

11 July 2018		ITEM: 14 (Decision 110476)
Cabinet		
Development Plan Update		
Wards and communities affected: All	Key Decision: Key	
Report of: Cllr Mark Coxshall, Portfolio Holder for Regeneration		
Accountable Assistant Director: Andy Millard, Assistant Director Planning, Transportation and Public Protection		
Accountable Director: Steve Cox, Corporate Director of Place		
This report is Public		

Executive Summary

The need for growth in housing and employment due to population and lifestyle changes and an evolving economy means that Thurrock and the wider South Essex sub-region will change considerably over the next 20-30 years. Having an up-to-date Development Plan is a key component in ensuring that the Borough grows in a way that is socially, economically and environmentally sustainable with the necessary supporting infrastructure in place.

This report seeks approval for a range of documents that will support the delivery of the Development Plan.

1. Recommendation(s)

That Cabinet:

- 1.1 Approve the South Essex Statement of Common Ground (Appendix A) prepared by the Association of South Essex Local Authorities to guide the preparation of a Joint Strategic Plan for South Essex**
- 1.2 Approve the publication of the revised Local Development Scheme (Appendix B) and grant delegated authority to the Corporate Director of Place, in consultation with the Portfolio Holder for Regeneration and in discussion with the Leaders and Deputy Leaders of each political party, to update the content of the document as and when appropriate**

- 1.3 **Agree that formal consultation on the updated Statement of Community Involvement (Appendix C) be carried out in accordance with the relevant regulations and to agree that any changes resulting from that consultation are delegated to the Corporate Director of Place, in consultation with the Portfolio Holder for Regeneration for adoption.**

2. Introduction and Background

- 2.1 The need for growth in housing and employment due to population and lifestyle changes and an evolving economy means that Thurrock and the wider South Essex sub-region will change considerably over the next 20-30 years. Having an up-to-date Development Plan is a key component in ensuring that the borough grows in a way that is socially, economically and environmentally sustainable with the necessary supporting infrastructure in place.
- 2.2 In February 2014 Cabinet gave approval to undertake a review of the Core Strategy and begin the preparation of a new Local Plan. It was intended at that point that the Local Plan would address both strategic and detailed planning issues relating to housing, employment, retail, infrastructure and the environment. Since then the situation across South Essex has evolved and there is increased recognition that there is a need to explore opportunities to develop a more coordinated planning approach across the wider area to better manage change and ensure that Local Plans being prepared by individual authorities are found sound by an Independent Planning Inspector and fulfil Duty to Cooperate requirements.

South Essex Statement of Common Ground

- 2.3 In February 2017, the Government introduced the proposition that all Local Planning Authorities (LPAs) be required to prepare a 'Statement of Common Ground' (SCG) to help manage strategic planning matters across local authority areas and strengthen the Duty to Cooperate.
- 2.4 Since then the Association of South Essex Local Authorities (ASELA)¹ has embarked upon a programme of work which would lead to a shared 'place ambition' and greater collaboration on strategic priorities to support long term growth. The South Essex Statement of Common Ground (Appendix A) was prepared to support this process and set out the project management arrangements for a Joint Strategic Plan.

¹ ASELA consists of The South Essex LPAs of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea and Thurrock, together with Essex County Council

- 2.5 The Statement of Common Ground is proposed to be agreed by all seven partner authorities by the end of July 2018, initiating the formal process for preparing the Joint Strategic Plan.

Thurrock Local Plan

- 2.6 Preparation of the Local Plan must follow a number of stages to ensure that local people and stakeholders are fully engaged in the process and its content is based on robust evidence, the proper consideration and testing of alternative strategies and then finally external examination by an Inspector appointed by the Secretary of State.
- 2.7 The first consultation on the new Local Plan, Issues and Options Stage 1 consultation document was published in February 2016 and focused on thematic policy areas. Since then the Council has undertaken a number of informal consultations and commissioned additional technical evidence to better understand the issues and opportunities that exist in communities.
- 2.8 The purpose of the Issues and Options (Stage 2) consultation will be to set out a range of options indicating how Thurrock should develop and grow in the future and where, in broad terms, new development should be located to meet identified needs. It is important to note that the consultation will not be concerned about which specific sites should be allocated in the Local Plan for development. However, following this consultation and based on the responses received, a preferred broad spatial strategy for accommodating Thurrock's future needs will be developed and consulted upon at a later stage.

