

Southend-on-Sea Borough Council

Agenda
Item No.

28

Report of Corporate Director for Place

to
Cabinet

on
22 September 2015

Report prepared by: Matthew Thomas and Mark Sheppard
(Strategic Planning)

**Southend Central Area Action Plan (SCAAP) Preferred Approach Public Consultation
Place Scrutiny Committee
Executive Councillor: Councillor Norman
A Part 1 Public Agenda Item**

1. Purpose of Report

- 1.1 To seek endorsement of the development principles, opportunity sites and policies within the Preferred Approach version of the SCAAP.
- 1.2 To agree response to previous consultation comments on earlier iterations of the SCAAP, as set out in the accompanying Consultation Statement.
- 1.3 To seek agreement to carry out statutory public consultation on a Preferred Approach version of the SCAAP.

2. Recommendation

- 2.1 **Agree the SCAAP Preferred Approach at Appendix A and associated Policies Map at Appendix B for at least a minimum 6 week statutory consultation in accordance with the Southend Local Development Scheme timetable.**
- 2.2 **Note and endorse response to the consultation comments received on earlier iterations of the SCAAP, as set out in the accompanying Consultation Statement at Appendix C.**
- 2.3 **That the Corporate Director for Place, in conjunction with the Portfolio Holder for Housing, Planning and Regulatory Services, is delegated to:**
 - a) **make any minor adjustments to the approved Preferred Approach version of the SCAAP, which are considered necessary to ensure accuracy, correct references and presentation for public consultation, and**
 - b) **take all necessary steps to ensure compliance with the relevant statutory consultation.**

3. Background

Preparation of the SCAAP to date

- 3.1 In accordance with Southend Borough Council's Local Development Scheme timetable and the 'Strategic Objectives' and policies within the adopted Southend Core Strategy, the Borough Council has prepared an Area Action Plan for the Central Area of the town and associated policies map. It is a spatial plan that will provide:
- an up-to-date statutory basis for assessing planning applications within the Town Centre and Central Area; and
 - a local planning framework for guiding development within the Town Centre and Central Area, within which the Council, other agencies and key stakeholders can coordinate their investment programmes.
- 3.2 The last iteration in the preparation of the SCAAP was a Pre-Submission version, consulted on in September 2011. Further preparation of the document has been delayed for a number of reasons, namely:
- The enactment of the Localism Act 2011 and the publication of the National Planning Policy Framework (NPPF), which introduced significant changes to national policy and guidance for local plan making. All emerging policy documents have had to be reviewed to ensure they continue to be up-to-date and sound, ensuring **deliverability** and **viability**, consistent with the advice in the NPPF.
 - Further supporting evidence has had to be produced, partly in response to changes to national policy requirements, to ensure that at Examination in Public the local planning authority submits a plan which it considers to be sound, namely that it is: **positively prepared; justified; effective and consistent with national policy.**
 - Resources have been focused on the delivery of the London Southend Airport and Environs Joint Area Action Plan (JAAP) and Development Management Document, which have both been successfully examined and now adopted.
- 3.3 In light of this, it is proposed to consult on a 'Preferred Approach' version of the SCAAP, commencing in November 2015, under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This will provide an opportunity for stakeholders, members of the public and interested parties to respond to the preferred approach as set out in the Plan, including specific site boundaries and policies within the SCAAP area.
- 3.4 This consultation will then be followed by 'publication' of the Pre-submission version of the SCAAP (under Regulation 19) before the document is then submitted to the Planning Inspectorate for independent Examination in Public.

SCAAP Preferred Approach

- 3.5 The Preferred Approach Version of SCAAP contains policies and proposals that in combination address: the development strategy for the Plan (matters such as retail, transport, heritage); development principles for the 'Policy Areas' (including identification of appropriate land uses, access / public realm improvements); and a set of more detailed, site specific policies in the 'Opportunity Areas'.
- 3.6 There are no fundamental changes to the overall policies compared to the previous version of the SCAAP (September 2011), however a different policy approach for positively managing retail uses has been presented and some of the proposal sites (now referred to as 'Opportunity Sites') and site specific policies as originally proposed, have been updated to reflect the Council's aims and objectives for the central area (including its own assets), planning permissions, current land use and previous consultation responses. A summary of the main amendments is provided in the Consultation Statement (**Appendix C**). The general layout and format of the SCAAP has also been made more concise and policies have been rationalised.
- 3.7 As part of the Examination in Public, whereby the SCAAP will be examined by an independent Planning Inspector, the Council will have to be able to demonstrate that each of the opportunity sites are **viable** and **deliverable**. A detailed site-specific viability assessment may be required to support the Plan through the examination process. In light of this, a number of amendments to the opportunity sites and policy area boundaries have been proposed and will be kept under review as the SCAAP is progressed.
- 3.8 The Policies Map (**Appendix B**) illustrates geographically the location and boundary of SCAAP Policy Areas and Opportunity Sites, and these are listed in **Table 1** below:

