

Public Document Pack

Southend-on-Sea Borough Council

Legal & Democratic Services

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10 January 2020

Dear Councillor

CABINET - THURSDAY, 16TH JANUARY, 2020

Please find enclosed, for consideration at the next meeting of the Cabinet taking place on Thursday, 16th January, 2020, the following report(s) that were unavailable when the agenda was printed.

Agenda No	Item
12.	Southend Local Plan Update (Pages 1 - 44) Report of Deputy Chief Executive and Executive Director (Growth and Housing)

Tim Row
Principal Democratic Services Officer

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Southend-on-Sea Borough Council

Report of Deputy Chief Executive & Executive Director
(Growth and Housing)

To

Cabinet

On

16th January 2019

Report prepared by: Mark Sheppard

**Agenda
Item No.**

Southend New Local Plan Update

Place Scrutiny Committee

Cabinet Member: Councillor Carole Mulroney

Part 1 (Public Agenda Item)

1. Purpose of Report

- 1.1 To seek Member endorsement for a new approach to preparing the Southend New Local Plan (SNLP).
- 1.2 The preparation of evidence-based documents to support the emerging SNLP have illustrated a number of cross-boundary strategic issues that cannot be effectively addressed in isolation and entirely within Southend's administrative area, and under the Duty to Co-operate with adjoining local authorities, need to be resolved in a co-ordinated manner.
- 1.3 To facilitate this and to expedite the SNLP in a timely and efficient manner it is proposed that Southend Borough Council (SBC) and Rochford District Council (RDC) agree to prepare their respective local plans in two distinct parts:
 - Part 1 – a common strategic section to be prepared jointly to cover cross-boundary growth and management issues;
 - Part 2 – to comprise of detailed plans for Southend and Rochford respectively.
- 1.4 In effect two distinct local plans will continue to be prepared (one for each Authority) with a common Joint Part 1 section covering strategic cross boundary issues with a separate Part 2 to address local issues for each respective administrative area
- 1.5 To facilitate the preparation of a common Joint Part 1 section with Rochford District Council, Member agreement is sought to a:
 - Memorandum of Understanding;
 - Statement of Common Ground; and
 - revised Local Development Scheme.

- 1.6 As part of achieving a joined-up approach to plan making across South Essex, work on preparing the joint strategic plan (the South Essex Plan (SEP)) in liaison with South Essex local authority partners (ASELA) and Essex County Council (ECC) will continue. The SEP will provide the strategic framework for guiding the preparation of local plans.

2. Recommendations

- 2.1 In order to take forward the Southend New Local Plan in a timely, coordinated and efficient manner that Members agree to:

- the preparation of a common Joint Part 1 section with Rochford District Council covering cross-boundary strategic issues;
- the preparation of a Part 2 section covering detailed planning policy matters for Southend (Option B – see paragraph 3.16 below).

- 2.2 That as part of the preparation of a common Joint Part 1 Local Plan Members agree:

- the Memorandum of Understanding (Appendix 1);
- the Rochford and Southend Statement of Common Ground (Appendix 2);
- the revised Local Development Scheme (Appendix 3).

- 2.3 Members note that the joint South Essex Plan (SEP) will continue to be prepared in partnership with the Association of South Essex Local Authorities (ASELA).

- 2.4 That Members agree to delegate authority to the Deputy Chief Executive and Executive Director Growth and Housing, in consultation with the Cabinet Member for Environment and Planning, to liaise and agree with Rochford District Council on the most efficient use of staff and related resources to prepare the Joint Part 1 Local Plan in an efficient and cost-effective manner.

- 2.5 That Members agree to delegate authority to the Deputy Chief Executive and Executive Director Growth and Housing, in consultation with the Cabinet Member for Environment and Planning, in conjunction with the Environment and Planning Working Party, to agree and consult on preparatory drafts of the New Local Plan, including the common Joint Part 1 and associated documentation.

- 2.6 That Members agree to delegate authority to the Deputy Chief Executive and Executive Director Growth and Housing, in consultation with the Cabinet Member for Environment and Planning, to agree updates to the Statement of Common Ground (Appendix 2) and Local Development Scheme (Appendix 3).

3. Background

- 3.1 In February last year an 'Issues and Options' document was published for consultation purposes as part of the first stage in the preparation of the SNLP. A feedback report was published in October and will inform preparation of the next stage of the local plan. Once adopted the SNLP will promote and guide development in the Borough to 2038. It will replace the suite of documents that currently comprise the Southend Local Development Plan, including the Southend Core Strategy, Development Management Document and Southend Central Area Action Plan.
- 3.2 Neighbouring Rochford District Council has reached a similar stage in the preparation of its own Local Plan, having undertaken an Issues and Options consultation from December 2017 to March 2018. Similar to Southend, once adopted, the Rochford New Local Plan will replace the suite of documents that currently comprise the Rochford District Local Development Plan.
- 3.3 Both authorities' Local Plan evidence bases and respective 'Issues and Options' consultations have identified a number of cross-boundary issues that cannot be effectively addressed in isolation, and under the Duty to Co-operate should be resolved in a co-ordinated manner. These include how best to meet the challenge of local housing and economic needs alongside delivering meaningful and transformational infrastructure improvements. Both authorities will also need to plan responsibly for the future of London Southend Airport, building on the strong history of collaborative working that underpinned the London Southend Airport and Environs Joint Area Action Plan (JAAP) adopted in 2015.
- 3.4 Both authorities are now looking to progress the next stage of plan preparation. The timely adoption of new local plans is critical with current adopted Local Plans for Southend and Rochford only covering the period to 2021 and 2025 respectively. In addition, supporting evidence is increasingly outdated and not reflecting current Government policy initiatives, particularly the drive to deliver greater numbers of new housing to meet local needs or take into account recent changing economic, environmental and social circumstances. Proposed changes to national planning policy also seek to introduce a number of significant changes to development plan preparation.
- 3.5 The timely adoption of a new Local Plan is important as it will enable the Council, as a Local Planning Authority, to positively influence development, ensure it is located in right place, is of the right type and quality, is supported by necessary infrastructure and facilitates sustainable development.
- 3.6 Both authorities recognise the role of ECC as the strategic upper tier authority covering Rochford within the county of Essex and a neighbouring authority to Southend and partner within ASELA. Any planned growth is likely to have either an indirect or direct impact on ECC infrastructure and service provision and therefore SBC and RDC wish to work with ECC to explore ways to plan for growth to create new sustainable communities supported by appropriate infrastructure.
- 3.7 Planning for minerals and waste in Southend and Rochford is the responsibility of SBC and ECC respectively. Minerals and Waste planning is managed

through a separate local planning process. The Essex and Southend Waste Local Plan adopted in 2017 provides the waste planning framework for both areas, however the Essex Minerals Local Plan adopted in 2014 covers the upper tier area of Essex only. This Plan is now under review and will continue to cover the upper tier area of Essex only. The SNLP will incorporate mineral related planning matters in accordance with national policy. A separate Statement of Common Ground will be prepared to help manage the strategic minerals and waste planning matters.

