

13 September 2016		ITEM: 6
Planning Transportation and Regeneration Overview and Scrutiny Committee		
Thurrock Local Plan: Issues and Options (Stage 1) Report of Consultation		
Wards and communities affected: All	Key Decision: Key	
Report of: Councillor Mark Coxshall, Portfolio of Regeneration		
Accountable Head of Service: Andy Millard, Head of Planning and Growth		
Accountable Director: Steve Cox, Director of Environment and Place		
This report is Public		

Executive Summary

At its meeting on 12th February 2014 Cabinet gave authorisation for the preparation of a new Local Plan to guide the future development of Thurrock.

As part of the formal plan-making process the Council is required to consult the local community, business and stakeholders on the content of the Local Plan. On the 24th February the Council authorised a 6 week public consultation on the Thurrock Local Plan Issues and Options (Stage 1) Document, the Thurrock Local Plan Sustainability Appraisal Scoping Report and the Draft Thurrock Design Strategy.

This Report provides a summary of the representations made in response to the Issues and Options (Stage1) Public Consultation Document which will be reported to Council on 28th September 2016 with a recommendation seeking authorisation to publish the Thurrock Local Plan Issues and Options (Stage 1) Report of Public Consultation.

1. Recommendation(s)

That the Committee:

- 1.1 Notes progress on the preparation of the Thurrock Local Plan.**
- 1.2 Consider the attached Report and the Thurrock Local Plan Issues and Options (Stage1) Report of Consultation and provide comments for final documents for submission to September Council.**

2. Introduction and Background

2.1 The Council has an adopted Local Plan in the shape of the Core Strategy and Policies for Management of Development DPD (December 2011). However, on the 12th February 2014 Cabinet gave approval to undertake a review of the Core Strategy and begin the preparation of a new Local Plan to guide the development of the Borough over the period to 2035.

2.2 A key principle underpinning the operation of the planning system is the requirement that local authorities must have an up-to-date Local Plan for their area. The February 2014 Cabinet resolution recognised that a review of the Core Strategy of economic was required in order to address the impact of economic change and a number of significant changes to the planning system at the national, regional and local levels. These include:

- The need to for a more up-to-date statutory planning framework to coordinate the delivery of the Council's ambitious growth strategy for Thurrock;
- The revocation of the East of England Plan and the requirement for local planning authorities to undertake a fresh assessment of their future development needs;
- A requirement for the Council to identify a deliverable five year housing land supply and bring forward more sites for development to support long term economic growth;
- Legislative changes that fundamentally affect the form, content and process for preparing a Local Plan; and
- A need to plan for a decision by Government on the route and location of the proposed Lower Thames Crossing and its potential economic, transport, and environmental impact on the Borough.

2.3 Government policy requires that in drawing up Local Plans, local planning authorities should set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth. Although the adopted Core Strategy both reflects and responds to many of these requirements in a positive way, it does not wholly reflect the significant progress that is being achieved by the Council in driving forward an ambitious growth agenda and long term vision for the Borough. The new Local Plan will have a key role to play in accelerating the development of new town centres at Purfleet and Lakeside, the regeneration of Grays Town Centre and the wider Tilbury area, together with implementation and delivery of strategic employment opportunities at London Gateway and the adjoining Thames Enterprise Park. Crucially, the Local Plan will also need to identify and bring forward land to meet the Boroughs future housing needs and to ensure the

delivery of over 20,000 new homes and supporting community and transport infrastructure over the plan period to 2036.

