APPORVE THE “ISSUES AND OPTIONS” CONSULTATION DRAFT SITES SPECIFIC ALLOCATIONS AND POLICIES DEVELOPMENT PLAN DOCUMENT FOR PUBLICATION

Portfolio Holder: Councillor Andy Smith, Portfolio Holder for Housing and Regeneration

Wards and communities affected: All

Key Decision: Key

Accountable Head of Service: Andy Millard, Head of Strategic Planning and Delivery

Accountable Director: Bill Newman, Director of Sustainable Communities

This report is public

Purpose of Report: To seek Council’s resolution for approval of the Issues and Options Consultation Draft Site Specific Allocations and Policies Development Plan Document (DPD) for publication. To seek Council resolution for approval of the commencement of the statutory focused Review of the Core Strategy and Policies for Management of Development DPD.

EXECUTIVE SUMMARY

The Council adopted the Thurrock Core Strategy and Policies for the Management of Development DPD (the Core Strategy) on the 21 December 2011. The period during which a legal challenge to the adoption of the Core Strategy could have been made ended on 1 February 2012. No legal challenge was made to the adoption. The next stage in the Local Development Framework process is the production of the Site Specific Allocations and Policies (SAP) DPD which sets out the full range of site allocations that give effect to the adopted Core Strategy. In order to deliver this next stage the Council is required to publish a Consultation Draft “Issues and Options” SAP DPD under Regulation 25 of The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. As part of the SAP DPD, there is a focus on the five identified areas of economic change and development, including the proposed Lakeside Regional Town Centre as well as sites across the other parts of the borough.

The ongoing enactment of the detailed provisions of the Localism Act, including the abolition of the East of England Plan Regional Strategy, the anticipated publication of the final National Planning Policy Framework (NPPF) and the need to keep selected policies within the Core Strategy up to date for at least 15 years, also make it
expedient for the Council to begin the process of a focused Review of the Core Strategy at this time. The first stage will be the development, production and publication of an “Issues and Options” Consultation Draft DPD that sets out the Council’s view on the appropriate scope of the focused Review and the selected planning issues and policies to be covered by the focused review and invites representations thereon.

The Council is requested to agree to approve the Consultation Draft “Issues and Options” Site Specific Allocations and Policies DPD for publication. The Council is also requested to authorise officers to commence preparatory work on the focused Review of the Core Strategy in light of the enactment of the provisions of the Localism Act and the NPPF as they roll out during 2012. Council is also requested to approve a revised schedule setting out the remaining “Saved Policies” and Annexes that have not been superseded by the adoption of the Core Strategy.

1. RECOMMENDATIONS:

1.1 To approve the Consultation Draft “Issues and Options” Site Specific Allocations and Policies DPD, for publication and public consultation in accordance with Regulation 25.

1.2 To authorise the Director of Sustainable Communities, in consultation with the Portfolio Holder for Housing and Regeneration, to make any necessary amendments to the document in the interests of completeness, clarity and accuracy before it is published, and to make the arrangements for consultation.

1.3 To approve the publication of the Interim Sustainability Appraisal Report and Statutory Notice.

1.4 To authorise the Director of Sustainable Communities to commence preparatory work on the focused Review of the Core Strategy in accordance with the Regulations and in light of any procedural and best practice guidance that may be published to support enactment of the Localism Act provisions and the National Planning Policy Framework.

1.5 To approve and publish a schedule of revised “saved policies” and annexes that have not been replaced and superseded by the adoption of the Core Strategy.

2. INTRODUCTION AND BACKGROUND:

The Local Development Framework

2.1 It is a statutory requirement to prepare DPDs as part of the Local Development Framework (LDF). The LDF is a portfolio of planning documents. The Thurrock Core Strategy and Policies for Management of Development DPD (“the Core Strategy”) is the key spatial planning document within the LDF. This DPD sets out the Thurrock Spatial Strategy, policies to
deliver it and broad locations for future development in the borough for the Plan period up to 2026.

2.2   The Development Plan Documents are prepared in accordance with a project plan called the Local Development Scheme (LDS). Consultation and engagement are undertaken in accordance with the adopted Statement of Community Involvement (SCI).

2.3   The Thurrock Core Strategy and Proposals Map was adopted by Council on the 21 December 2011 and published on the Council’s website and deposited in local venues. The suite of technical studies that comprises the Evidence Base for the policies in the Core Strategy has also been published together with the statutory documents as prescribed by Regulations.

**Site Allocations and Policies Development Plan Document (SAP DPD)**

2.4   The Council has identified the preparation of a Site Allocations and Policies Development Plan Document (SAP DPD) as one of the Key Local Development Documents that form part of the Local Development Framework (LDF). An earlier version of the SAP DPD has previously been subject to public consultation at Issues and Options and Preferred Options stages prior to the adoption of the Core Strategy.

