

<b>28 January 2015</b>		<b>ITEM: 18</b>
<b>Council</b>		
<b>Adoption of Thurrock Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Yes	
<b>Report of:</b> Councillor Richard Speight – Portfolio Holder for Communities and Regeneration		
<b>Accountable Head of Service:</b> Andy Millard – Planning and Growth		
<b>Accountable Director:</b> David Bull – Planning and Transportation		
<b>This report is public</b>		

## **Executive Summary**

The Council's Core Strategy and Policies for Management of Development Development Plan Document was adopted in December 2011.

In March 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF indicates that plans may need to be revised to take into account the policies in the NPPF. This revision should be progressed as quickly as possible, either through a partial review or by preparing a new plan.

On 17 October 2012 Cabinet agreed that a review of the Council's Core Strategy and Policies for Management of Development be undertaken in response to publication of the NPPF.

On 24 April 2014 Cabinet agreed submission of the Focused Review for independent examination. The examination Inspector's report has been issued, and Council is now asked to agree that the resultant Focused Review document be adopted. This is in order to ensure that the Core Strategy and Policies for Management of Development are as robust, relevant, and up to date as is practicably possible at this time pending adoption of a new Local Plan.

### **1. Recommendations**

- 1.1 Agree with immediate effect the adoption of the Thurrock Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework, as modified in accordance with the examination Inspector's report.**

**1.2 Agree the Council make available in accordance with regulation 35 of The Town and Country Planning (Local Planning) (England) Regulations 2012:- (i) the adopted Focused Review; (ii) an adoption statement; (iii) the sustainability appraisal report, and (iv) details of the places and times when these documents can be inspected.**

**1.3 Agree that a copy of the adoption statement be sent to persons who have asked to be notified of the adoption of the Focused Review, and to the Secretary of State.**

## **2. Introduction and Background**

2.1 The Council's Core Strategy and Policies for Management of Development Development Plan Document was adopted in December 2011.

2.2 In March 2012 the Government published the NPPF.

2.3 On 17 October 2012 Cabinet agreed that a review of the Core Strategy be undertaken to achieve consistency with the NPPF and that a draft document be published for public consultation.

2.4 On 24 April 2013 Council agreed that a Submission Draft of the Focused Review be prepared, published and submitted for independent examination pursuant to Section 20 of the Planning and Compulsory Purchase Act 2004. The document was submitted on 1 August 2013.

2.5 The examination Inspector's report was issued to the Council on 15 October 2014. The report concludes that the Focused Review can be made sound and legally compliant provided that a number of modifications are made to it. In the light of issues which arose during examination the Council had requested the Inspector to recommend modifications to render the Focused Review capable of adoption.

## **3. Issues, Options and Analysis of Options**

3.1 The NPPF indicates that policies in a Local Plan should not be considered out of date simply because they were adopted prior to the publication of the NPPF. However the NPPF must be taken into account in the preparation of local plans, and thus Annex 1 of the NPPF indicates that plans may therefore need to be revised to take into account the policies in the NPPF. The Government advises that this revision should be progressed as quickly as possible, either through a partial review or by preparing a new plan.

3.2 Having reviewed the Core Strategy and Policies for Management of Development against the definition and presumption in favour of sustainable development found in the NPPF, and its 12 core principles, the Council was satisfied that no wholly new local plan was required. However there were instances where policies and supporting text needed to be revised to more

fully align the document with the detail of the NPPF and put into effect its requirements - hence the decision to undertake the Focused Review.

- 3.3 It became evident during the course of the examination that various modifications would have to be made to the Submission Document if it was to be found sound and legally compliant. Most significantly these modifications centre on the withdrawal of various policy amendments which could not be taken forward without an additional up-to-date evidence base the Council could not provide at this time.
- 3.4 Notwithstanding the more limited nature of the Focused Review it does take forward many beneficial changes. As Members will be aware, a more holistic review of the Core Strategy (and the creation of an integrated Local Plan) was approved by Cabinet earlier this year and is being progressed.
- 3.5 A table summarising the key outcomes of the Focused Review is appended.

#### **4. Reasons for Recommendation**

- 4.1 Council is recommended to agree that the Focused Review be adopted in order to ensure that the Council's Core Strategy and Policies for Management of Development are as robust, relevant, and up to date as is practicably possible at this time pending adoption of a new Local Plan.

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

- 5.1 Extensive consultation has taken place at various stages in the progress of this Local Plan in accordance with regulations, the Council's adopted Statement of Community Involvement, and Inspector's advice.

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

- 6.1 None of the changes are considered to be incompatible with corporate policies or priorities.

#### **7. Implications**

##### **7.1 Financial**

Implications verified by: **Mike Jones**  
**Management Accountant**

There are no direct financial implications associated with the recommendations of the report.

##### **7.2 Legal**

Implications verified by: **Vivien Williams**

## **Planning and Regeneration Solicitor, Legal and Democratic Services**

The preparation of the Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework has followed the requirements set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Planning and Compulsory Purchase Act 2004.

Following a formal decision by the Council to adopt the Focused Review, it will be subject to a 6 week challenge period. During this time it will be possible for persons to lodge a High Court challenge on legal or procedural grounds.

### **7.3 Diversity and Equality**

Implications verified by: **Teresa Evans**  
**Equalities and Cohesion Officer**

Consultation during the preparation of the Focused Review has taken place in accordance with the Council's adopted Statement of Community Involvement, and, so far as reasonably practicable, has given opportunities to all members of the community to participate and make their views known. The adoption version of the Focused Review contains no provisions that would have an inequitable impact on any part of the community.

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

By including changes to policies PMD1 – Minimising Pollution and Impacts on Amenity, Health, Safety and the Natural Environment, the Focused Review will facilitate decisions on planning applications being made with health considerations in mind.

The NPPF states that there are three dimensions to sustainable development: economic, social and environmental, and sets out roles for the planning system in relation to each. The changes contained in the Focused Review will assist the Council in fulfilling these roles.

## **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):

- National Planning Policy Framework. [www.gov.uk](http://www.gov.uk)
- The Town and Country Planning (Local Planning) (England) Regulations 2012. [www.legislation.gov.uk](http://www.legislation.gov.uk)
- Inspector's report 15 October 2014. [www.thurrock.gov.uk/planning-policy/](http://www.thurrock.gov.uk/planning-policy/)

## **9. Appendices to the report**

- Appendix 1 - Text for adoption version of Core Strategy and Policies for Management of Development Focused Review: Consistency with National Planning Policy Framework
- Appendix 2 - Table summarising the key outcomes of Focused Review

### **Report Author:**

Paul Clark

Principal Planner

Planning and Growth