- 2.4 The process for preparing and adopting Local Plans is set out in the Town and Country (Local Planning) (England) Regulations 2012. Any failure to comply with or follow the Regulations could lead to the plan being found unsound with the significant risk that the Government could step in and impose a new plan or development on the Borough. When preparing a new Local Plan, Regulation 18 of the above directs that a local planning authority should both invite and consider representations from specific consultation bodies, local residents or other persons carrying on business in the local planning authority's area about what a local plan ought to contain. In order to comply with these requirements and provide the community with an opportunity to shape the scope and direction of the Local Plan, the Council at its meeting on 24th February 2016 authorised a 6 week public consultation on the Thurrock Local Plan Issues and Options (Stage 1) Document, the Thurrock Local Plan Sustainability Appraisal Scoping Report and the Draft Thurrock Design Strategy.
- 2.5 This report summarises the representations and public comments received by the Council to that consultation process, which will be used to help inform the preparation of the Local Plan. Further details on the representations received in response to the Draft Thurrock Design Strategy will be set out in a separate report to Council later this year. That report will also seek approval for the formal adoption of Thurrock Design Strategy.

Local Plan (Regulation 18) Issues and Options (Stage 1) Consultation February – March 2016)

- 2.6 The purpose of the consultation was to obtain the views of stakeholders, local businesses and the community on the key issues that the Local Plan will need to address and the potential range of options for meeting Thurrock's future development needs while at the same time protecting and enhancing the built and natural environment of the Borough. In order to stimulate discussion the Consultation Document set out 40 questions covering a wide range of thematic issues related to the key challenges and opportunities facing the Borough. A full list of the questions set out in the Consultation Document is provided as Appendix 1 to this Report.
- 2.7 All the consultation documents were made available to view at **thurrock.gov.uk/localplan** with comments being encouraged through the Council's consultation portal or on Comment Forms which were available on request at the Civic Offices and in libraries across the Borough.
- 2.8 In addition to attending Community Forum meetings the Council also organised a series of drop-in 'Road Show' events across Thurrock designed to allow people to learn more about the Local Plan and to provide them with an opportunity to highlight local issues of particular importance to their neighbourhood or community.

- 2.9 In order to establish effective cross-boundary working relationships with neighbouring local authorities and other prescribed bodies (as required under the Duty to Cooperate), the Council organised a Local Plan Issues and Options (Stage 1) Workshop on 21st March 2016. The purpose of the workshop was to advise representatives from local authorities drawn from across Essex, London and North Kent together with statutory consultees such as Natural England on the programme and timescales for preparing the Local Plan and to ascertain their initial views on the scope and nature of the cross-boundary issues which will need to be addressed as part of the plan-making process.
- 2.10 As part of the public consultation process the Council also launched a further formal 'Call for Sites' whereby landowners, stakeholders and the local community are invited to identify sites or broad areas of land for development and/or for protection. Any sites or broad locations identified through this exercise will then be assessed and considered further for allocation within the Local Plan.
- 2.11 By the close of the consultation period on 11th April, a total of 70 organisations and individuals had responded with 548 separate comments having been received in response to the questions set out in the Consultation Document and a further 25 sites put forward by landowners and developers for consideration and allocation for development in the Local Plan in response to the 'Call for Sites' process.
- 2.12 A full record of the comments received and the Officers response to these representations is set out in the Thurrock Local Plan Issues and Options (Stage 1) Report of Public Consultation, copies of which are available to view in the Members Rooms. The Report of Consultation is submitted for approval alongside this Report. Subject to Council's approval of the Report of Public Consultation, it is intended a copy of the Report will be uploaded onto the Thurrock Local Plan website.

Summary of Consultation Responses

- 2.13 A summary of the key consultation responses on the main issues, opportunities and challenges which the Council will need to consider in preparing the Local Plan is set out in the following sections of this report.
- 2.14 The key issues raised by landowners, developers and the business community related to the need for the Local Plan process to:
- Recognise that a failure to identify additional land for housing and employment development would threaten the future economic prosperity and growth of the Borough.
 - Consider the development of a new spatial strategy which goes beyond the current approach of focusing investment and development within the

existing urban area and the established Economic Growth Hubs in order to meet Thurrock's future development needs.