Association of South Essex Local Authorities (ASELA) and the joint South Essex Plan (SEP)

- 3.8 In 2017, in response to a wider need for a strategic and co-ordinated approach to development in South Essex, all six-constituent South Essex local authorities¹ and ECC committed to the establishment of the ASELA. ASELA was formed in response to the need for greater cross-boundary working on strategic infrastructure planning and growth across South Essex, to provide place leadership for South Essex and promote healthy growth for our communities.
- 3.9 Through ASELA, the Council has committed to the preparation of a '2050 Ambition' and the SEP, the latter to provide the strategic planning framework to inform the preparation of more detailed Local Plans by the six Local Authorities.
- 3.10 The establishment of an agreed sub-regional framework for growth and investment in South Essex is important to ensure that the six Local Plans being prepared across the area provide for an effective 'joined-up' planning approach across the sub-region.
- 3.11 The SEP is expected to provide a high-level framework for the distribution and identification of broad locations for growth across South Essex. It is, however, unlikely to provide the site-level detail and technical policies, such as making alterations to Green Belt boundaries, needed to deliver the growth envisaged. This site-level detail and technical policy needs to be delivered through a more detailed development plan document, such as a Local Plan(s). By taking a co-ordinated approach at the local level, both SBC and RDC, with ECC, could more effectively implement the SEP insofar as it relates to important cross-boundary matters at the local-level, including but not limited to the future of London Southend Airport, seeking to meet development needs, combating climate change, the Greater Anglia rail line, the A127, and the development of integrated and sustainable transport networks.
- 3.12 It is therefore vitally important that the preparation of the respective Southend and Rochford Local Plans continue to be progressed alongside the SEP.

The Need for a Collaborative Approach

- 3.13 RDC and SBC, together with ECC have a strong foundation for cooperation, having jointly prepared and adopted a number of planning policy and evidence-based documents, including the London Southend Airport and Environs Joint Area Action Plan and the Essex and Southend Waste Local Plan.

¹¹ Basildon, Brentwood, Castle Point, Rochford, Southend and Thurrock Councils

3.14 The Localism Act 2011 places a “Duty to Cooperate” on Local Planning Authorities and County Councils (amongst other public sector organisations), requiring them to engage constructively, actively and on an on-going basis in the preparation of plans where this involves strategic matters. The Neighbourhood Planning Act 2017 and national policy requires Local Planning Authorities to identify the strategic priorities for the development and use of land in the authorities’ area and set out policies to address those priorities.

3.15 Whilst the SEP is expected to provide a strategic framework for the preparation of individual Local Plans across South Essex, there are number of key cross-boundary matters between Southend, Rochford and ECC that could benefit from a collaborative approach at a more local level, including:

- **Ensuring High Quality Outcomes** – strategic collaboration provides the opportunity for greater ambition in planning and delivering high quality sustainable development; particularly, for example, through garden community principles. More generally, new development must be sustainable, functional and viable, but also reflect high standards of design. Major new developments will be planned carefully with the use of masterplans and design codes where appropriate;
- **Providing Sufficient Homes** – housing need is high across the area and a large amount of land is being promoted for development either side of the Rochford/Southend administrative boundary. There is a need to ensure that preparation of a spatial strategy, site assessment and selection is consistent across both authority areas;
- **Providing for Employment** – to strengthen local economies to provide more employable and skilled workers; more employment opportunities for residents, and higher productivity firms; to achieve a better balance between the location of jobs and housing, which will reduce the need to travel and promote sustainable growth;
- **Transport Infrastructure and connectivity** - Developing appropriate integrated and sustainable transport networks to support the efficient movement of people and goods, including strategic transport corridors (including A127, A13 and A130) recognising the requirements of both Essex and Southend local transport plans, including modal shift, sustainable travel, new technology, rail franchisee investment plans, footpath and cycle networks, and any access mitigation to enable strategic scale development across administrative boundaries, and future proofed internet access to all new development;
- **London Southend Airport** – the existing planning framework for London Southend Airport will need to be reviewed and rolled forward having regard to national policy, the economic potential of the area and environmental constraints;
- **Collaboration to accelerate delivery and Infrastructure Planning** - including for example education, health, flood and water management and how provision will be funded/ delivered and governance structures to maximise developer contributions including alignment of infrastructure requirements and provision between ECC and SBC and other providers;

- **Environment and Climate change** – reducing greenhouse emissions, minimising vulnerability and improving resilience, encouraging reuse of existing resources and supporting renewable and low carbon energy. Protection of designated sites for wildlife, biodiversity net gain, blue and green infrastructure and built heritage;
- **Approach to Minerals and Waste** – ensuring SBC and ECC planning response to minerals and waste is appropriately addressed; and
- **Resource efficiency** - the ability to more effectively align resources and reducing duplication of work to support the timely preparation of Local Plans.

3.16 It is recognised that minerals and waste planning is a strategic cross boundary matter which falls to ECC and SBC. A separate Statement of Common Ground will be prepared to manage these planning matters.

3.17 To embrace these challenges, there is a need to consider possible options which can deliver Local Plans in a timely fashion and which do not compromise the preparation of the SEP but rather add value to it at the local level.

3.18 A number of possible options have been identified for the next stage of local plan preparation that seeks to address the challenges which are unique to Southend and Rochford. Each option summarised below has associated risks and opportunities.

- **Option A: Joint Local Plan**

This would be one document covering both the Southend and Rochford administrative areas, covering detailed local matters as well as strategic issues. The scope of the Local Plan would be broad ranging raising issues of complexity and impact on timescales, ranging from aligning joint approaches to handling non-strategic matters.

- **Option B: Separate Local Plans with a Joint Part 1 (Cross Boundary Policies) – Preferred Approach**

This would consist of separate Local Plans with an common Part 1 covering strategic issues such as Vision and Strategy (combined for both authority areas), and strategic growth locations (including cross boundary) but separate Part 2 sections with distinct local policies and development management policies for each area. This would enable effective alignment and management of Local Plan timetables, with aligned approaches on strategic matters and local approaches to respective detailed matters.

- **Option C: Separate Local Plans with Shared Policies**

Each Council prepares their own Local Plan (strategy and vision, strategic sites policies) but with aligned policies covering cross boundary allocations/matters. Provides opportunities to progress shared and local matters, however, more difficult to commit and align Local Plan timetables.