2.5   In these early stages, the SAP DPD had been prepared in parallel with the Core Strategy but it was later programmed to follow after the Core Strategy. This approach reflected the advice from Government. The SAP DPD is therefore now required to be in conformity with the Adopted Core Strategy in order to ensure its soundness. This report on the Issues and Options Consultation Draft SAP DPD seeks approval to go out to public consultation (as opposed to seeking policy decisions).

2.6   The extensive work currently being undertaken with regard to Lakeside is also to be incorporated into the SAP DPD, with more detailed delivery and implementation matters to be set out in a future Supplementary Planning Document.

2.7   The Council will consider representations made on the document and make any changes required prior to the preparation and publication of the Pre-Submission SAP DPD. Having regard to the outcome of that consultation exercise, the SAP DPD will then be Submitted to Examination in Public with eventual Adoption after receipt of an Inspector’s Binding Report.

**Focused Review of the Core Strategy**

2.8   Members will be aware the Localism Act is now law and that its detailed provisions will be rolled out by government over the next few months. The government has indicated that the detailed provisions and the final version of the National Planning Policy Framework (NPPF) will be published by April of this year. These provisions will necessitate a review of parts of the Core Strategy to ensure compliance with the Act.
2.9 The Adopted Core Strategy strategic spatial policies on housing and employment provision and the associated land allocations are based on the targets confirmed in the East of England Plan. Under the provisions of the Localism Act and the NPPF, local planning authorities will need to develop, consult on and finalise their own housing and employment projections as the basis for their strategic policy formulation. In the case of Thurrock analysis will be carried out with adjoining authorities, to work up a range of scenarios for future population and household projections so that the Council is demonstrably complying with its duty to cooperate in developing policies that have cross border implications.

2.10 The timeframe for the Adopted Core Strategy overall is from 2011 to 2026. However, the majority of the policies in the Core Strategy are not specifically tied to a particular timeframe and are capable of being carried forward indefinitely until a review of these policies is expedient. Notwithstanding this, some policies will require an earlier review, preparations for which should be commenced now, in anticipation of the NPPF. The focused Review will begin with consideration of policies including:

2.11 Policy CSSP1 - Sustainable Housing and Locations and CSTP1 – Strategic Housing Provision. These are linked to a time frame to 2026 in accordance with the provisions of PPS3 that requires adopted Core Strategies to set out a minimum 15 year housing land supply.

2.12 The focused Review will also need to consider the Core Strategy policies on Gypsies and Travellers provision and the Lakeside Town Centre/Regional Centre in light of the abolition of the East of England Plan.

2.13 The proposed scope and content of the Review will be the subject of further reports to Cabinet. The overall timetable for the Review process through to Adoption will be determined by a range of factors. In particular, the initial stages of the Review will need to parallel the timing of the Localism Act provisions and NPPF roll-out by government.

3. ISSUES AND/OR OPTIONS:

3.1 The Consultation Draft SAP DPD contains an introduction and context chapters that set out the relationship to the Core Strategy and other key corporate objectives and strategies. The document also includes detail on key economic hubs such as Lakeside and London Gateway and key regenerations areas (such as Purfleet, Grays and Tilbury).

3.2 The document also contains a range of policies and site allocations structured under various sections including:

i) Spatial polices such as on retail frontages, tall buildings and Green Infrastructure Improvement Zones;

ii) Site allocations; for example housing, employment, transport and education.
3.3 The SAP DPD is subject to Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) and Appropriate Assessment as a statutory requirement at each stage of the plan process. The SA/SEA includes Equality and Health Impact Assessments and will be available for public inspection together with the plan for a period of public consultation.

3.4 The Council has commissioned a suite of technical studies to provide supporting evidence for the development and policy options. These include updates to the Strategic Housing Land Availability Assessment (SHLAA) and Employment Land Review, a Soft Market Testing Study of potential residential development at Lakeside and a Lakeside Infrastructure Study. The site development options will also be informed by a Flood Risk Assessment.

3.5 The majority of sites have been previously considered by Members as part of the LDF process. However the Consultation Draft SAP DPD now includes additional sites as a result of recent “Call for sites” on various topic matters such as housing, employment and lorry parks. The SAP DPD includes the preferred sites that conform to the Core Strategy, together with sites that are reasonable alternatives. Sites that do not conform to the Core Strategy have been rejected. It is intended to undertake public consultation early in the spring subject to approval of the draft plan at this meeting.

3.6 The Council will consult a wide range of stakeholders including public agencies, business groups, landowners and developers as well as community groups and the public. It is intended to carry out public consultation for a twelve week period to enable adequate time for stakeholders, the public and community groups to respond.