- Undertake a full review of the Green Belt to identify additional land to meet Thurrock's future housing and employment needs consistent with the approach set out in the National Planning Policy Framework (NPPF).
- Consider the allocation of land to meet the future housing needs of London and neighbouring South Essex local authorities in addition to meeting Thurrock's own Objectively Assessed Housing Needs (OAHN) in full.
- Ensure that the Council actively engages with the neighbouring South Essex Local Authorities through the Duty to Cooperate process to meet London's future housing needs.
- Consider reviewing the Borough's retail hierarchy and the relative roles of Lakeside and Grays Town Centre in accommodating future strategic retail needs over the plan period.
- Establish a 'town centres first' policy approach to the location of town centre uses with a policy to resist further significant out of centre retail development in order to support the retail led regeneration of Grays Town Centre.
- Plan positively for growth by supporting the transformation of the Lakeside Basin into a new regional town centre with Intu Lakeside providing the best location for new retail and leisure development in the Borough for comparison retailing and leisure development.
- Ensure that existing centres including Grays and Intu Lakeside can provide for the future shopping needs of Thurrock. Further development outside these centres is not required and identified needs should be focused on maintaining and enhancing existing centres.
- Plan positively to maximise the economic benefits that will arise following the development of the proposed Lower Thames Crossing.
- Support the future commercial viability and expansion of the Ports through continued investment in new infrastructure, housing, education and skills development.
- Identify additional sites for dedicated truck parks in order to meet future demand and reduce the environmental and transport impact of logistics related traffic growth on the Borough.
- Recognise the importance of protecting the role played by the River Thames in supporting economic growth.

- Allocate land for the development of new waste and renewable energy facilities which recognises Thurrock's strategic location and the current availability of sites for new development.
- Recognise the importance and value of Thurrock's green infrastructure and heritage assets in supporting the delivery of wider economic, environmental, health, and community and transport objectives should be recognised.

2.15 In addition to the consultation responses received from landowners, developers and the business community, further representations were also submitted by Community Organisations and neighbouring Local Authorities. These included the South Essex authorities, Chelmsford City Council, Essex County Council, the Greater London Authority, North London Waste Plan Authorities, Barking and Dagenham LB, Dartford BC, Gravesham BC and Medway BC. The key issues raised by these bodies related to the need for the Local Plan to:

- Consider through the Duty To Cooperate process the need for Thurrock to contribute towards meeting any unmet future housing needs from adjoining authorities including London and Southend in particular.
- Ensure that future residential developments should be supported by health facilities, in order to combat the existing health inequalities experienced at a local level.
- Consider the requirement for Thurrock to make additional provision to meet Basildon's unmet Gypsy and Traveller needs.
- Support the delivery of the Thames Vision which promotes the retention of riverside industry and employment locations, and the protection and enhancement of the distinctive riverscape in terms of its water quality, wildlife and attractiveness as an open space.
- Consider the impacts of any planned expansion or change to port facilities along the Thames within Thurrock on Medway's port infrastructure.
- Safeguard wharfs in Thurrock for the importation of marine dredged and other minerals resources into the region.
- Consider the future role of Lakeside and the need to manage the scale and nature of its future development in order to safeguard the viability and vitality of other strategic centres in South Essex, North Kent and East London.
- Recognise Thurrock's future role in meeting London and the wider South East's waste needs.

- Consider the future implications of strategic transport improvements including the Lower Thames Crossing and Cross Rail 2.
- Support the delivery of an enhanced public rights of way network accessible to all users – walkers, cyclist, equestrians and the disabled, including increased access to the Borough's open spaces.

2.16 Representations were also received from Heritage England, Natural England, the Environment Agency and Highways England. In the main the responses submitted by these organisations were general in nature and welcoming of the opportunity to work with the Council in preparing the Local Plan. A series of follow up meetings are now being arranged with each of these statutory consultees to further strengthen and develop the working relationship between the parties as progress on the plan moves forward.