- **Option D Separate Local Plans with separate Policies (current situation)**

Each Council continues to separately prepare their own Local Plan. This significantly constrains the ability to effectively address and align the cross-boundary matters

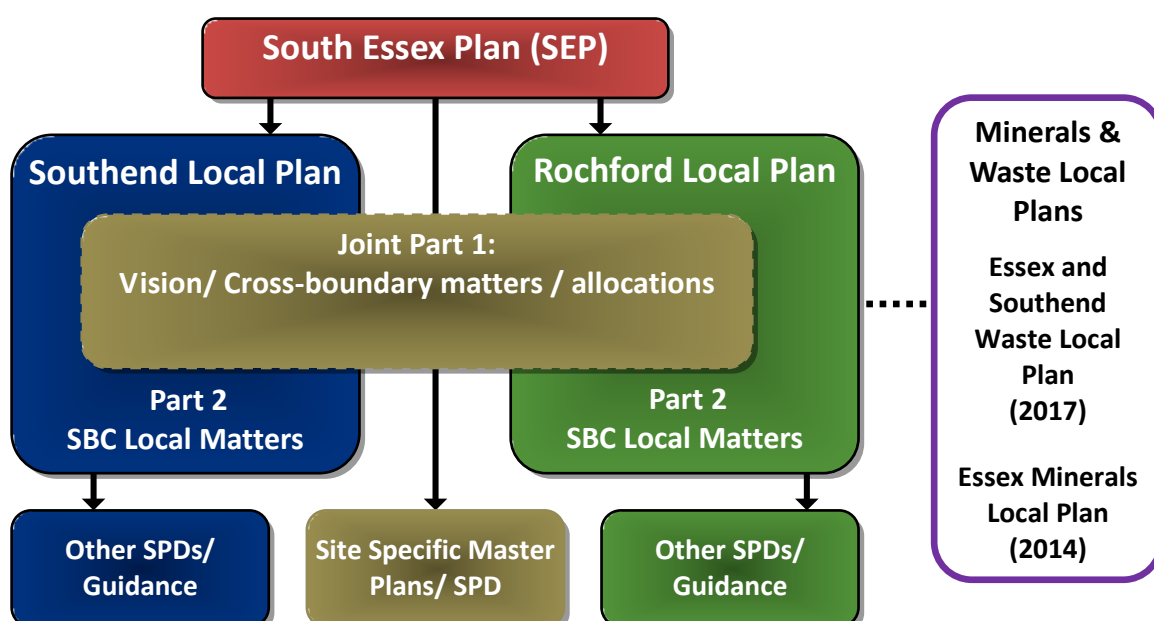
- **Option E: Area Action Plan (AAP) for new cross boundary growth locations, which may include Garden Settlements and the Airport**

A focussed Area Action Plan could create additional complexity, as both Councils still need to prepare respective Local Plans for the rest of their areas as well as undertaking this piece of work.

3.19 **Option B is considered to be the most appropriate option** for taking forward a collaborative approach between both authorities. Under this arrangement, both authorities would continue to develop separate Local Plans but these plans would have a jointly prepared shared 'cross-boundary policy section' (the 'Part 1') which may include a joint vision, spatial strategy and policies responding to the cross-boundary issues outlined above for delivering growth and regeneration. The separate 'Part 2' document would comprise of two documents, one for Southend prepared by SBC and one for Rochford prepared by RDC. These would address local issues and policies within each authority's area, including local objectives and development management policies. The Part 2 would still be expected to comprise the majority of the content and policies within each Local Plan.

3.20 Figure 1 below depicts the structure of development plans under the proposed approach, Local Plans being progressed alongside the preparation of the SEP. The need for more detailed Supplementary Guidance and Masterplans would be kept under review.

Figure 1: Preferred Option – Option B Separate Local Plans with a Joint Part 1



3.21 The responsibilities for preparation of the plans under Option B would be as follows:

Plan	Responsible Local Planning Authority	Key Infrastructure Provider (Council)
South Essex Plan	ASELA (Basildon, Brentwood, Castle Point, Rochford, Southend and Thurrock)	SBC, ECC and Thurrock Borough Council
Joint Part 1 Southend/Rochford Local Plan	SBC and RDC	SBC and ECC
Site Specific Masterplan/SPD		
Part 2 Southend Local Plan	SBC	SBC
Other SPD guidance for Southend		
Part 2 Rochford Local Plan	RDC	ECC
Other SPD guidance for Rochford		
Essex Minerals Local Plan Review	ECC	ECC
Essex and Southend on Sea Waste Local Plan Review	SBC and ECC	SBC & ECC

Memorandum of Understanding

3.22 A Memorandum of Understanding (MoU) has been jointly prepared between SBC, RDC and ECC to formally agree a commitment to bringing forward Local Plans under this approach.

3.23 The MoU is underpinned by several core principles, through which SBC and RDC agree to:

- engage constructively, actively and on an on-going basis in relation to cross-boundary planning matters under the Duty to Cooperate;
- be open and communicate about concerns, issues and opportunities in respect of collaboration and joint working;
- act in a timely manner, recognising the time critical nature of consultations, technical projects and plan preparation;
- adhere to statutory requirements, comply with applicable laws and standards, data protection and freedom of information requirements;
- encourage, develop and share best practice in cross-boundary planning matters;
- ensure adequate resources and staffing is in place to undertake effective collaboration and joint working (a separate resource paper will be prepared and agreed); and
- collaborate to increase certainty and accelerate delivery.

- 3.24 The MoU highlights the following as key deliverables of this collaborative approach:
- continue to prepare the SEP in partnership with ASELA;
 - prepare two distinct Local Plans – the ‘Rochford New Local Plan’ and ‘Southend New Local Plan’ which would comprise:
 - a Joint Part 1, which may include a joint vision and spatial strategy for the whole of the area, strategic allocations, such as for large scale development opportunities (housing, economic, infrastructure, environmental) and the management of London Southend Airport;
 - a separate Part 2 which addresses local matters for Southend and Rochford respectively which may include local objectives, allocations and development management policies;
 - RDC and SBC will be responsible for expediting preparation of Part 2 policies of their Local Plans as required to support delivery and examination of the Joint Part 1;
 - a detailed Evidence Base will be developed in support of these documents including a series of reports and independent assessments of proposals;
 - a Statement of Common Ground will be prepared, setting out the process and timetable for the plan, governance and working arrangements. The statement will be reviewed on an ongoing basis and updated as and when needed; and
 - a joint Communications Strategy will be developed drawing on the Statements of Community Involvement (SCI) for each Authority, describing how existing systems and processes in each Authority will be used when consulting on the local plans.
- 3.25 The MoU identifies the need for an effective governance structure to take forward various aspects of any collaborative working. This is expected to comprise an Officer group overseen by a Member group. This governance structure would not impact on the Council's existing governance arrangements and any formal decisions with respect to either Council's Local Plan would still require an appropriate decision to be made by that Council. This would include authorisation to consult on the draft plan.
- 3.26 The MoU is not legally binding and does not take precedence over the Council's statutory responsibilities. Instead it forms a voluntary agreement between the three parties to work together towards shared objectives.
- 3.27 Signing this MoU is without prejudice to any future decisions on the content and scope of any Local Plan including any Joint Part 1.
- 3.28 The MoU is set out in **Appendix 1**.

