

<b>7 September 2020</b>		<b>ITEM: 6</b>
<b>Planning, Transport, Regeneration Overview and Scrutiny Committee</b>		
<b>Thurrock Local Plan – Next Steps</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Not applicable	
<b>Report of:</b> Sean Nethercott, Strategic Lead Strategic Services		
<b>Accountable Assistant Director:</b> Leigh Nicholson, Interim Assistant Director Planning, Transport and Public Protection		
<b>Accountable Director:</b> Andy Millard, Director of Place		
<b>This report is Public</b>		

## Executive Summary

This report summarises the steps that the Council will need to take to prepare a sound Local Plan in accordance with all relevant legal and procedural requirements and consistent with national policy.

It also sets out some of the steps that the Council will take to mitigate the impact of Covid-19 on the local process, and to ensure that future public consultations are undertaken in a safe, open and inclusive way.

### 1. Recommendation

#### 1.1 That the Planning, Transport and Regeneration Overview and Scrutiny Committee provide comment on the contents of this report and the approach to preparing a new Local Plan

### 2. Issues, Options and Analysis of Options

#### Timescales and Programme

- 2.1 Although the effects of the Covid-19 lockdown has led to some delay in progressing the Plan, it is not considered that the timetable will slip considerably. Work has continued on the commissioning and completion of necessary technical work with only limited delays being experienced in getting this work completed. Additional work is now being undertaken to develop a more detailed project plan with a view to the Council publishing an updated

Local Development Scheme (LDS) in October 2020. A Member engagement programme will run in tandem.

- 2.2 The Government expects all Local Authorities to have a Local Plan adopted by December 2023. Work is underway to ensure that the Council meets this deadline and it may be possible to bring forward its adoption subject to funding and the Council being able to manage and mitigate any future delays caused to the plan-making arising from the Lower Thames Crossing Development Consent Order (DCO) process and the timescales for preparing the South Essex Plan.

#### Impact of Covid-19 on the plan-making process

- 2.3 The impact of the Covid-19 pandemic will have significant and potentially long lasting economic, social and environmental impacts all of which could have profound impacts on how we live, work and travel in the future. Notwithstanding the inherent difficulties that this causes, the Council is still required to progress the production of the Local Plan in order to avoid the threat of possible Government sanction and intervention.
- 2.4 Although the effects of the Covid-19 lockdown has led to some delay in progressing the Plan, work has continued on the commissioning and completion of necessary technical work with only limited delays being experienced in getting this work completed.
- 2.5 However, as work on the plan progresses, the ongoing impact of Covid-19 is likely to have significant implications on the way that the Council undertakes its obligations in respect of community engagement and involvement in the plan-making process.

#### Community Engagement

- 2.6 The Planning Practice Guidance (PPG) on plan-making has been updated setting out how local authorities can review and update their Statements of Community Involvement. This states that where “any of the policies in the Statement of Community Involvement cannot be complied with due to current guidance to help combat the spread of coronavirus (COVID-19), the local planning authority is encouraged to undertake an immediate review and update the policies where necessary so that plan-making can continue.” The PPG states that any temporary amendments should promote effective community engagement “by means which are reasonably practicable”. Various online engagement methods are suggested, including virtual exhibitions, digital consultations, video conferencing, social media, whilst requirements for physical documents to be publicly available for inspection, may be satisfied through online publication.
- 2.7 To ensure accessibility for those without internet access, authorities are advised to consider engaging directly with representative groups, focusing on those in areas specifically affected by proposals, whilst allowing individuals to

nominate others to represent their views on their behalf. It also suggests that representations may be made by telephone or in writing where alternatives cannot be identified.

- 2.8 In order that the Council's approach to Community Engagement complies with Government Guidance, it is proposed to review the Local Plan Statement of Community Involvement and to identify any necessary amendments as may be required to ensure that the process of community engagement can be undertaken in a safe and effective manner over the course of the plan-making process. This work will also seek to identify alternative means of public consultation and the costs and feasibility of rolling these out as should they be required in the future. It is anticipated that this review will be completed in autumn 2020 with any subsequent amendments to the Statement of Community Involvement following shortly after. A further report on this matter will be presented to Members in due course.