Local Plan Roadshow Consultation Responses

2.17 To ensure that everybody attending the Local Plan Road Show events had an opportunity to have their say on the big issues facing the Borough the Council set up a 'Burning Issues' board at each of Roadshow Events. With over 500 comments received the most frequently voiced concerns related to the issues set out below.

- The lack of affordable housing available to local people.
- The need for new homes to be built near transport hubs and existing community facilities and services like schools and doctors.
- The need for new homes to be built in areas where they can support the delivery of better community facilities and services.
- The preferred location for new homes should be on brownfield sites.
- Better health, education and community facilities are required to meet local needs.
- More activities should be provided for young people.
- The adverse impact of lorry movements in residential areas should be addressed.
- Industrial and residential areas should be segregated in order to minimise the impact of bad neighbour uses on local communities.
- There is a need for better parking provision in town and local centres.
- There is a need for improved standards of road maintenance and investment in Thurrock's roads.

- There is a need to tackle the poor quality of the environment and poorly maintained public open spaces.
- There is a need to provide new public open spaces and sports and leisure facilities.
- The provision of improved walking and cycling facilities should be promoted.
- The health impacts of poor air quality on local residents should be considered and addressed.
- There is a need for improved standards of design.

3. Issues, Options and Analysis of Options

- 3.1 The Report of Consultation sets out in full the representations submitted by the 70 organisations or individuals who responded to publication of the consultation document. The report also sets out the Council's recommended response to those representations which, in the main, is to note the concerns and views of the respondents and to invite them to meet with officers to discuss their submissions further and, where appropriate, agree the 'next steps' in developing the Local Plan evidence base.
- 3.2 Many of the issues flagged up in the various consultation responses are already in the process of being addressed through the technical work currently underway to support the development of a robust and deliverable Local Plan. This includes a range of housing, employment, retail, transport and infrastructure studies which will identify the scale and nature of future development needs which the Local Plan must plan for over the period to 2036.
- 3.3 Crucially the technical work currently underway will also consider the capacity of the Borough to sustain and support different levels of growth together with the viability and deliverability of new development in different locations across the Borough. The outcome of this work will be used to inform the development of a range of alternative spatial strategies which will set out a range of options for accommodating the Borough's future development needs. This will include more detail on the future scale, mix and distribution of development across Thurrock and associated future infrastructure needs and costs. The emerging Spatial Development Options will form the focus of the Local Plan Issues and Options (Stage 2) Public Consultation which will commence in March 2017.
- 3.4 At this stage of the plan-making process it is important to note that although many of the representations submitted are asking for the Council to make provision to meet the housing needs of neighbouring areas including London and adjoining South Essex authorities, it remains the case that no surrounding authority has formally approached the Council with a request that Thurrock should through the Duty to Cooperate process consider the allocation of

additional land to meet any unmet needs in their own administrative area. Neither is it the case that any evidence has been produced by any party to justify why Thurrock should meet the needs of adjoining authorities. This relates both to the respondent local authority being able to evidence their own inability or lack of capacity to meet identified growth targets or why it is appropriate for Thurrock to contribute towards meeting their unmet development needs. These issues will need to be further explored through the Duty To Cooperate mechanisms including the recently established South Essex Members Board.

3.5 A further issue that needs to be addressed is that progress on getting the Local Plan adopted by 2020, as set out the Thurrock Local Development Scheme (the project plan that guides the delivery of the Local Plan), will be largely dependent on there being an early decision and resolution of the issues associated with the Lower Thames Crossing.

3.6 Due to the uncertainty surrounding the outcome of that process and the uncertain timescales for its resolution, it is not possible for the Council to consult on the Local Plan Issues and Options (Stage 2) Consultation in October/November 2016, as was originally proposed in the current Local Development Scheme which was approved by Cabinet in 2016. As a result it will therefore be necessary for the Council to amend the Local Development Scheme to reflect any revised timescales for preparing the Local Plan once a decision has been made in connection with the Lower Thames Crossing proposals. Reflecting these considerations, it is therefore proposed that Council grant delegated authority to the Head of Planning and Growth in consultation with the Portfolio Holder for Regeneration to amend the Thurrock Local Development Scheme at an appropriate future stage.

