

<b>25 July 2018</b>		<b>ITEM: 10</b>
<b>Full Council</b>		
<b>Thurrock Local Plan Issues and Options (Stage 2)</b>		
<b>Wards and communities affected:</b> All		<b>Key Decision:</b> Key
<b>Report of:</b> Cllr Mark Coxshall, Portfolio Holder for Regeneration		
<b>Accountable Assistant Director:</b> Andy Millard, Assistant Director Planning, Transportation and Public Protection		
<b>Accountable Director:</b> Steve Cox, Corporate Director for Place		
<b>This report is</b> 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.

The preparation and publication of the Thurrock Local Plan Issues and Options (Stage 2) Consultation represents a key stage in the plan-making process and provides local communities and stakeholders with the opportunity to influence how Thurrock should develop and grow in the future, and the types of locations where new developments should be located to meet housing needs.

It is important to note that at this stage in plan making the Council will set out the types of locations for development based on sites that have been put forward by developers and landowners through the call for sites process.

This consultation is not seeking the public's view on a preferred number of homes to be built nor where they should be built.

Consultation on the Local Plan Issues and Options (Stage 2) document will commence on Monday 30 July and end at 5pm on Friday 19 October.

## **1. Recommendation(s)**

**That Full Council:**

- 1.1 Authorise the Thurrock Local Plan Issues and Options (Stage 2) consultation document (Appendix 1) for public consultation**
- 1.2 Authorise alterations to reflect factual changes that may arise (for example to the Lower Thames Crossing route boundary) and any other inconsequential alterations to the wording of the Issues and Options (Stage 2) consultation document**
- 1.3 Endorse the Local Plan Issues and Options (Stage 2) – Engagement Strategy (Appendix 2)**

## **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 emerged 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.
- 2.3 On 11 July 2018 Cabinet approved the following documents to enable the Council to pursue a coordinated approach to plan making:
  - South Essex Statement of Common Ground
  - Local Development Scheme – July 2018
  - Statement of Community Involvement (Draft) – July 2018

## **Key challenges to be addressed through the emerging development plan**

2.4 In order for the emerging plan to be successful it needs to address a range of economic and social challenges that, left unchecked, will lead to long term decline and increased inequalities. These challenges include but are not necessarily limited to the need to:

- Reduce inequalities and create more balanced communities
- Allocate enough land to meet our housing needs in full in particular affordable housing that meets local needs
- Secure sustainable economic growth and create a wider range of local employment opportunities
- Ensure that our centres are vibrant and remain relevant to the communities they serve
- Create welcoming and engaging spaces and places for young people
- Plan for healthier places that encourage people to be active and have a positive effect on the mental wellbeing
- Deliver essential strategic and local infrastructure to support new development and regeneration
- Protect the integrity of the green belt

2.5 The challenges listed in this section have been identified using evidence from local strategies and technical studies, national policy, and responses received to the previous consultations. This list should not be seen as exhaustive and will be developed further as work on the emerging development plan continues.

2.6 Moving forward one of the most difficult challenges/issues to be addressed is surrounding the need for more housing (including affordable housing) and the lack of suitable sites to accommodate the level of housing required in the urban area.

### **Understanding how many homes we need**

2.7 Thurrock is part of the South Essex Housing Market Area as such we need to work the other authorities in South Essex to assess how much housing and what types of housing are needed across the sub-region. In May 2017 the South Essex Authorities published an update to its Strategic Housing Market Assessment<sup>1</sup>; this update used the 2014 population and household projections as well as the latest economic trend data to determine that 1,381 new homes per year are needed in Thurrock which is the equivalent of 31,763 over the plan period of 20 years. In broad terms, almost 70% of Thurrock's