Statement of Common Ground (SOCG)

- 3.29 The Government's National Planning Framework requires that 'in order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more SOCGs documenting the cross-boundary matters being addressed and progress in cooperating to address these' (paragraph 27).
- 3.30 A SOCG has therefore been prepared jointly by SBC, RDC and ECC setting out the process and timetable for the separate Local Plans with a Joint Part 1, governance and working arrangements, and the key evidence needed to support the plans. The statement will be reviewed on an ongoing basis and updated as and when needed.
- 3.31 The SOCG is set out in **Appendix 2**.

Local Development Scheme

- 3.32 The Local Development Scheme (LDS) sets out a timetable for preparing and reviewing the Southend Development Plan to provide:
- an up-to-date statutory basis for determining planning applications (unless material considerations indicate otherwise); and
 - a long-term spatial planning framework for the Borough's development, within which the Council, other agencies and key stakeholders can coordinate their investment programmes.
- 3.33 In the light of the proposed changes to the preparation of the SNLP and RNLP revisions will be required to the two Councils respective LDSs.
- 3.34 **Appendix 3** sets a new Southend LDS to facilitate the preparation of a common Joint Part 1 Local Plan with RDC and a Part 2 for the Plan setting out detailed planning policies for Southend.

4. Other Options

- 4.1 A failure to undertake the preparation of a new local plan for Southend would result in the Council becoming increasingly unable to positively influence the scale, nature and location of change. This would lead to the potential increase in the risk of "planning by appeal" with the responsibility for decision making in effect being passed from the Council and the local community to both the Planning Inspectorate and the Secretary of State. It would also be likely that the Council would incur increasing costs in attempting to defend refusals of planning permission based on increasingly outdated development plans and related evidence base.
- 4.2 The consideration of a number of different plan making options is set out in section 3 above. The preparation of a common Joint Part 1 Local Plan with RDC, and associated documents, provides the most effective option that would allow for the proper consideration of a range of cross-boundary strategic growth issues to identify land to meet future housing, employment land and associated infrastructure requirements.

5. Reasons for Recommendations

- 5.1 To ensure the expeditious production of a new local plan for Southend and associated evidence base to manage and guide future growth and development in Southend and its hinterland in a positive and timely manner, where the Council has control of decision making in the public interest as representatives of the local community.

6. Corporate Implications

Contribution to the Southend 2050 Road Map

- 6.1 The successful delivery of the SNLP will contribute to the fulfilment of a number of elements of the Council's Southend 2050 ambition including meeting local housing needs, improving transport provision and infrastructure, improving economic prosperity, and protecting and enhancing the natural and built environment.
- 6.2 Delivery of the SNLP is included as a Southend 2050 outcome on the Opportunity and Prosperity theme.

Financial Implications

- 6.3 Financial and human resource input is necessary to fulfil the requirements of all statutory stages in the preparation and delivery of the SNLP. It should be noted that taking a development plan document through to adoption does have significant financial implications owing to the statutory process which has to be adhered to.
- 6.4 The costs associated with preparing the SNLP will be met from existing agreed budgets with the Director of Finance and Resources. This will be monitored to determine if any additional resource is required to deliver a Joint Part 1, on equal terms with RDC.

Legal Implications

- 6.5 To meet objectively assessed housing need each local authority must engage with adjoining local authorities under the Duty to Co-operate provisions set out in the Localism Act. It places a legal duty on Local Planning Authorities to engage constructively, actively and on an on-going basis to maximise the effectiveness of development plan preparation in the context of strategic cross boundary matters.
- 6.6 Local Planning Authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination. Local Planning Authorities must demonstrate how they have complied with the duty at the independent examination of their local plans. If a Local Planning Authority cannot demonstrate that it has complied with the duty then the local plan will not be able to proceed further in examination.
- 6.7 Local Planning Authorities will need to satisfy themselves about whether they have complied with the duty. As part of their consideration, Local Planning

Authorities will need to bear in mind that the cooperation should produce effective and deliverable policies on strategic cross boundary matters.

- 6.8 The status of a Local Plan is prescribed in Section 38(6) of the Planning and Compulsory Purchase Act 2004, which gives primacy to the development plan. It states: “if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.” As such, having an up to date Local Plan in place allows the local authority to plan positively and direct development to those sites and locations that are in accordance with the Council’s Strategy for regeneration and growth. It will provide the authority with the framework to robustly defend planning decisions at appeal.

People Implications

- 6.9 Significant staff resources from the Strategic Planning Team will be required in order to contribute to the preparation of the SNLP. Support from the Department of Place Business Support Unit will be required, particularly with regards to the public consultation process.
- 6.10 As the SNLP is cross-cutting in its coverage inputs from a number of other Council departments will be required particularly in relation to transport, housing, employment, tourism, recreation, health and well-being, nature conservation and corporate strategy and communication.

Property Implications

- 6.11 The SNLP will provide allocations and planning policy for all land in the Borough, including Council owned assets.

Consultation

- 6.12 One of the key elements of the local planning system is the recognition of the need for the earliest and fullest community involvement in the preparation of new planning documents. The SNLP will be subject to statutory consultation under the 2012 Regulations. In addition, they will be subject to an examination in public held by an independent government appointed planning inspector to consider whether the plan is ‘sound’ and may be put forward for adoption.
- 6.13 The SNLP public consultation process will be in accordance with the Council’s adopted Statement of Community Involvement.

Equalities and Diversity Implications

- 6.14 An equalities impact assessment will be produced for the SNLP. The public consultation will give the opportunity for different sections of the community to input into the plan making process.

Risk Assessment

- 6.15 The plan preparation timetable for the SNLP is challenging. Significant staff resources within the Strategic Planning Team will be required in order to take forward the plan through its various statutory stages including the examination stages at inquiry before an independent inspector.
- 6.16 If the local plan were not to be published and taken forward to adoption, the absence of the planning policies may result in inappropriate development taking place within the local authority area to the detriment of the local environment and supporting infrastructure. In addition, there would be no policy to manage the development of key sites and infrastructure, as well as having adopted planning policy to help secure Government funding particularly in relation to securing significant improvements to infrastructure provision.

