



Local Plan Committee

Item
9

29 July 2013

Report of	Head of Commercial Services	Author	Laura Chase ☎ 282473
Title	Draft Submission Focused Review of the Adopted Colchester Borough Local Plan		
Wards affected	All		

The Local Plan Committee is asked to agree the content of the Draft Submission Focused Review of Adopted Colchester Local Plan policies for publication and subsequent submission to the Government.

1. Decision(s) Required

- 1.1 To agree the content of the Submission Draft Focused Review of the Local Plan (attached as an Appendix to this report).
- 1.2 To agree to publish and make available the document and all supporting information, including the Sustainability Appraisal, in order that representations relating to issues of soundness can be made.
- 1.3 To subsequently submit the Submission Focused Review document to the Government for examination.
- 1.4 For the Committee to delegate authority to the Spatial Policy Manager to make minor revisions to the document prior to publication and submission.

2. Reasons for Decision(s)

- 2.1 To ensure the Council's adopted local plan framework for the Borough provides a robust basis for decisions on future planning applications and accords with national policy.

3. Alternative Options

- 3.1 The alternative would be not to proceed with a Focused Review. This, however, would not ensure that the Council has an up-to-date planning framework to guide new development.

4. Supporting Information

- 4.1 At its 28 January 2013 meeting, the Local Plan Committee agreed in principle to undertake a focused review of its planning policies to update them to ensure the compliance of revised policies with the

National Planning Policy Framework (NPPF). National policy continues to highlight the primacy of plans in guiding development, and paragraph 12 of the NPPF states that 'it is highly desirable that local planning authorities should have an up-to-date plan in place.'

- 4.2 Colchester's strategy for maintaining an up-to-date plan entails a two-stage approach. The first stage is the initial limited review of policies which can be readily amended without the need to prepare further evidence in respect of those specific policies. The second stage is the Full Review, which will include amendments to the spatial strategy, housing and employment targets, and site allocations as these issues require the support of updated evidence base work. Evidence base work is now underway, and consultation on the Full Review will follow the Focused Review in 2015.
- 4.3 The policies amended by the Focused Review will replace the previous versions of these policies contained with the adopted Core Strategy 2008 and the Development Policies 2010 documents. All other policies will remain unchanged as they will not be tested through the Examination process until they are reviewed as part of the Full Review process. All existing documents will be replaced by a new Local Plan over the next few years, as shown in the Local Development Scheme.
- 4.4 On 11 March 2013 the Local Plan Committee approved a public consultation about changes to a number of policies in the Core Strategy and Development Policies Development Plan Documents (DPD) as part of the focused review of the Local Plan to update it and ensure conformity with the National Planning Policy Framework. The 3 June 2013 Committee considered a report setting out the responses received to the consultation and how the Council intended to address the issues raised. The Council has now produced a submission version of revised policies for Committee approval which reflects the earlier phases, including analysis of the NPPF, consultation responses, Sustainability Appraisal work, and evidence base findings.
- 4.4 The revised policies are included in the appended document, along with an explanation for why changes are proposed. Policy changes have been proposed for the following areas:

Sustainable development –the Government's model policy has been added in noting the presumption in favour of sustainable development contained in the NPPF (Core Strategy Policy SD1)

Changes to the system of planning obligations and introduction of Community Infrastructure Levy –the text has been modified to reflect latest guidance on planning contributions to both on-site and strategic infrastructure improvements (Core Strategy Policies SD2, SD3 and Development Policy DP3)

Centres and Employment – whilst the Centres and Employment policies did not appear on the initial list of suggested policies for focused review, officers agreed with consultation responses that the Centres and Employment policies required review to ensure the NPPF definition of centres is adequately reflected and that policy provides greater flexibility for employment-creating uses. Revised policies will note that the new policies supersede those aspects of Site Allocations policies NGA3 and STA3 in so far as they relate to retail and employment to ensure there is no conflict with the NPPF.