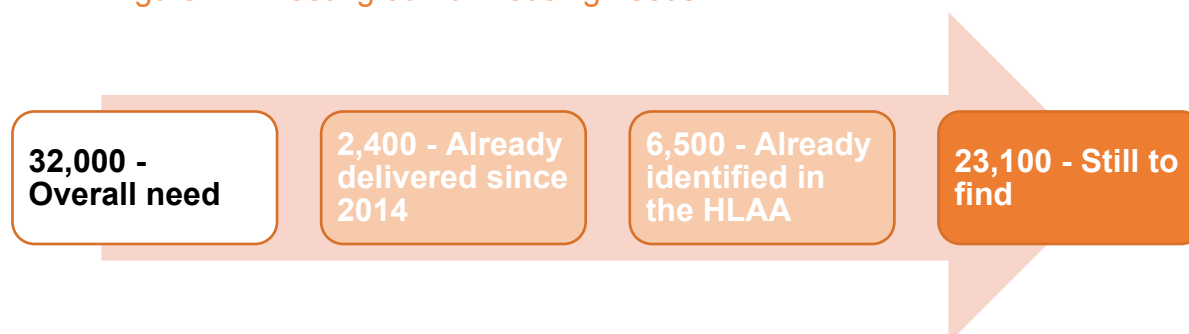
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<sup>1</sup> The methodology used to prepare the South Essex Strategic Housing Market was consistent with government guidance at the time of publication. This guidance is currently being reviewed as such the Council will need to commission a further update to the study in the coming year.

housing need is a result of demographic change within our communities. The remaining 30% is as a result of migration from South Essex, London and the wider area, principally as a result of economic growth and job creation.

- 2.8 The projections are expected to be updated later in 2018 and therefore likely to change. At this stage in the Local Plan process, the Council is not seeking views from the public about how the housing need is calculated or where specifically new homes should be built.
- 2.9 The latest draft of the Council's Housing Land Availability Assessment (HLAA) has indicated that within the urban area there is only the capacity to deliver approximately 6500 new homes which would leave a shortfall of just over 23,000 to find – See Figure 1.

Figure 1 – Meeting our full housing needs



- 2.10 The urban area capacity could be increased but it would require the new Local Plan to look at including policies that promote higher density development and incentivise development through reducing development costs/planning obligations like a lower affordable housing target (which would improve the financial viability of the schemes). There could also be opportunities to increase capacity by identifying new sites and/or making it easier for sites in other uses like employment, retail and recreation to come forward for residential development. It is worth noting that even if all of these measures were implemented it would still be unrealistic to assume that the Borough's housing need could be met by sites just in the urban area which means that there is now a real need to explore different spatial options for development and look at how sites in the Green Belt can play a positive role in meeting our future housing needs and enhancing existing communities.

### **Plan making in Thurrock – The story so far**

- 2.11 The emerging Local Plan is currently at the issues and options stage of plan making. This stage is all about finding out what the main challenges are and developing options for how these challenges can be addressed. The formal and informal consultation stages that have or will be undertaken in preparing the Local Plan are set out in Figure 2.

Figure 2 – Key stages in preparing the Local Plan



- 2.12 In February 2018 the Council launched a series of 'Your Place, Your Voice' (YPYV) community planning events. These events were devised in response to comments that residents felt overwhelmed by the technical nature of planning consultations and the volume of Council consultations that all seem to ask similar questions. The community planning events were run on a drop in basis giving local communities the opportunity to feed into the Local Plan and other Council documents and strategies by participating in a range of informal and highly interactive consultation activities.

- 2.13 In total 17 events were held across the borough between February and April. Across all of the events there were a number of issues which were consistently raised including:
- Poor and failing infrastructure
  - Lack of affordable homes and homes for older people
  - Anti-social behaviour, drugs and crime
  - Neglected open spaces
  - Congestion and air quality
- 2.14 The information collected from individual events is still in the process of being organised/ inputted electronically, once this work has finished the Council will produce a findings report for each community and publish the information online so it can be used by the Council and other key stakeholders to inform emerging plans, strategies and projects including the emerging Local Plan. A series of follow-up YPYV events are planned for late summer / early autumn in order for local findings to be considered alongside the Issues and Options (Stage 2) consultation.