Changes to the Thurrock Local Development Scheme

- 2.9 Local Authorities are required to set out in a project plan and timetable for the production of their Development Plan. This document, known as the Local Development Scheme (LDS), identifies the stages that have to be completed before the documents within an authority's Development Plan can be submitted to the Secretary of State and then adopted by the Council following an Examination in Public.
- 2.10 Since the Council's previous LDS came into effect in December 2015 the Council has made significant progress in developing key parts of the Local Plan evidence base. These key evidence documents have indicated that the emerging Local Plan will need to explore opportunities for denser urban developments and green belt release if it is to meet its full objectively assessed housing needs over the next 20 years. This approach represents a radical change from the Council's current adopted planning policies. As such, the Council has undertaken additional more informal community consultation to ensure that the potential development options put forward in a formal Issues

and Options Stage 2 document better match the needs and wants of both new and existing communities.

- 2.11 The other main change is the proposed Joint Strategic Plan for South Essex, which when adopted would form part of each participating authority's Development Plan.
- 2.12 The revised LDS timetable (Appendix D) has been prepared to include updated timelines for the emerging Local Plan and the Joint Strategic Plan. A summary timetable for the key production stages of the Thurrock Local Plan and Joint Strategic Plan are shown in Figures 3 and 4. It is important to note that some of the dates have less certainty, such as adoption dates, as they depend on the timing and length of examinations (indicated in italics).

Figure 3 – Thurrock Local Plan Preparation Timetable

Plan Preparation Stage	LDS Target Date
Issues and Options Stage 1: Strategic Policies	February/March 2016
Issues and Options Stage 2: Spatial Options and Sites	July 2018
Draft Local Plan	September 2019
Publication Draft of the Local Plan	September 2020
Submission of the Local Plan	November 2020
<i>Adoption</i>	<i>July 2021</i>

Figure 4 – Joint Strategic Plan Preparation Timetable

Plan Preparation Stage	LDS Target Date
Draft Joint Strategic Plan	February 2019
Publication Draft of the Joint Strategic Plan	December 2019
Submission of the Joint Strategic Plan	March 2020
<i>Adoption</i>	<i>November 2020</i>

Changes to the Statement of Community Involvement

- 2.13 Planning affects everyone in our community, however most people only get involved in planning when it directly affects them. The local planning authority is usually responsible for deciding where development takes place and what happens in our towns, villages, open spaces and environment. The Council does this by preparing elements of the development plan and determining planning applications.
- 2.14 National policy states that the Government’s planning policies and must be taken into account in the preparation of development plans and planning application decisions. The NPPF states that the planning system should be easier to understand, more accessible and with a commitment to involving all who are interested in planning “Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that local plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of an area, including those contained in any neighbourhood plans that may have been made...” NPPF - Paragraph 155.
- 2.15 The Statement of Community Involvement (SCI) explains how we will involve local communities, businesses, and other interested parties when we prepare our planning policies and determine planning applications.
- 2.16 Since the previous SCI was adopted in December 2015 the Council has undertaken a comprehensive review of its consultation practices and is now committed to delivering a more comprehensive and interactive place based approach to consultation. There was also a need to refresh elements of the document to ensure that there is consistent approach to consultation across

South Essex authorities. This will be increasing important when work on the Joint Strategic Plan starts in earnest.

2.17 Main changes to the revised Statement of Community Involvement include

- the introduction of new corporate consultation principles including a reference to the 'Your Place, Your Voice' consultation technique
- streamlining the consultation process for preparing Local Plan Documents to provide greater flexibility at the Regulation 18 stage
- The council's approach to Planning Performance Agreements with those developing schemes

3. Issues, Options and Analysis of Options

3.1 The Statement of Common Ground will help manage strategic planning matters across South Essex and strengthen the Duty to Cooperate.

3.2 The Council has a responsibility to produce and keep updated its Local Development Scheme and Statement of Community Involvement. The proposed revisions to both documents are considered necessary to both meet those requirements and appropriately assist in moving the Development Plan forward.

4. Reasons for Recommendation

4.1 It is essential that the Council has an up to date Development Plan in place and the supporting documentation that will help drive its delivery.