Affordable housing –the policy on affordable housing will be modified to comply with the NPPF’s requirements to pay careful attention to viability and costs in plan-making and decision-taking. Viability also relates to the changing economic circumstances since the policy was adopted in 2008 (Core Strategy Policy H4)

Housing density and mix - tables on density and housing mix are proposed for deletion since they do not adequately reflect particular site constraints and requirements and accordingly may not fully accord with the greater flexibility provided in the NPPF. (Core Strategy Policies H2 and H3).

Neighbourhood Planning –policies now include references where appropriate to the new system of Neighbourhood Plans (Core Strategy Policy ENV2)

Rural Issues

Rural exception sites – policies have been modified to allow for a limited degree of market housing on rural exception sites to enable the delivery of affordable housing (Core Strategy Policy H4 and ENV2)

Rural workers’ housing–a new Core Strategy Policy on rural workers housing has been included to provide guidance that is no longer provided nationally. (Core Strategy Policy H6)

Rural employment –the Development Policy on rural employment has been revised to reflect the increased emphasis in the NPPF of the benefits of supporting appropriate and sustainable rural enterprise. (Development Policy DP9)

Equestrian uses -The changes to the rural policies noted above are considered to address the issues previously covered in the detailed policy on equestrian uses (DP24) so the policy is proposed for deletion.

Minor changes - a number of references have been removed/updated to Planning Policy Statements and other documents that have since been revoked and/or replaced.

- 4.5 The process of undertaking a Focused Review of the Local Plan is underpinned by a Sustainability Appraisal which enables the

environmental, social and economic performance of the Focused Review policies to be assessed against a set of sustainability objectives. In addition, a Habitats Regulations Assessment (HRA) screening opinion has also been prepared to assess the likely significant effects of the Focused Review policies on European Sites in the area. The Scoping Report for the SA and the HRA Screening opinion were published alongside the Focused Review of the Local Plan for comment as part of the Issues and Options consultation.

5. Proposals

5.1 It is proposed that the Draft Submission Focused Review of the Local Plan be approved for publication under regulation 27.

5.2 The next stage in the Plan process will be to carry out pre-submission consultation under regulation 27 for a six-week period to run from 5 August – 16 September 2013. This provides for the local authority to publish and make available the documents it proposes to submit to the Secretary of State for examination. These include:

- the Focused Review document (as proposed to be submitted)
- the sustainability appraisal report
- a statement on consultation and involvement in the plan preparation.

The consultation will include public workshops for interested stakeholders.

5.3 Following this consultation stage, the Council must prepare a summary of the representations made and consider if any changes should be made to the document before submission to the Government for Examination, and if found sound, adoption by the full Council.

6. Strategic Plan References

6.1 The Strategic Plan Action Plan includes a commitment to regenerating the borough through buildings, employment, leisure and infrastructure. There are also commitments to attract investment and provide more affordable homes. The Focused Review of the Local Plan can help achieve these objectives.

7. Consultation

7.1 Public consultation is being carried out in accordance with the Council's Statement of Community Involvement and the Town and Country Planning (Local Planning) (England) Regulations 2012 and entails publication of the document and associated evidence on the Council's website, notification to stakeholders, and ensuring the availability of hard copies of the documents at Council offices and the main Library. The Issues and Options consultation on the Focused Review of the Local Plan was held from 18 March – 29 April 2013 and resulted in 27 written responses which were reported to the 3 June

Local Plan Committee. The second phase of consultation is the submission stage (Regulation 27). Prior to submission of a plan to Government for examination the Council is required to prepare a report describing the consultation carried out at each phase of the Local Plan document development process.

8. Publicity Considerations

- 8.1 There is likely to be continued interest as the Focused Review of the Local Plan progresses 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 > Development Plan.

- 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.

14. Disclaimer

- 14.1 The information in this report was, as far as is known, correct at the date of publication. Colchester Borough Council cannot accept responsibility for any error or omissions.