3.7 With the adoption of the Thurrock Core Strategy a large number of the “Saved Policies” from the borough local plan were superceded. A revised schedule of retained “Saved Policies” and annexes is to be published to clarify what polices and annexes are still operative. The remaining saved policies and annexes will in due course be replaced by the Site Allocation and Policies DPD, the Mineral and Waste DPD and Supplementary Planning Documents.

3.8 Preparation of the SAP DPD has been set back by the slower than expected passage to adoption of the Core Strategy (which was caused by the changes in the planning system that occurred while the Core Strategy was being examined). While there is sufficient flexibility in the Local Development Scheme to enable the Council to regain the time lost and adopt the Sites DPD in mid 2013 or shortly afterwards, a review of the Local Development Scheme at this time is prudent to ensure that all Local Development Documents to be produced by the Council can be delivered to an achievable timetable.

4. CONSULTATION (including Overview and Scrutiny, if applicable)

4.1 Public Consultation on the Consultation Draft Issues and Options Site Allocations and Policies DPD will be undertaken in accordance with the Adopted Statement of Community Involvement (SCI). A report on this matter
was considered by the Planning, Transport and Regeneration Overview & Scrutiny Committee on the 15 November 2011.

5. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT

5.1 The LDF is the spatial expression of the Community Strategy. The Adopted Core Strategy DPD as part of the Local Development Framework will have significant implications in terms of regeneration and the environment of the Borough. The Consultation Draft Issues and Options Site Allocations and Policies DPD sets out the full range of site allocations for the relevant policies in the Core Strategy (excepting Minerals and Waste).

6. IMPLICATIONS

6.1 Financial

Implications verified by: Sean Clark
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sclark@thurrock.gov.uk

The preparation of the Site Allocations and Policies DPD, including this Consultation Draft Issues and Options and the Focused Review of the Core Strategy, will see the majority of associated costs likely to be incurred within the next two financial years. Provision has been made within the 2012/13 base budget in respect of this, with the longer term cost implications addressed within the Medium Term Financial Strategy.

6.2 Legal

Implications verified by: Remi Aremu (Planning Solicitor)
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The steps proposed within this report are considered to be fully compliant with regulatory requirements as set out in the Regulations of the Town and Country Planning (Development) (England) Regulations 2004 (as amended).

The decision to deal with the detailed spatial planning for the Lakeside Basin as a detailed and separate chapter (and inset) as part of the Sites Allocation Development Plan Document (SADPD) means in practice that it will form part and parcel of the SADPD process as a whole and will be integrated in the
procedures for the SADPD from issues and options through to submission stage.

6.3 **Diversity and Equality**

Implications verified by: **Samson DeAlyn**  
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sdealyn@thurrock.gov.uk**

The Council has a statutory duty under the Equality Act 2010 to promote equality of opportunity in the provisions of services and employment.

An Equality Impact Assessment (EqIA) has been conducted as an integral part of the Interim Sustainability Appraisal. This ensured that any negative impact is identified and revised as appropriate. This is a statutory requirement and obligation placed on the Council. The representations on the Published DPD will be carried out according to the LDF Statement of Community Involvement Adopted Document. This means the representations process is designed to work in partnership with all communities in Thurrock to ensure they are fully involved in the decision making process about the soundness of the Spatial Development Strategy, including harder to reach groups.

6.4 **Risk Assessment**

Members are advised that the process of preparing a Development Plan Document has inherent risks in that its “soundness” on Final Submission, will be tested at an Examination in Public (EiP) and a final decision will be made by an Independent Planning Inspector whose judgement is binding on the council.

In order to comply with legislation the Inspector will check that the SA DPD:

- has been prepared in accordance with the Local Development Scheme and in compliance with the Statement of Community Involvement;
- has been subject to sustainability appraisal;
- conforms generally to the Regional Spatial Strategy (if still in force);
- has regard to any Sustainable Community Strategy for its area;
- meets the procedural requirements involving publicity and availability of the development plan document and related documents.

The inspector will also consider the soundness of the document in the context of whether it is justified, effective and consistent with national policy.

7. **CONCLUSION**

7.1 The Council is recommended to approve and publish the Consultation Draft Issues and Options Site Allocations and Policies DPD, together with the Interim Sustainability Appraisal, in accordance with Regulations.
7.2 The Council is also recommended to authorise the commencement of preparatory work for the focused Review of the Core Strategy.

7.3 The Council is recommended to adopt a revised schedule of Saved Policies and Annexes.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

The Consultation Draft Issues and Options Site Allocations and Policies DPD is available for inspection in the Members’ rooms at the Civic Offices.

APPENDICES TO THIS REPORT:

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