### **Issues and Options (Stage 2)**

- 2.15 The Council's current spatial strategy in the adopted Core Strategy focuses the majority of new housing development on previously developed land in the urban area. To meet some of the challenges set out earlier in this report the emerging Local Plan will need to look at the possibilities of a combination of denser urban developments and the potential of releasing Green Belt sites to meet our housing needs over the next 20 years. This approach would represent a significant change from the Council's current adopted planning policies.
- 2.16 The purpose of the Issues and Options (Stage 2) consultation document is to seek views from communities and key stakeholders about 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 at this stage in plan making the Council will set out all potential spatial options for growth without stating a preference or referring to specific sites.
- 2.17 In addition to looking at potential spatial options the consultation document will also look at policy options to address issues like housing for older people, hot food takeaways and the need to protect locally important green spaces and buildings. A full copy of the consultation document is included in Appendix 1.

- 2.18 To ensure that stakeholders are able to make an informed response to the consultation the Council will publish a range of supporting technical evidence documents alongside the consultation document. These together with the main consultation document will be made available on the Council's website and in hard copy at various locations across the Borough.
- 2.19 It is proposed that the consultation document will be subject to a period of public consultation which will commence on Monday 30 July and run until Friday 19 October 2018. Appendix 2 details the range of consultation activities proposed to be undertaken by the Council to support the process.
- 2.20 Following the conclusion of the consultation period all responses will be logged and reported back to Members as a precursor to the Draft Local Plan Consultation which will be held in September 2019. At that stage of the process the public will be consulted on the Council's preferred planning policies including its preferred development strategy.

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

- 3.1 The Council's current spatial strategy in the adopted Core Strategy focuses the majority of new housing development on previously developed land in the urban area. The emerging Local Plan will need to look at a combination of denser urban developments and releasing several green belt sites to meet our housing needs over the next 20 years. This approach represents a significant change from the Council's current adopted planning policies.
- 3.2 The Planning and Compulsory Purchase Act 2004 provides for local authorities to plan for their areas through the preparation and adoption of Local Plans.
- 3.3 Where a local authority fails to meet these requirements, the Secretary of State may declare that the draft Local Plan is not sound. The Secretary of State also has the power to intervene and direct the review and/or preparation of a Local Plan which, depending on the circumstances, could be undertaken by another authority or jointly in partnership with surrounding authorities. In all instances the failing authority could be liable to pay the full or a proportion of the costs involved in producing the local plan. The National Planning Policy Framework requires Local Plans to identify a supply of specific deliverable sites to meet the housing needs of the area for 5 years with a further supply of developable sites (or at least locations for them) for years 6-10 and, where possible for years 11-15. A Local Plan that does not meet the requirement could be found unsound through the Local Plan Examination process.

- 3.4 The Housing White Paper 'Fixing our broken housing market' set out a series of proposals designed to increase the rate of housing delivery across the country. Further detail on a number of these reforms was set out in 'Planning for the right homes in the right places' in September 2017. This included proposals for the introduction of a Housing Delivery Test, whereby local authorities who fail to meet their housing targets by 2018/19 and provide a rolling 5 year housing land supply (plus 20% buffer) will effectively lose their ability to determine where development goes. To put this in context, Thurrock currently only has 1.2 years of its required five year rolling land supply and would therefore be liable to sanction under the proposed Housing Delivery Test.
- 3.5 For those authorities who fail the Housing Delivery Test there will be a presumption in favour of sustainable development which would make it potentially easier for developers to get planning permission for housing development on appeal to the Secretary of State where it can be demonstrated that the Local Plan is either out-of-date or fails to allocate sufficient land to meet future housing needs. This could lead to sporadic development in the Green Belt and fail to maximise the benefits that future housing growth could bring to the local community.
- 3.6 In addition to the threat of intervention and possible sanctions from Government, an ongoing failure to adopt a sound and deliverable Local Plan would also:
- Lead to a whole generation of local people being put at risk of not being able to find decent or affordable housing in the Borough;
  - Undermine efforts by the Council to boost the supply of affordable housing through a lack of viable and deliverable sites for development;
  - Undermine opportunities to support the future regeneration and renewal of existing local centres and communities;
  - Prevent the provision of new community infrastructure which requires large sites including primary and secondary schools to meet existing and future needs due to the constraining nature of the Green Belt boundaries in Thurrock and a lack of suitable sites in the urban area;
  - Raise a serious risk that, without an adequate supply of housing to meet workers needs locally, firms could relocate or switch investment to other locations as workforce availability declines. Alternatively, if job growth continues without the necessary housing growth, increased levels of in-commuting is likely to result, thereby putting additional strain on existing transport networks.