Value for Money

- 6.17 There will be significant beneficial impacts on value for money by carrying out the work proposed using in-house resources wherever possible. This will have considerable 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. It will also provide adopted planning policies which will enable applications for funding from Government and other sources to be promoted to help deliver much needed infrastructure in the Southend Borough and its hinterland.

Community Safety Implications

- 6.18 The SNLP will seek to improve the natural and built environment (including designing out crime in development and the public realm) thereby contributing towards improving community safety.

Environmental Impact - Sustainability Appraisal

- 6.19 All iterations of the SNLP will require a Sustainability Appraisal (SA) to be undertaken. The SA is an assessment of the potential significant social, environmental and economic impacts of development. It 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. The appraisals will be used to assist decision-making and identification of the most sustainable policies to take forward

Environmental Impact - Habitats' Regulations Screening Report

- 6.20 Southend-on-Sea and the surrounding districts are home to 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. As part of the preparation of the SNLP each policy included in the plans will need to be assessed for any significant impacts on sites designated of nature conservation value. Policy should only be approved after determining that it will not adversely affect the integrity of such sites.

7. Background Papers

- 7.1 Southend Cabinet Report 19 June 2018 - Southend Development Plan Review: Comprising South Essex Joint Strategic Plan and Southend New Local Plan
- 7.2 The Town and Country Planning (Local Development) (England) Regulations 2012.
- 7.3 Planning and Compulsory Purchase Act 2004.
- 7.4 National Planning Policy Framework (NPPF, 2018).
- 7.5 Southend Local Development Scheme (2018).
- 7.6 Rochford Local Development Scheme (2019).
- 7.7 Southend New Local Plan Issues and Options Consultation (February 2019).
- 7.8 Rochford New Local Plan Issues and Options Consultation (January 2018).
- 7.9 London Southend Airport and Environs Joint Area Action Plan (JAAP 2015).
- 7.10 South East Essex Strategic Growth Locations Assessment (2018).
- 7.11 South Essex Statement of Common Ground (2018).
- 7.12 Essex and Southend on Sea Waste Local Plan (2017)
- 7.13 Essex Minerals Local Plan (2014)
- 7.14 Department for Transport - Aviation Policy Framework (2013)
- 7.15 Department for Transport - Aviation NPS
- 7.16 Draft Aviation Strategy 2050 (2018)
- 7.17 Department for Transport - Beyond the Horizon – The Future of UK Aviation – Making Best Use of Existing Runways (2018)

8. Appendices

Appendix 1: Memorandum of Understanding

Appendix 2: Statement of Common Ground

Appendix 3: Revised Southend Local Development Scheme

Co-ordinated Plan Making – Preparation of Joint Cross-Boundary Local Plan Policies

Memorandum of Understanding

Between

Rochford District Council

Southend Borough Council

Essex County Council

Introduction

This Memorandum of Understanding (MoU) between Rochford District Council (RDC), Southend Borough Council (SBC) and Essex County Council (ECC) (collectively ‘the Authorities’) sets out how cooperation will be managed in respect to strategic cross-boundary planning issues across the administrative areas of Rochford and Southend. It sets out a range of common issues and opportunities arising from economic and demographic growth pressures which cut across administrative boundaries and how they will be addressed.

The Authorities have a strong foundation for cooperation, having jointly prepared and adopted a number of planning policy and evidence based documents, including the London Southend Airport and Environs Joint Area Action Plan (RDC & SBC) and Essex and Southend Waste Local Plan (ECC & SBC).

The Localism Act 2011 places a Duty to Cooperate on local planning authorities and county councils¹ (amongst other public sector organisations), requiring them to engage constructively, actively and on an on-going basis in the preparation of plans where this involves strategic matters. The Neighbourhood Planning Act 2017² and national policy requires local planning authorities to identify the strategic priorities for the development and use of land in the authorities’ area and set out policies to address those priorities in the development plan documents, taken as a whole.

This MoU seeks to meet this purpose and to go further in setting out a range of common challenges and opportunities across the area and how these will be addressed.

The Authorities have agreed to come together because of their shared desire to continue to promote sustainable growth; and the particular need to articulate the strategic priorities within the wider area and how these will be addressed. Central to this is the effective delivery of planned strategic growth, particularly housing and employment development, with the necessary supporting infrastructure. The Authorities will continue to engage with the Association of South Essex Local Authorities (ASELA) and the South East Local Enterprise Partnership in developing their growth priorities.

Background

The ‘development plan’ for an area can comprise a number of different adopted planning policy documents ranging from Joint Strategic Plans, Local Plans through to neighbourhood plans. Planning

¹ Section 110.

² Section 8

law requires that decisions on planning applications need to be taken in accordance with the 'development plan' unless material considerations indicate otherwise³.

RDC and SBC have commenced a review of their respective Development Plans, which includes the preparation of a joint South Essex Plan⁴ (SEP) and respective separate Local Plans.

The SEP is expected to provide a high-level framework for the distribution and identification of broad locations for growth across South Essex but is unlikely to provide the site-level detail and technical policies needed to deliver and manage the growth effectively. This site-level detail and technical policy needs to be delivered through a more localised development plan document, such as a Local Plan(s).

The timely adoption of an updated development plan is critical so that RDC and SBC, as Local Planning Authorities, can continue to positively influence development, ensure it is located in right place, is of the right type and quality, is supported by necessary infrastructure and facilitates sustainable development. The first stage of consultation on the SEP is due in 2020 and RDC and SBC are at a similar stage of preparing their respective local plans, both having recently completed the first stage of public consultation, the 'Issues and Options' stage.

Objectives

Against this background, the main aims of this MoU are to:

- provide a high level statement of intent under the Duty to Co-operate to collaborate on strategic issues;
- identify the key strategic issues that will have a bearing across the wider geographic area;
- articulate the process for and outcomes from this collaboration, principally through the statutory planning process; and
- ensure appropriate integration and alignment of strategic investment priorities in support of sustainable growth, and to use this to make the case collectively for the necessary funding.

