

5 October 2021		ITEM: 11
Planning, Transport, Regeneration Overview and Scrutiny Committee		
Approach to the Local Plan		
Wards and communities affected: All	Key Decision: N/A	
Report of: Sean Nethercott, Strategic Lead – Strategic Services		
Accountable Assistant Director: Leigh Nicholson, Assistant Director – Planning, Transportation and Public Protection		
Accountable Director: Julie Rogers, Public Realm		
This report is Public		

Executive Summary

This Report provides an update on the steps that the Council is taking to prepare a sound Local Plan in accordance with all relevant legal and procedural requirements and consistent with national policy. This includes progress in preparing a Framework Version of the Local Plan, evidence base development and the Thurrock Design Charrette Process.

1. Recommendation(s)

1.1 That the Committee note the report and provide comment on the approach being adopted by the Council in preparing a new Local Plan.

1.2 That the Committee continues to receive regular progress reports on the preparation of the Local Plan and provides oversight of the Plan making process.

2. Introduction and Background

2.1 The National Planning Policy Framework (NPPF) sets out that the planning system should be plan-led and that up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.

2.2 The NPPF requires that Plans should:

- a) Be prepared with the objective of contributing to the achievement of sustainable development;

- b) Be prepared positively, in a way that is aspirational but deliverable;
- c) Be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, business, infrastructure providers and operators and statutory consultees;
- d) Contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;
- e) Be accessible through the use of digital tools to assist public involvement and policy presentation; and
- f) Serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).

The plan-making framework

2.3 The process of preparing a Local Plan is heavily regulated with Local Planning Authorities required to have regard to national policy as set out in the Planning and Compulsory Purchase Act 2004 (as amended) and Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Plan-makers are also required to have regard to the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG), which set in policy and guidance on the nature and content of Local Plans.

2.4 The NPPF requires that development plans must include **strategic** policies to address each local planning authority's priorities for the development and use of land in its area, and **non-strategic** policies which set out a more detailed policy framework for the consideration of different types of development.

Strategic Policies

2.5 Strategic policies should set out an overall strategy for the pattern, scale and design quality of places, and make sufficient provision for:

- a) housing (including affordable housing), employment, retail, leisure, and other commercial development;
- b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- c) community facilities (such as health, education and cultural infrastructure); and
- d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.

2.6 Plans should make explicit which policies are strategic policies. These should be limited to those necessary to address the strategic priorities of the area (and any relevant cross-boundary issues), to provide a clear starting point for any nonstrategic policies that are needed.

- 2.7 Strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.
- 2.8 Broad locations for development should be indicated on a key diagram, and land use designations and allocations identified on a policies map.
- 2.9 Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development. This should include planning for and allocating sufficient sites to deliver the strategic priorities of the area.
- 2.10 Where a single local plan is prepared the non-strategic policies should be clearly distinguished from the strategic policies.

Non-Strategic Policies

- 2.11 Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies.

3. The Emerging Thurrock Local Plan

- 3.1 Work is now underway in producing a Framework Version of the Thurrock Plan which responds to the requirements set out in the NPPF in terms of the scope, nature and content of planning policy required to manage the future development of Thurrock. Reflecting the NPPF requirements, the framework version of the plan is structured as set out below.

Proposed Structure of Thurrock Local Plan

1. Introduction
2. Our Borough
3. Key Issues and Challenges for the Future
4. Our Vision For Thurrock
5. The Spatial Strategy
6. Strategic Policies
7. Spatial Planning Areas – Place-making policies and proposals
8. Development Policies
9. Appendices

3.2 Following the preparation of a Framework version of the Local Plan, work will begin in preparing a first draft of the Regulation 18 Local Plan, with the intention of having Chapters 1- 4 as set out above largely completed by the end of 2021.

3.3 While it is not possible to make significant progress in drafting the Spatial Strategy, the Strategic Policies or Spatial Planning Area policies at this time, pending the ongoing development of the Local Plan evidence base, work has also begun on the drafting of suite of non-place specific Development Management policies for possible inclusion within the plan, with a view to these being completed in draft early in early 2021.

Development of the Local Plan Evidence Base

3.4 The preparation of all policies should be underpinned by relevant and up-to-date evidence focused tightly on supporting and justifying the policies set out in the Local Plan. Given the scale and complexity of the Thurrock Local Plan, it has been necessary to commission a significant number of technical studies to ensure that the plan is positively prepared (meets future development needs); justified (based on evidence); effective (deliverable over the plan period); and consistent with national policy.

3.5 While the process of building the Local Plan evidence base is ongoing and will continue throughout 2022, work on developing the Spatial Strategy, Strategic Policies and Spatial Planning Area policies and proposals will be taken forward on an iterative basis to allow for the preparation and publication of a Regulation 18 Draft Local Plan in 2022 and Regulation 19 Local Plan in 2023.

- 3.6 Among the technical studies currently in production or about to be commissioned before the end of 2021 are the following:

Thurrock Local Plan Technical Studies

- Thurrock Local Plan Climate Change Strategy
- Thurrock Local Plan Energy Strategy
- Thurrock Local Plan Infrastructure Baseline Study
- Thurrock Local Plan Interim Infrastructure Delivery Plan
- Thurrock Transport Baseline Report
- Thurrock 2050 -Vision for Movement
- Thurrock Transport Strategy
- Thurrock Strategic Transport Model
- Strategic Growth Area Transport Access Strategies
- Thurrock Housing Sites Assessment
- Thurrock Local Plan Housing Delivery Strategy
- South Essex Strategic Housing Market Assessment
- Thurrock Economic Development Needs Assessment
- Thurrock Centres Study
- Thurrock Local Plan Stage 2 Green Belt Study
- Thurrock Local Plan Stage 2 Landscape Character Stage 2 Report
- Thurrock Local Plan Green and Blue Infrastructure Strategy
- Thurrock Design Strategy Refresh
- Spatial Planning Area Development Frameworks
- Strategic Growth Locations Concept Plans
- Strategic Growth Area Infrastructure Delivery Plans
- Thurrock Local Plan Regulation 18 Integrated Assessment

- 3.7 In order that Members are fully sighted on the emerging outputs of this technical work it is proposed to set up a programme of Member Briefing Workshops to sit alongside the Local Development Plan Taskforce as a means for disseminating information and facilitating Member discussion on the plan-making process.