Table 1: Policy Areas and Opportunity Sites

Policy Area	Opportunity Sites
High Street Policy Area	- Whitegate Road (OS1) - Pitman's Close (OS2)
London Road Policy Area	N/A
Elmer Square Policy Area	- Elmer Square Phase 2 (OS3)
Queensway Policy Area	- Queensway (OS4)
Warrior Square Policy Area	- Warrior Square (OS5)
Clifftown Policy Area	N/A
Tylers Policy Area	- Tylers (OS6)
Central Seafront Policy Area	- Southend Pier (OS7) - Seaway Car Park and Marine Parade (OS8) - New Southend Museum (OS9) - Woodgrange Drive (Kursaal) Estate (OS10)
Victoria Gateway Neighbourhood Policy Area	- Victoria Avenue (OS11) - Former Essex and Suffolk Water Board Site

	(OS12) - Roots Hall Football Ground and Environs (OS13)
Sutton Gateway Neighbourhood Policy Area	- Sutton Road (OS14)

Public Car Parking provision within the Town Centre

- 3.9 The Pre-submission version of the SCAAP (2011) set out a preferred approach to car parking in the town centre. This was set out in the transport and access strategy of the 2011 version of the SCAAP. It articulated an approach that divided the town centre into four quadrants (south west, north west, north east, south east), indicating that an arrival point and car park would be located in each quadrant, each within 5 minute walk from the town centre. This would provide parking at key locations at the edge of the core town centre and along public transport corridors, enabling sustainable patterns of movement and redevelopment of the surface car park sites.
- 3.10 Since this previous version of the SCAAP, there have been a number of changes within the town centre that have had an impact on car parking provision. The re-development of the former Farringdon multi storey car park (MSCP) has been reprovided at University Square, and the demolition of Queensway House has resulted in provision of a temporary surface level car park on this site (Essex Street), and a temporary privately run car park on Victoria Avenue, increasing parking provision within the town centre.
- 3.11 The recent Marine Plaza Parking Surveys (conducted on three occasions during April 2015, including Good Friday) have provided up to date evidence on car parking capacity within the town centre. **The results of these surveys indicate that, even during peak periods on a bank holiday (in this case Good Friday 2015) there is spare car parking capacity (26%) within the town centre.** While a small number of car parks (Eastern Esplanade, Alexandra Street, York Road on-street, and Fairheads) were over-capacity for a small period of time on this day, the results show that there was capacity at nearby car parks.
- 3.12 Taking this into account, it is proposed to set out the following approach to car parking management within the Preferred Approach version of the SCAAP (2015):
- Encourage extension of the existing car park variable messaging signs (VMS) to direct drivers to the most convenient car park and avoid unnecessary circulating traffic.
 - Improve access to town centre car parks from Queensway dual carriageway to avoid traffic circulating through the town centre;
 - Keep car parking capacity and demand under review, recognising that there has been a temporary increase in public car parking in the town centre, seeking to maintain capacity at a level that supports the vitality and viability of the town centre whilst enabling the delivery of relevant opportunity sites.

- 3.13 As the SCAAP progresses through to the next statutory stage of preparation and consultation, it is considered that further work to update the evidence base relating to car parking provision and management within the town centre will be beneficial to support the delivery of the Plan, particularly as a number of the SCAAP Opportunity Sites are located on existing Council owned car parks and there is therefore a need to determine future car parking solutions if and when these sites are developed.

4. Other Options

- 4.1 Not to prepare the SCAAP and consult on the Plan. This is not recommended as an up-to-date plan prepared using local evidence and guided by community consultation, is the most appropriate guide for local planning decisions and regeneration of the town centre and central seafront area.

5. Reason for Recommendation

- 5.1 To ensure that the SCAAP is prepared efficiently to provide the necessary planning policy framework to guide future development in the Town Centre and Central Area before the final version of the Plan is prepared and subsequently submitted to the Secretary of State for Independent Examination.

6. Corporate Implications

6.1 Contribution to Council's Vision & Corporate Priorities

- 6.1.1 The successful delivery of the SCAAP will contribute to the fulfilment of a number of spatial elements of the Council's vision and priorities, for example, in relation to town centre and central seafront regeneration, improving economic prosperity, promoting green technologies, and protecting and enhancing the natural and built environment.

6.2 Financial Implications

- 6.2.1 Financial input is necessary to fulfil the requirements of all statutory stages in the preparation and delivery of the SCAAP. Costs associated with this consultation will be met from existing agreed budgets.

