

28 January 2013

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Title	Regeneration		☎ 506477
Wards affected	Review of the Adopted Colchester Borough Local Plan		
	All		

The Local Plan Committee is asked to agree a focused review of the Local Plan.

1. Decision(s) Required

- 1.1 To agree to a focused review of the Local Plan and in particular the Core Strategy and Development Policies Development Plan Document (DPD) in light of the national planning policy framework (NPPF).

2. Reasons for Decision(s)

- 2.1 The Council previously agreed to undertake a review of the Core Strategy commencing at the end of 2012. Work commenced with a review of the evidence base and this report sets out how it is intended to proceed. The NPPF sets out the National Planning Policy that all Councils need to implement and local authorities will need to revise their development plans to take into account the policies contained within the Framework.

3. Alternative Options

- 3.1 The committee could decide not to review the Local Plan.

4. Supporting Information

- 4.1 Colchester is in the fortunate position of having a full suite of adopted Local Plan documents. The Core Strategy was adopted in 2008 and the Site Allocations DPD and Development Policies DPD were adopted in 2010. A number of supplementary planning documents have also been adopted. In 2010 the Council agreed to commence an early review of the Core Strategy and this is reflected in the Local Development Scheme (LDS) which was approved in January 2011 and updated in November 2011.
- 4.2 In March 2012 the Government published the National Planning Policy Framework and the Town and Country Planning (Local Planning) (England) Regulations 2012. Each local planning authority is required to produce a Local Plan for its area which can be reviewed in whole or in part to respond flexibly to changing circumstances.
- 4.3 The Local Plan should be based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals. Work on revising the evidence base for Colchester is already under way in accordance with the LDS; a retail study was commissioned last year as was an affordable housing report. The Council are working with other Essex

authorities to develop a strategic housing market assessment which covers a large housing market area and will help demonstrate the duty to co-operate.

- 4.4 The NPPF introduces a requirement for public bodies to have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to strategic priorities such as housing and job numbers. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.
- 4.5 The NPPF replaced over 1000 pages of national policy and guidance and the review will allow the Council to update the documents to ensure they comply fully with national policy and address any gaps left by the removal of more detailed guidance. In addition, the regional spatial strategy (RSS) which comprised the East of England Plan, was revoked on 3rd January 2013. The review will also allow for consideration of any gaps left by the removal of this document. The NPPF sets out new Government planning requirements and objectives in relation to issues such as housing, employment, transport, the historic and natural environment etc. The NPPF is a material consideration in the preparation of local development plans and planning decisions although the NPPF makes it clear that it does not change the statutory status of the development plan as the starting point for decision making. However, the NPPF sets out the National Planning Policy that all Councils need to implement. Local authorities will need to revise their development plans to take into account the policies contained within the Framework.
- 4.6 In light of the requirements of the NPPF, the Council has undertaken a review of its Local Plan and has identified a number of policies within its Core Strategy and Development Policies DPD that would benefit from amendments in order to be fully consistent with the advice contained within the NPPF. Because the Local Plan is relatively recent and most elements remain extant and up to date it is only considered necessary to carry out a focused review at this stage rather than starting from scratch. It is considered that the local plan as a whole is sound and consistent with the requirements of the NPPF. The vision for the future growth of the area and the strategies to deliver this remain robust, such that any revisions or amendments of the Spatial Strategy will not fall within the scope of this review. The Council is not therefore proposing to review its Site Allocations DPD or revisit any of its housing and employment targets and allocations, other than to add flexibility as required by the NPPF. Instead, it is undertaking a Focused Review which involves amending a selected number of policies to accord with current Government advice.
- 4.6 The main steps in the local plan production process will be;
1. publication of the proposals for a local plan, consultation on it and consideration of representations (regulations 18 to 20);
 2. submission to the Secretary of State, independent examination of the local plan and publication of the recommendations of the person appointed to examine the local plan (regulations 22 to 25); and
 3. adoption of the local plan by the local planning authority (regulation 26).
- 4.7 The first stage of consultation involves asking what the local plan review should address. A scoping consultation will take place on the policies which it is considered necessary to amend to comply with national policy and changing circumstances. The responses will help inform and finalise the policies that require amendment prior to submission to the Secretary of State for examination. Issues already identified include;
- the addition of model wording published by the Planning Inspectorate to help local planning authorities ensure that local plans reflect the presumption in favour of sustainable development contained within the NPPF
 - the need for a policy on rural workers dwellings

- the provision of affordable housing
- rural exception sites
- density and design
- consideration of a more flexible approach to employment development in North Colchester and Stanway Growth Areas to reflect the NPPF and economic trends
- possible identification of broad locations for growth in future years.

4.8 The process of undertaking a Focused Review of the local Plan will be underpinned by a Sustainability Appraisal which will assess the environmental, social and economic performance of the Focused Review policies against a set of sustainability objectives. In addition, a Habitats Regulations Assessment will also be prepared to assess the likely significant effects the Focused Review policies will have upon one or more European Sites.

5. Proposals

5.1 Members are requested to agree to proceed with a focused review of the Local Plan.

6. Strategic Plan References

6.1 The Strategic Plan Action Plan includes a commitment to regenerate the Borough through buildings, employment, leisure and infrastructure, and enable local communities to help themselves.

7. Consultation

7.1 Public consultation will take place in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012. Regulation 18 requires the Council to invite representations about what the local plan ought to contain. Regulation 19 requires further consultation before the plan is submitted to the Secretary of State under section 20 of the Planning and Compulsory Purchase Act 2004.

7.2 The consultation will be publicised by way of press release and by sending notification to people and companies on the Council's Local Plan consultation database.

7.3 Copies of the consultation document and supporting information will be made available on the Council's website, Colchester Library and in the Customer Service Centre.

7.4 Representations will be accepted electronically through the website or in hard copy.

8. Publicity Considerations

8.1 Attention could well be focused on the review of the Local Plan, resulting in publicity for the Council.

9. Financial Implications

9.1 A budget has been allocated for the review which funds the updating of evidence based documents, consultation and examination.

10. Equality, Diversity and Human Rights implications

10.1 An Equality Impact Assessment has been prepared for the Local Development Framework and is available to view on the Colchester Borough Council website by following this pathway from the homepage: Council and Democracy > Policies, Strategies and Performance > Diversity and Equality > Equality Impact Assessments > Strategic Policy and Regeneration > Local Development Framework.

10.2 There are no particular Human Rights implications.

11. Community Safety Implications

11.1 None

12. Health and Safety Implications

12.1 None

13. Risk Management Implications

13.1 Review of the Local Plan will reduce the risk of inappropriate development being permitted.