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



- 4.1 It is essential that the Council has an up to date Development Plan in place, to guide and support the sustainable growth of the Borough in a manner that appropriately balances economic, social and environmental needs.

**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 Group Leaders and Deputy Leaders. Reports are also regularly prepared for the Planning, Transportation and Regeneration Overview and Scrutiny Committee and presentations made to Group meetings.
- 5.2 It was agreed at the Planning, Transportation and Regeneration Overview and Scrutiny meeting on 4 July 2018 that a Member-led body be established to support the production of the emerging Development Plan.

**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: Carl Tomlinson  
Finance Manager

There is a dedicated budget for plan making to cover the basic costs of preparing planning policy documents. This budget is supplemented by a separate YPYV consultation funding pot that was allocated to the service by Cabinet early this year.

Going forward, 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)<sup>2</sup>. Policy PPAs 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: David Lawson

Assistant Director, Law and Governance

The current system of plan making is contained in the Planning and Compulsory Purchase Act 2004 (PCPA) and the Town & Country Planning (Local Planning) (England) Regulations 2012. Pursuant to section 19(2)(a) of PCPA 2004, the statutory scheme is supplemented by the National Planning Policy Framework and the National Planning Practice Guidance.

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

If any of the Authority's planning policy documents meet the definition set out within Regulation 5(1)(a)(i), (ii) or (iv) or 5(2)(a) or (b) of the 2012 Regs, they must be prepared as development plan documents ('DPD') and be known as a local plan. 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, is likely to fall within the statutory definition and therefore be part of the local plan and subject to the statutory procedure for preparation, examination and adoption of the local plan.

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 LDD in light of any review of its policies.

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<sup>2</sup> It should be noted that Policy PPAs 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.

Through the Neighbourhood Planning Act 2017, the Government has enacted amendments to PCPA 2004. Key amendments are contained in sections 19 and 28A of PCPA 2004.

Section 19 of PCPA 2004 requires that each local planning authority must identify the strategic priorities for the development and use of land in the authority's area and that policies to address those priorities must be set out in the local planning authority's development plan documents (taken as a whole). In addition, section 28A of PCPA 2004 provides that the Secretary of State may direct two or more local planning authorities to prepare a joint development plan document.

Pursuant to section 19(2)(a) of PCPA 2004, in preparing the Local Plan (including a development plan document or any other local development document) the local planning authority must have regard to national policies and advice contained in guidance issued by the Secretary of State.

The Secretary of State's powers pursuant to sections 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.

In addition, under section 28A PCPA 2004, the Secretary of State has the power to direct that two or more local planning authorities prepare a joint development plan document. The purpose of that power is to enable planning across neighbouring authorities so as to address wider strategic matters such as planning for and meeting housing need.

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..

### **7.3 Diversity and Equality**

Implications verified by: Becky Price

Community Development Officer

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):

- Cabinet Report on Development Plan Update –  
<http://democracy.thurrock.gov.uk/documents/s21471/Appendix%20C%20-%20Development%20Plan%20Update.pdf>
- Local Plan Issues and Options – Engagement Strategy (Phase 1) -  
[https://www.thurrock.gov.uk/sites/default/files/assets/documents/local\\_plan\\_engagement\\_strategy\\_phase1.pdf](https://www.thurrock.gov.uk/sites/default/files/assets/documents/local_plan_engagement_strategy_phase1.pdf)

**9. Appendices to the report**

- Appendix 1 - Local Plan Issues and Options (Stage 2) consultation document
- Appendix 2 - Local Plan Issues and Options (Stage 2) - Engagement Strategy

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