time during the examination process.

For further information on using the online consultation system and making representations please see the help guide via - <https://colchester.oc2.uk/instructions> or email Local.Plan@colchester.gov.uk or call a member of the Policy Team on 01206 282975 or 01206 282541 or 01206 282625