#### Thurrock Design Charrettes

- 2.9 The Council's approach to growth is that it should be community-driven, infrastructure-led and make a key contribution to high quality place making. The need to plan for future housing and economic provision due to population growth and the impact of wider socio-economic and environmental factors means that Thurrock 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 sustainable way with the necessary supporting infrastructure in place.
- 2.10 Following a successful bid to the Ministry of Housing, Communities and Local Government for support, the Council were chosen as one of two Local Authorities (Cornwall was the other) to pilot the potential use of Design Charrettes as a means helping local communities influence the future planning and development of their area and to ensure the delivery of better standards of design and quality of place. Funded by MHCLG, the Princes Foundation was commissioned to assist the Council in facilitating a stakeholder engagement process and masterplan visioning exercise for Aveley to explore how any new growth could potentially act as the catalyst for the regeneration of the village centre and its surrounding communities.
- 2.11 The Enquiry by Design (EbD) process has four parts: technical briefings made simple for people to understand, a site visit to further understand and remember the technical constraints and opportunities, a general workshop in mixed groups where all groups look at the same problem out of which the commonalities are recorded as a 'consolidation plan' and then technical scrutiny where the professionals are allowed to test the plan and feedback any refinements.
- 2.12 The outcome of the Charrettes process will include a vision and set of principles for each location that will guide the future development of the area and, in doing so, help inform the preparation of more formal place-making

planning policy documents, including the Local Plan and any associated Inset Plans, Master Plans or Development Frameworks. This process will also help identify the necessary infrastructure improvements required to support the delivery of the place-making strategy, and by involving key stakeholders and the community in the planning and design of their community, the charrettes approach can help to build confidence and collective enthusiasm for the vision and its delivery and implementation.

- 2.13 Following the Aveley Design Charrette Process it is further proposed to develop and roll out a similar programme of engagement across the remainder of the Borough which will focus on the following locations:
- Aveley
  - Bulphan
  - Chadwell St Mary
  - Corringham and Fobbing
  - East Tilbury and Linford
  - Horndon on the Hill
  - Orsett
  - South Ockendon
  - Stanford-le-Hope
  - Tilbury
- 2.14 Prior to the Covid-19 lockdown it was originally proposed to roll out the Design Charrette process during summer 2020. However, due to circumstances, it has not been possible to do this due to the restrictions imposed by lockdown.
- 2.15 In recognition of the fact that the impact of the current pandemic is likely to be with us for some time, the Council has been working with the Princes Foundation to develop a new programme for the roll out of the process making use of alternative means and mechanisms for engaging with the local community in developing an agreed vision and guiding principles to inform the future planning of their area.
- 2.16 The full programme for the roll out of the Design Charrette process has yet to be finalised. However, the broad timescales for undertaking this work have been agreed and are as follows:
- **September** - Hold Council and Stakeholder Briefing Workshops
  - **October to December 2020** – Undertake Stakeholder/ Landowner/ Scheme Promoter Workshops
  - **February to March 2021** – Undertake Community Engagement
  - **April to May 2021**– Complete Charrette Settlement Reports.
- 2.17 A further verbal update on the programme for rolling out the Design Charrette process will be provided to Members at the Planning, Transport, Regeneration Overview and Scrutiny Committee on 7<sup>th</sup> September.