Key Strategic Cross-Boundary Issues

There are number of key cross-boundary matters between RDC, SBC and ECC (where appropriate) that require a consistent localised response, including:

- **Ensuring High Quality Outcomes** – strategic collaboration provides the opportunity for greater ambition in planning and delivering high quality sustainable development; particularly, for example, through garden community principles⁵. More generally, new development must be sustainable, functional and viable, but also reflect high standards of design. Major new developments will be planned carefully with the use of masterplans and design codes where appropriate;
- **Providing Sufficient Homes** – housing need is high across the area and a large amount of land is being promoted for development either side of the Rochford/Southend administrative boundary. There is a need to ensure that preparation of a spatial strategy, site assessment and selection is consistent across both authority areas;
- **Providing for Employment** – to strengthen local economies to provide more employable and skilled workers; more employment opportunities for residents, and higher productivity firms; to achieve a better balance between the location of jobs and housing, which will reduce the need to travel and promote sustainable growth;

³ Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004

⁴ Being prepared through ASELA, comprising: Basildon, Brentwood, Castle Point, Rochford, Southend, Thurrock Councils and Essex County Council. See ASELA and SEP MoU's and SEP Statement of Common Ground - [here](#)

⁵ www.tcpa.org.uk/garden-city-principles

- **Transport Infrastructure and connectivity** - Developing appropriate integrated and sustainable transport networks to support the efficient movement of people and goods, including strategic transport corridors (including A127, A13 and A130) recognising the requirements of both Essex and Southend local transport plans, including modal shift, sustainable travel, new technology, rail franchisee investment plans, footpath and cycle networks, and any access mitigation to enable strategic scale development across administrative boundaries, and future proofed internet access to all new development;
- **London Southend Airport** – the existing planning framework for London Southend Airport will need to be reviewed and rolled forward having regard to national policy, the economic potential of the area and environmental constraints;
- **Collaboration to accelerate delivery and Infrastructure Planning** - including for example education, health, flood and water management and how provision will be funded/ delivered and governance structures to maximise developer contributions including alignment of infrastructure requirements and provision between ECC and SBC and other providers;
- **Environment and Climate change** – reducing greenhouse emissions, minimising vulnerability and improving resilience, encouraging reuse of existing resources and supporting renewable and low carbon energy. Protection of designated sites for wildlife, biodiversity net gain, blue and green infrastructure and built heritage;
- **Approach to Minerals and Waste** – ensuring SBC and ECC planning response to minerals and waste is appropriately addressed; and
- **Resource efficiency** - the ability to more effectively align resources and reducing duplication of work to support the timely preparation of Local Plans.

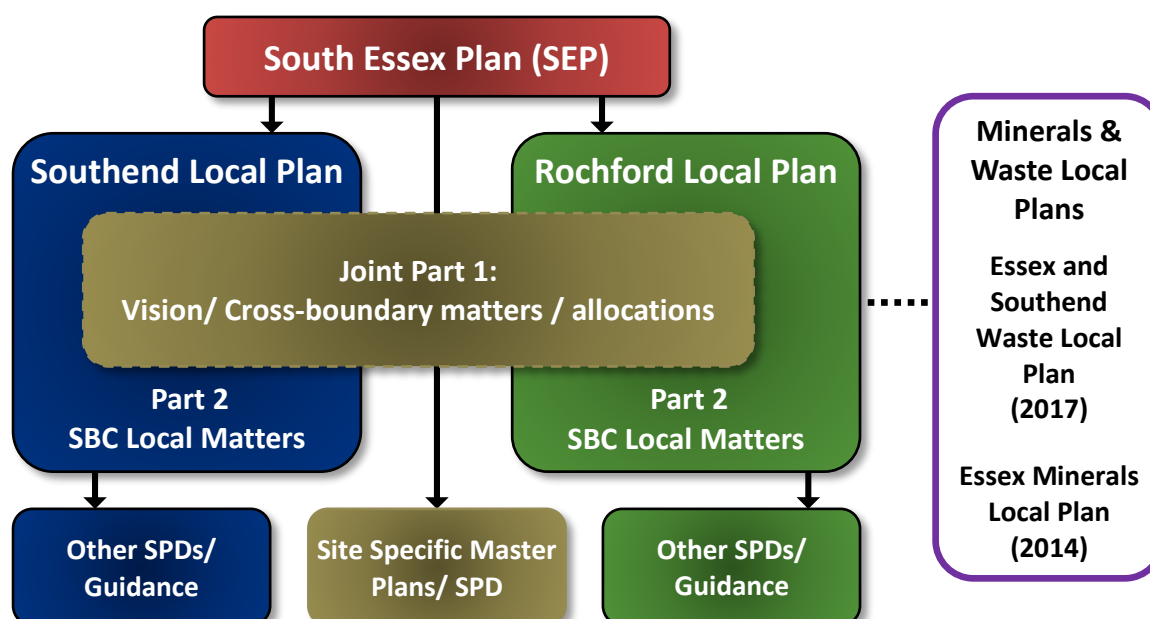
It is recognised that minerals and waste planning is a strategic cross boundary matter which falls to ECC and SBC. A separate Statement of Common Ground will be prepared to manage these planning matters.

Collaborative approach and outcomes

To ensure that strategic cross-boundary issues are planned for and addressed consistently RDC and SBC agree to prepare, in collaboration with ECC, a common strategic section for the current reviews of each of their Local Plans. This Joint Part 1 of their Plans will provide the evidence to support their cross-boundary approach, and may include a joint vision, spatial strategy and policies responding to the issues outlined above. The separate Part 2 for each plan will then address local issues and policies within each authorities' area.

Both Local Plans will be progressed alongside the preparation of the SEP. The need for more detailed Supplementary Guidance and Masterplans will be kept under review.

Figure 1: Planning Policy Hierarchy and relationship with SEP and other local planning documents



Key Deliverables

- Continue to prepare the **SEP** in partnership with ASELA⁶
- Prepare **two local plans** – ‘Rochford New Local Plan’ and ‘Southend New Local Plan’ to comprise:
 - a **Joint Part 1**, which may include a joint vision and spatial strategy for the whole of the area, strategic allocations, such as for large scale development opportunities (housing, economic, infrastructure, environmental) and the management of London Southend Airport;
 - separate **Part 2** to address local matters for Southend and Rochford respectively - e.g. development management policies, local allocations and in SBC related mineral matters.
- RDC and SBC will be responsible for expediting preparation of Part 2 policies of their Local Plans as required to support delivery and examination of the Joint Part 1.
- A detailed **Evidence Base** will be developed in support of these documents including a series of reports and independent assessments of proposals.
- A **Statement of Common Ground** will be prepared, setting out the process and timetable for the plan, governance and working arrangements. The statement will be reviewed on an ongoing basis and updated as and when needed.
- A joint **Communications Strategy** will be developed drawing on the Statements of Community Involvement (SCI) for each Authority, describing how existing systems and processes in each Authority will be used when consulting on the local plans.

Core Principles

In preparing two local plans with a Joint Part 1, RDC and SBC, in collaboration with ECC, agree to:

⁶ Association of South Essex Local Authorities Memorandum of Understanding; Strategic Planning in South Essex Memorandum of Understanding.