Thurrock Design Charrettes Progress Update

- 3.8 The roll out of the Thurrock Design Charrette process commenced in December 2020 with the launch of an online Consultation Portal. This was quickly followed by a series of 8 Design Charrette Workshops across the Borough involving landowners, scheme promoters and developers who are currently promoting sites for allocation through the Local Plan.
- 3.9 The Design Charrette workshops have been very well attended and have been invaluable in deepening and developing a shared understanding of the

issues and opportunities associated in taking for the future development of 8 areas under consideration (Bulphan, Chadwell St Mary, Corringham, East Tilbury, Horndon on the Hill, South Ockendon, Orsett and Stanford-le-Hope).

- 3.10 The information obtained from these discussions will now be used to help inform the wider plan-making process including the nature and scope of the evidence needed to support the production of the Local Plan. The information generated will also be used to help inform the Community Design Charrette Workshops which will now begin to be rolled out in November. A further series of community meetings will also be arranged for those areas which lie outside the Design Charrette Areas in order to brief residents and local communities on progress and to receive feedback on local need and priorities as a follow on from earlier rounds of Your Place Your Voice consultation activity.
- 3.11 Following the conclusion of the public consultation process work will then begin on the production of a series of reports and Development Frameworks which will establish a vision and guiding principles to steer the future development of the Charrette areas. It is intended that the place based Development Frameworks will sit alongside the formal Local Plan assessment of individual sites and their suitability for allocation in the Plan, with both processes being combined to produce a Housing Supply Topic Paper which will give an early indication of how the scale and distribution of Thurrock's future housing needs will be met.
- 3.12 The emerging Local Plan also has a significant role to play in delivering a wide range of Council priorities and its production will be informed by on-going work in preparing or updating a number of other Corporate Strategies. These include updates to the Councils Economic, Housing and Health and Well-being Strategies, as well as the preparation of 'new' strategies in relation to Climate Change, Energy and Design.
- 3.13 Of major importance to the Local Plan process is the need to prepare a new Thurrock Transport Strategy (TTS) which fully supports the delivery of the Local Plan as well as the Council's wider transport, economic, health and environmental objectives.
- 3.14 Alongside the statutory plan-making process, the Council will also seek to further develop and strengthen its relationships with Government and in particular with the Ministry for Housing, Communities and Local Government (MHCLG), the Department for Transport (DfT), the Department for Business Energy and Industrial Strategy (BEIS), together with key delivery partners such as Homes England (HE), Highways England (HE) and the Environment Agency (EA) to ensure that the delivery of the Local Plan is not compromised by a lack of funding for the delivery of strategic infrastructure interventions required to support the Councils growth aspirations and meet community needs.

Member Engagement

3.15 In view of the importance of achieving effective Member engagement in the Plan process, work is underway in preparing a Member Engagement Strategy which will mirror the staged preparation of the Thurrock Plan and provide an opportunity for all Members to engage fully with the process. It is therefore proposed to bring the Member Engagement Strategy to the next meeting of the Taskforce for review and comment. Although, the detailed staging of activities has yet to be worked up, it is envisaged that the programme for engaging with Members should be integrated and be delivered at the following levels:

- Leaders Group
- All Member Briefings – Evidence and Strategy Development
- Planning, Transport and Regeneration Overview and Scrutiny
- Local Development Plan Taskforce

3.16 It is hoped that by adopting a front-loading approach towards engaging Members in the plan-making process, it will be possible to achieve broad and early support for the Plan which will assist the process move forward quickly through the various statutory stages toward submission and adoption.

4. Reasons for Recommendation

4.1 It is essential that the Council has an up-to-date Development Plan in place and the supporting documentation that will help drive its delivery.

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

5.1 The Local Plan has been previously subject of formal consultation (Issue and Options 2) and engagement with Planning, Transport and Regeneration Overview and Scrutiny Committee, the Local Plan Group, All Member Briefings, and Group and Ward Member Meetings.

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: **Laura Last**
Senior Management Accountant

There is a dedicated budget for plan making to cover the basic costs of preparing planning policy documents.

7.2 Legal

Implications verified by: **Ian Hunt**
Assistant Director of Law and Governance & Monitoring Officer

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. The Issues and Options Consultation Stage 2 is a preparatory step for the production of a draft Local Plan as required under Regulation 18 of the 2012 Regulations. 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.

7.3 Diversity and Equality

Implications verified by: **Becky Lee**
Team 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 between people who share a protected characteristic and people who do not share it. 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. This activity will build on principles already set out in the council's Collaborative Communities Framework and specifically "involving residents in the decisions that affect their lives using co-design and co-production methods in the issues facing Thurrock as well as the solutions".

Feedback from the consultation process will support and inform a comprehensive Community Equality Impact Assessment that will underpin the Local Plan in addition to supporting policies.

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder, or Impact on Looked After Children)

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):

- None

9. Appendices to the report

- None

Report Author:

Sean Nethercott

Strategic Lead – Strategic Services

Public Realm