## Local Plan Planning Performance Agreements

- 2.18 It is a well-established principle of the plan-making process that the preparation and review of all policies must be underpinned by relevant and up-to-date evidence. Equally important is the need for local plans to be shaped by early, proportionate, and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees. However, ensuring that both these considerations are addressed through the plan-making process can also significantly add to the cost and time it takes to prepare a new Local Plan. Reflecting this the Council is therefore seeking to promote the use of Planning Performance Agreements (PPAs) as a means sharing the cost of preparing a local plan as well as expediting the time it takes to progress the plan through to Adoption.
- 2.19 While the use of voluntary Planning Performance Agreements is now common in respect of the determination of planning applications, the Council considers that there is also a role for them in helping to deliver a faster and more effective plan-making process. Equally, by adopting a collaborative and proactive approach to evidence development during the plan-making stage, it should also help shorten the time it takes for a planning application to be determined and granted planning permission following the adoption of the plan.
- 2.20 The participation of other parties in the PPA process should also enable early consideration of all the fundamental issues relating to whether a particular site or strategic development will be acceptable in principle as well as providing the opportunity for those involved to work together to secure the necessary funding and delivery of supporting infrastructure. The Council considers that this can be best achieved by adopting a 'Development Team' approach as the preferred way of working with stakeholders as part of an 'end-to-end' and seamless plan-making and development management process.

### Joint Working

- 2.21 Wherever possible and appropriate the Council will encourage adjoining landowners and scheme promoters to work collaboratively in the assisting the Council in developing the evidence base to support the preparation of the Local Plan and the promotion of strategic sites or broad locations for growth. Adopting this approach will make the most of efficient use of existing resources and lead to cost savings and efficiencies in the procurement and commissioning of technical studies and reports.
- 2.22 To facilitate joint working a Joint Project Team will be established for the term of the Agreement. Membership of the Joint Project Team will be at the ultimate discretion of the parties. However, changes to the Joint Project Team will need to be notified and agreed in advance wherever possible. The Joint Project Team will comprise of a Site Promoters Team and a Thurrock Council Team. For larger and more complex sites or growth areas consideration

should be given the benefits of widening membership of the Joint Project Team to include representatives from the following organisations:

- The Environment Agency
- Homes England
- Highways England
- Natural England
- Historic England
- Public Utilities
- Public Health
- Transport providers and operators
- Others to be determined

- 2.23 As with the Thurrock Design Charrettes, it was originally proposed to start the entering into PPAs with scheme promoters during summer 2020 as a natural progression following on from the start of the Charrette process. However, this has had to be postponed to the autumn of 2020 to both enable the alignment of the two processes and to enable the parties to put in place the necessary infrastructure required to hold virtual Development Team Meetings. Reflecting these considerations it is now proposed to start rolling out the PPA process in September 2020 as capacity and resources allow.

#### White Paper Planning Reforms

- 2.24 On 6<sup>th</sup> August 2020 the Government announced its ambitions to reform the planning system. The proposed reforms are wide reaching and will have an impact on the way in which Local Plans are produced. The implications of the White Paper are being considered and a further paper will be presented to this Committee in due course.

### **3. Reasons for Recommendation**

- 3.1 This report Provides Members with a regular update on the progress of the Local Plan and the next key steps in its production.

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

- 4.1 This paper provides an update on the preparation of the Local Plan and follows from a report presented to O&S in October 2019.

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

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

## **6. Implications**

### **6.1 Financial**

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

Funding to support the completion of the Local Plan is in place.

### **6.2 Legal**

Implications verified by: **Tim Hallam**  
**Deputy Head of Law and Governance**

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 ('2012 Regulations') and supported by the National Planning Policy Framework and Planning Practice Guidance.

In due course, the draft Local Plan shall be prepared and publicised in accordance with the statutory and policy frameworks. The Authority 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.

It should be noted that the Secretary of State has intervention powers under section 21 PCPA 2004 and default powers under Section 27 of PCPA 2004 where he thinks that the Authority are failing or omitting to do anything necessary in connection with the preparation, revision or adoption of a development plan document. In such cases, the Secretary of State may, under section 27, prepare or revise the document or direct that the Authority do so.

Under the Council's Constitution and in accordance with the statutory provisions contained in section 9D of the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, Full Council has the power to make decisions in relation to the preparation and adoption of the Development Plan.

### 6.3 Diversity and Equality

Implications verified by: **Rebecca Lee**  
**Team Manager 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. Through a process of proactive engagement, the Council 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.

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

There are no other implications associated with the report.

### 7. Background papers used in preparing the report:

- None.

### 8. Appendices to the report

- None

### Report Author:

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Place