- engage constructively, actively and on an on-going basis in relation to cross-boundary planning matters under the Duty to Cooperate;
- be open and communicate about concerns, issues and opportunities in respect of collaboration and joint working;
- act in a timely manner, recognising the time critical nature of consultations, technical projects and plan preparation;
- adhere to statutory requirements, comply with applicable laws and standards, data protection and freedom of information requirements;
- encourage, develop and share best practice in cross-boundary planning matters;
- ensure adequate resources and staffing is in place to undertake effective collaboration and joint working (a separate resource paper will be prepared and agreed); and
- collaborate to increase certainty and accelerate delivery.

Area Covered

For the purposes of this MoU the geographic area applies to the administrative areas of RDC and SBC. SBC is a unitary authority, whilst RDC is a two-tiered authority with ECC responsible for education infrastructure, transport, minerals and waste planning amongst other areas.

Planning for minerals and waste is the responsibility of ECC and SBC. This is managed through separate planning processes and will therefore not be part of this MoU, separate MOU's and SCG's will be prepared to manage these matters.

The Essex and Southend Waste Local Plan adopted in 2017 provides the waste planning framework for both areas, however the Essex Minerals Local Plan adopted in 2014 covers the upper tier area of Essex only. This Plan is now under review and will continue to cover the upper tier area of Essex only. The SNLP Part 2 will incorporate mineral related planning matters in accordance with national policy.

Governance, Roles and Responsibilities

The work required to deliver the necessary outcomes from this strategic collaboration will be overseen by an advisory member Joint Briefing Panel (JBP) with representation from each of the participating authorities. This will be supported by a Joint Officer Group, which will report to the JBP. Terms of Reference for these Groups will be developed and agreed. Other sub-regional groupings and partners will be engaged as necessary as work progresses.

Formal decisions on key stages of the local plans (to be set out in respective Local Development Schemes) will be taken by individual Local Planning Authorities on the advice of the JBP. The aim will be to get concurrent agreement at both Councils within the constraints of the various meeting schedules.

Timing

This MoU has immediate effect and will remain in place until adoption of both Local Plans, unless this version is reviewed and replaced before this. It will be reviewed as and when indicated through a Statement of Common Ground.

Status

This MoU cannot override the statutory duties and powers of the parties and is not enforceable by law. However, the parties agree to abide by the principles set out in this MoU.

This MoU is not a development plan, nor a legally binding document, but will be used in the consideration of how the Authorities have jointly approached cross-boundary planning issues and

legal compliance with the Duty to Co-operate. This MoU may be supported by other documentation, and other subject specific MoUs, which set out in more detail how the parties will work together to tackle more detailed matters with respect to cross-boundary planning in Rochford and Southend.

It is accepted that an individual party that is a signatory to this MoU may also be a signatory to other MoUs between itself, or with other parties in respect of the Duty to Co-operate.

Signed by

Signature	Role	Authority
		Rochford District Council
		Southend Borough Council
		Essex County Council

Rochford and Southend Joint Part 1 Local Plan

Statement of Common Ground

November 2019

1. Introduction

- 1.1 The Localism Act 2011 places a Duty to Co-operate on local planning authorities and county councils¹ (amongst other public sector organisations), requiring them to engage constructively, actively and on an on-going basis in the preparation of plans where this involves strategic matters. Local planning authorities are required by law² to prepare one or more Statements of Common Ground (SOCG) to help manage strategic planning matters across local authority areas and strengthen the Duty to Cooperate. Details of this requirement are set out in the National Planning Policy Framework (NPPF)³ and National Planning Policy Guidance (NPPG)⁴.
- 1.2 Rochford District Council (RDC) and Southend Borough Council (SBC), together with Essex County Council (ECC)⁵, have agreed to prepare two distinct local plans with a new identical Joint Part 1 section for the combined local authority areas of Rochford and Southend. This SOCG sets out the reasons for the three authorities to work together, the scope of joint work and the project management and governance arrangements for the preparation of the plan.
- 1.3 The primary purposes of this SOCG are to:
- co-operate and seek agreement on strategic cross-boundary issues, including planning for the wider area's housing, economic, infrastructure and environmental needs;
 - increase certainty and transparency in plan making, including on where effective co-operation is and is not happening, and specifically identifying any issues where agreement cannot be reached; and
 - provide clear evidence of the co-operation on plan-making to date in the process of preparing the Joint Part 1 Plan
- 1.4 The three authorities are also partners in the Association of South Essex Local Authorities (ASELA) together with Brentwood Borough Council, Basildon District

¹ Section 110

² Planning and Compulsory Purchase Act 2004 and Neighbourhood Planning Act 2017

³ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

⁴ <https://www.gov.uk/government/collections/planning-practice-guidance>

⁵ Essex County Council is the strategic upper tier local authority for Rochford District Council with responsibility for highways, education including early years and childcare, minerals and waste, lead local flood authority, lead advisor on public health and delivery of social care services for adults and children.

Council, Castle Point Borough Council and Thurrock Borough Council. ASELA is currently engaged in preparing a number of strategic documents to guide and promote growth in south Essex including the preparation of a South Essex Plan (SEP). The SEP will provide the overarching strategic framework to guide the preparation of the six Local Plans in South Essex. A separate SOCG has been prepared for ASELA⁶.

- 1.5 The potential of South Essex to achieve substantial growth and prosperity has recently been recognised by the Thames Estuary Growth Commission and in the Government's response to their report⁷.

2. Parties to the Statement of Common Ground

- 2.1 The parties to the SOCG are:

- ❖ Rochford District Council;
- ❖ Southend Borough Council;
- ❖ Essex County Council.

- 2.2 In preparing RDC and SBC new respective local plans, containing a common Part 1, both authorities will consult in accordance with the RDC and SBC respective adopted Statements of Community Involvement (SCI), including, but not limited to, the following key stakeholders:

- Local Communities – residents, workers, visitors
- Landowners and developers
- Castle Point Borough Council (as part of SHMA and neighbouring local authority)
- Other South Essex authorities (as part of ASELA)
- Any other neighbouring local authorities
- Essex County Council
- London Southend Airport – airport development and surface access
- Network Rail
- Highways England
- Office of Rail and Road (independent regulator of Network Rail and Highways England)
- Greater Anglia –(operator of rail passenger services until October 2025)
- Trenitalia C2C Ltd –(operator of rail passenger services until November 2029)
- Arriva and First Bus – bus service operators
- Anglian Water – waste water
- Essex and Suffolk Water – water supply
- Environment Agency – flood risk management
- Natural England – natural environment

⁶ [Statement of Common Ground for ASELA \(June 2018\)](#)