6.3 Legal Implications

- 6.3.1 Whilst the SCAAP is at a consultative stage there is no need for detailed consideration of the proposals from a legal perspective.

- 6.3.2 It is noted that through this consultative document, the Council is discharging its duty under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

6.4 People Implications

6.4.1 Significant staff resources from the Strategic Planning Team will be required in order to produce the SCAAP. Support from the Department of Place Business Support Unit will also be required particularly with regards to the public consultation.

6.5 Property Implications

6.5.1 Southend Borough Council owns a number of the sites promoted for development within the SCAAP. The proposed Opportunity Sites are outlined at Appendix B.

6.6 Consultation

6.6.1 The SCAAP has been subject to two statutory consultations¹ and the responses to these are available via the Consultation Statement (Appendix C):

- Issues and Options Consultation 2010
- Pre-Submission Consultation 2011

6.6.2 Consultation on the SCAAP Preferred Approach will be carried out in accordance with the Council's Statement of Community Involvement (2013).

6.7 Equalities and Diversity Implications

6.7.1 An equalities impact assessment will be produced for the SCAAP. Further public consultation will also provide opportunity for different sections of the community to input into the plan making process.

6.8 Risk Assessment

6.8.1 The Timetable for Local Plan preparation is challenging. Significant staff resources from the Strategic Planning Team will be required in order to take the SCAAP forward through its examination stages; these same resources will be taking the Essex and Southend Replacement Waste Local Plan, Core Strategy Review and Site Allocations DPD through consultation within a similar timeframe.

6.8.2 If the SCAAP was not to be published and taken forward to adoption, the absence of the SCAAP policies may result in inappropriate or piecemeal development in Southend Central Area being allowed on appeal, which would not be aligned with the Borough Council's Vision and Priorities for the regeneration and growth of the town. Further, the Council may not be able to demonstrate deliverability of the Core Strategy's spatial approach to housing delivery, nor a five year land supply, and may have to consider the release of land elsewhere in the Borough.

¹ Note: the SCAAP has been informed by and taken account of a number of other consultation activities, including those undertaken for the Central Area Masterplan, Town Centre AAP, and Seafront AAP.

6.8.3 The SCAAP has facilitated opportunity to draw upon additional funding, such as funding from the Growth Deal and City Deal, to deliver the planned growth within Southend Central Area. If the SCAAP were not to be published and taken forward for adoption, opportunity to leverage such funding in the future may be affected.

6.9 Value for Money

6.9.1 There will be significant beneficial impacts in terms of value for money from carrying out the work proposed using in-house resources wherever possible. This will bring benefits in terms of building in-house experience and expertise for officers, as well as utilising local knowledge and experience, within the Strategic Planning team which would not be gained otherwise. The SCAAP has also facilitated opportunity to draw upon additional funding, such as funding from the Growth Deal and City Deal.

6.10 Community Safety Implications

6.10.1 The SCAAP seeks to improve the natural and built environment thereby contributing towards improving community safety.

6.11 Environmental Impact

6.11.1 *Sustainability Appraisal*

All iterations of the SCAAP have been subject to Sustainability Appraisal, which is an assessment of the potential significant social, environmental and economic impacts of development and forms an integral part of the plan making process. It ensures that all policies and proposals are prepared with a view to contributing to the achievement of sustainable development. These appraisals have been used to assist with the identification of the most sustainable policies to take forward.

6.11.2 *Habitats' Regulations Screening Report*

Southend and the surrounding districts include a number of important designated sites for nature conservation. Habitats' screening is an assessment of the potential significant effects of a policy on European Sites designated for their nature conservation importance. These include Special Areas of Conservation, Special Protection Areas, and international Ramsar sites. A policy should only be approved after determining that it will not adversely affect the integrity of such sites. Each policy has been assessed for any significant impacts on European sites within or outside the Southend and it was considered that there was no significant effect.

7. Background Papers

7.1 The Town and Country Planning (Local Development) (England) Regulations 2012

- 7.2 Planning and Compulsory Purchase Act 2004
- 7.3 Southend on Sea Local Development Scheme timetable 2015
- 7.4 Southend on Sea Statement of Community Involvement 2012
- 7.5 Southend on Sea Core Strategy DPD 2007
- 7.6 Central Area Master Plan 2008
- 7.7 Southend Central Area Action Plan: pre-submission 2011
- 7.8 Southend-on-Sea Borough Local Plan 1994
- 7.9 Southend-on-Sea Cabinet Report: Southend-on-Sea Local Development Framework – Development Management DPD: Submission Draft and Southend Central Area Action Plan: Submission Draft 2012

8. Appendices

Appendix A: Southend Central Area Action Plan (SCAAP) Preferred Approach

Appendix B: SCAAP Policies Map

Appendix C: Consultation Statement