4. Reasons for Recommendation

4.1 To comply with the requirements set out in the Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Local Development)(England)(Amendment) Regulations 2008 the Localism Act 2012 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

4.2 The preparation and adoption of a new Local Plan is required to ensure that the significant progress being made in securing the future growth and regeneration of the Borough is not stalled by the lack of an up-to-date development plan. This is particularly important given that national planning policy guidance states that where the development plan is out-of-date, permission for development should be granted unless any adverse impacts would outweigh the benefits of doing so. The implications of this point are clear: if an authority fails to plan properly for its own area, then the opportunity to do so will be lost through planning appeals determined by Planning Inspectors or by the Secretary of State. Similarly a failure on the part of the Council to prepare and adopt a Local Plan within the timescales set out in the

Local Development Scheme could leave it vulnerable to intervention by the Secretary of State.

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

- 5.1 The Thurrock Local Plan will be the subject of extensive public consultation at each stage of the plan-making process in accordance with the approach set out in the Statement of Community Involvement (SCI) adopted by the Council in November 2015 and the Local Plan Engagement Strategy (Phase 1) approved by Cabinet on 9th December 2015.

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

- 6.1 The documents cited within this report support the production of the Council's new Local Plan. The Local Plan will guide new development within the borough over the period to 2036 consistent with the delivery of wider corporate policies, priorities and objectives.

7. Implications

7.1 Financial

Implications verified by: **Laura Last**
Senior Finance Officer – Management
Accounts

The major costs associated with the preparation of the Local Plan will be incurred during the financial years, 2016/17, 2017/18, 2018/19 and 2019/20. Subject to the decision of the Council in agreeing the recommendations set out in this report, it is proposed to re-align existing revenue budgets towards the preparation of the new Local Plan in line with the plan-making programme and timescales set out in the Local Development Scheme.

The ongoing delay by the Government in coming to a decision on the Lower Thames Crossing has also lead to an increase in costs associated with the preparation of the Local Plan. This could increase further depending on the outcome of any future decision by Government and any additional costs would need to be met by the Council or the Government if progress on preparing the Local Plan is to remain within budget and in accordance with the timetable set out in the Local Development Scheme.

7.2 Legal

Implications verified by: **Vivien Williams**

Planning & Regeneration Solicitor

The preparation of a new Local Plan will be carried out in accordance with the Planning and Compulsory Purchase Act 2004 and the Town and Country (Local Planning) (England) Regulations 2012.

A failure to undertake the preparation of a new Local Plan would be contrary to the requirement set out in the NPPF that plans should be kept up-to-date and proactively drive and support sustainable economic development.

Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by Section 111 of the Localism Act 2011) requires that a Local Planning Authority must prepare and maintain a Local Development Scheme. The scheme must specify the documents which form the Local Plan and include a timetable for their production.

7.3 Diversity and Equality

Implications verified by: **Natalie Warren**
Community Development and Equality
Manager

The Council has a statutory duty under the Equality Act 2010 to promote equality of opportunity in the provision of services and employment opportunities. An Equality Impact Analysis (EqIA) will be conducted as part of the process of preparing the Local Plan as an integral element of the Local Plan Sustainability Appraisal. This is a statutory requirement and obligation placed on the Council. The approach to public consultation set out in the Statement of Community Involvement (November 2015) will ensure that the consultation process provides 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):

- Issues and Options (Stage 1) Report of Consultation

9. Appendices to the report

- Appendix 1 - Issues and Options (Stage 1) Consultation Document Questions

Report Author:

Sean Nethercott
Growth and Strategy Manager
Planning and Growth