**Guidance Note and Response Form**

**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 was 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 15 November 2021**. All relevant comments received during the consultation period will be considered by the Planning Inspector 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 Inspector. 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 via the Council’s Examination website [www.colchester.gov.uk/local-plan](http://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 Inspector. 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 Inspector. 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 drat 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.

1. **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 required by 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.

1. **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.

1. **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.

1. **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**](http://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 modifications are for the Council to consider.

Representations can be made:

* Via the Council’s online consultation portal:

<https://colchester.oc2.uk/>

* Via this representation form which can be downloaded from the [website](https://www.colchester.gov.uk/local-plan/) 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

 

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| For internal Use only | ID: |  | Rep No: |  |
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**Section 2 Colchester Local Plan 2017 to 2033**

**Proposed Modifications**

**Response Form**

**Consultation 4 October to 15 November 2021**

Responses are encouraged via the council’s online consultation system available on the website, see <https://colchester.oc2.uk/>

However, this form can be returned electronically to local.plan@colchester.gov.uk or in hard copy if necessary to:

Planning Policy, Colchester Borough Council, Rowan House, 33 Sheepen Road, Colchester CO3 3WG

#### The consultation runs from 4 October to 15 November 2021

This form has two parts:

Part A - Personal Details and Part B - Your comments

#  PART A

### Personal Details

Title

First Name Last Name Organisation

*(Where relevant)*

Address Line 1

Address Line 2

Address Line 3 Post Code

E-mail Address

Telephone Number

### Agent’s Details (if applicable)

Title

First Name Last Name Organisation Address Line 1

Address Line 2

Address Line 3 Post Code

E-mail Address

Telephone Number

#  PART B

**REPRESENTATION FORM**

**Please Note:** Representations must be specific and **only** relate to the Schedule of Proposed Main Modifications, and/or Schedule of Proposed Additional Modifications, and/or Schedule of Policies Maps Modifications, and/or Sustainability Appraisal (SA) and/or Habitats Regulations Assessment (HRA).

#### Please specify which consultation document your comment relates to by ticking one of the following:

[ ] Schedule of Proposed Main Modifications

[ ] Schedule of Additional Modifications

[ ] Schedule of Policies Maps Modifications

[ ] Sustainability Appraisal (SA)

[ ] Habitats Regulations Assessment (HRA)

#### What is the Modification Number you are responding to?

#### With the inclusion of the Proposed Main Modifications, do you consider the Plan is Sound?

[ ] Yes [ ] No [ ]  Not Applicable as comments on Additional Modifications, Policies Maps, SA or HRA

#### If you do not consider the Local Plan is sound, please specify on what grounds:

[ ] Positively prepared [ ] Justified [ ] Effective [ ] Consistent with National Policy

#### Enter your full representation here:

*Continue onto next page*

#### If your representation is more than 100 words, please provide a brief summary here:

**Please specify the changes needed to be made to make the Plan sound:**

**Please tick if you wish to be notified of the following:**

[ ] When the Inspector’s Report is published

[ ] When the Local Plan Section 2 is adopted

Return by 5pm – 15 November 2021

By email: Local.Plan@colchester.gov.uk

By Post: Planning Policy, Colchester Borough Council, Rowan House, 33 Sheepen Road, Colchester, CO3 3WG

Colchester Borough Council, together with its wholly-owned subsidiary Colchester Commercial (Holdings) Ltd, collects, holds and processes a considerable amount of information, including personal information, to provide services effectively. We do this in our capacity as a data controller. Our privacy policy can be viewed via: [www.colchester.gov.uk/privacy-policy](http://www.colchester.gov.uk/privacy-policy)