5. Consultation (including Overview and Scrutiny, if applicable)

5.1 Progress statements on the emerging Development Plan are regularly presented to the Portfolio Holder for Regeneration and the Leaders and Deputy Leaders of each elected political party. Reports are also regularly prepared for the Planning, Transportation and Regeneration Overview and Scrutiny Committee and presentations made to Group meetings. This consultation will continue as the Development Plan emerges.

6. Impact on corporate policies, priorities, performance and community impact

6.1 The Local Plan has an impact on the delivery of all of the Council's corporate objectives.

7. Implications

7.1 Financial

Implications verified by: **Laura Last**
Management Accountant

There is a dedicated budget for plan making to cover the basic costs of preparing planning policy documents. Recently the Council has sought to increase this budget by utilising a percentage of the planning fees uplift to support plan making and fund additional posts in the service.

The Council will also explore the potential to secure additional funding and “in kind” assistance from key delivery partners, including the Government in order to assist in the development and delivery of key infrastructure requirements and an increase in housing delivery rates.

The Council will also be actively encouraging promoters of key/strategic sites to enter into a policy led planning performance agreement (PPA)². Policy PPA’s would be used a project management tool which enable all parties to be clear about what is required of them at all stages of the plan making process. The cost of a PPA will depend on the scale of the proposed site, the resources required and input from officers for the project. It will be based on daily rates for officers, including overheads. We may need to bring in additional expertise or temporary staff, which will be funded by the site promoter.

7.2 Legal

Implications verified by: **Benita Edwards**
Interim Deputy Head of Law (Regeneration)

The current system of plan making is contained in the Planning and Compulsory Purchase Act 2004 and the Town & Country Planning (Local Planning) (England) Regulations 2012 , and supported by the National Planning Policy Framework and Planning Practice Guidance.

Pursuant to Section 17(3) of the PCPA 2004 the Local Planning Authority’s local development documents must (taken as a whole) set out its policies relating to the development and use of land in its area.

² It should be noted that Policy PPA’s and the process of undertaking the PPA will in no way prejudice or pre-judge the outcome of plan making in Thurrock and/or the wider South Essex area.

If any of the Authority's planning policy documents meet the definition set out within Regulation 5 of the 2012 Regs, they must be prepared as local development documents and be known as a local plan. Therefore any document produced by the Authority which provides for the development or use of land which the Authority wishes to encourage within a specified period, or allocation of sites or development management policies which are intended to guide development, it is likely to fall within the statutory definition and therefore be part of the local plan and therefore subject to the statutory procedure.

The Authority also has a statutory duty pursuant to Section 13 of the PCPA 2004 to keep under review matters which may affect the development of its area.

Under Section 17(6) PCPA 2004 the Authority must keep under review its local development documents in light of any review of its policies.

The Secretary of State's powers pursuant to Section 27 of PCPA 2004 apply where they think that the Authority are failing or omitting to do anything necessary in connection with the preparation, revision or adoption of a development plan document. They may prepare or revise a plan or direct that the Authority or another do so.

7.3 Diversity and Equality

Implications verified by: **Natalie Warren**
Strategic Lead, Community Development and Equalities

The Council has a statutory duty under the Equality Act 2010 to promote equality of opportunity in the provision of services and employment opportunities. The adoption of a new SCI will ensure that the consultation process associated with the emerging Development Plan will provide an opportunity for all sections of the community, including harder to reach groups, to become fully involved in helping to shape the future planning and development of Thurrock.

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

There are no other implications associated with the report

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- Local Development Scheme (December 2015) - https://www.thurrock.gov.uk/sites/default/files/assets/documents/local_development_scheme_2015.pdf
- Statement of Community Involvement (November 2015) - https://www.thurrock.gov.uk/sites/default/files/assets/documents/statement_community_involvement_201511.pdf

9. Appendices to the report

- Appendix A – South Essex Statement of Common Ground
- Appendix B – Local Development Scheme (due to the size of the document this will be available in full online at <https://www.thurrock.gov.uk/committees-meetings-minutes> and as a reference copy in the Members Area and Reception)
- Appendix C – Statement of Community Involvement (due to the size of the document this will be available in full online at <https://www.thurrock.gov.uk/committees-meetings-minutes> and as a reference copy in the Members Area and Reception)
- Appendix D - Development Plan Update - Local Development Scheme Timetable

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