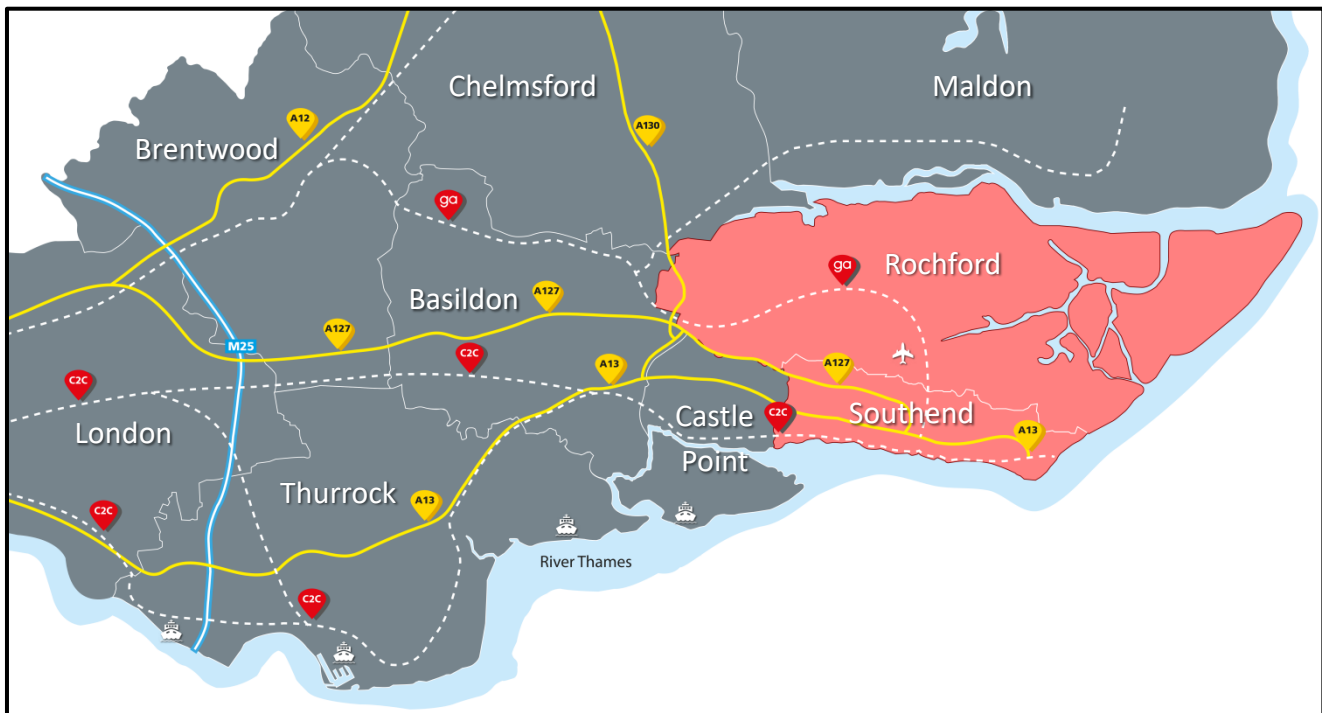
⁷ <https://www.gov.uk/government/publications/thames-estuary-2050-growth-commission-report>
<https://www.gov.uk/government/publications/thames-estuary-2050-growth-government-response-to-commission>

- Marine Management Organisation – marine matters
- Local Nature Partnership – biodiversity
- Historic England - heritage matters
- Clinical Commissioning Groups and NHS – health infrastructure matters
- South East Local Enterprise Partnership, Southend Business Partnership, Business Improvement District/Chamber of Commerce, BEST Growth Hub and Invest Essex – employment and skills

3. Strategic Geography

- 3.1 For the purposes of this SOCG the geographic area applies to the administrative areas of RDC and SBC. SBC is a unitary authority, whilst RDC is a two-tiered authority with ECC. Rochford district and Southend borough are located within the South East Essex peninsula, bounded to the north by the River Crouch, the North Sea to the east and Thames Estuary to the south. The two authorities share an extensive administrative boundary running east-west.
- 3.2 Due to the geography of the area, it is dependent on an east-west transport corridor served by the strategic highway routes of the A127 and A13 linking to the M25 and London and two rail routes from Southend to London Liverpool Street and London Fenchurch Street respectively. Challenges remain in terms of road and rail capacity providing adequate connectivity both east to west and north to south. The regenerated London Southend Airport straddles the administrative boundaries of Rochford and Southend and has ambitions to grow its passenger numbers significantly over the next 20 years.
- 3.3 The Borough of Southend is urban in character with the existing built up area closely abutting the administrative boundary. In contrast, Rochford district to the north is predominantly rural in character with extensive areas of high-grade agricultural land. Much of the undeveloped land in the Rochford district and Southend borough forms part of the Metropolitan Green Belt (MGB) extending across South Essex to London.

Map 1: Strategic Geography – Rochford and Southend Joint Part 1 Local Plan Area



Rochford district

- 3.4 Rochford is a district rich in heritage and natural beauty, covering 16,800 hectares. The majority of the district's 87,000 residents are located to the west within the towns of Rayleigh, Hockley and Rochford. Smaller villages and hamlets are dispersed across the eastern parts of the district. Development opportunities within the existing urban areas to provide local jobs and homes are limited by a lack of suitable brownfield sites. Outside the urban areas, over 12,400 hectares is designated as MGB. Considerable parts of the district are also subject to other environmental constraints, including estuarine habitats sites and areas at risk of flooding, indicative of its coastal nature.
- 3.5 Rochford's economic strengths lie primarily in its entrepreneurial character, with an abundance of successful small and medium sized businesses, coupled with the presence of London Southend Airport, a regionally important asset, which has led to the development of a new high-quality business park in the district.

Essex County Council

- 3.6 ECC is the strategic upper tier authority covering RDC within the county of Essex, a neighbouring authority to SBC and partner within ASELA. ECC's statutory functions and responsibilities apply to Rochford (but not Southend), and include as a highway authority (and the delivery of the Essex Local Transport Plan); local education

authority; Minerals and Waste Planning Authority; Lead Local Flood Authority; Public Health advisor; as well as the ECC role as a major provider and commissioner of a wide range of local government services throughout the county of Essex, many of which are accessed by those adjoining Essex. Any planned growth is likely to have either an indirect or direct impact on the provision and delivery of ECC infrastructure and services and therefore SBC and RDC wish to work with ECC to explore ways to plan for growth to create new sustainable communities supported by the right infrastructure at the right scale in the right location.

Southend borough

- 3.7 Southend-on-Sea is a Unitary Authority responsible for planning (including minerals and waste), highways, social care and educational matters. With a population of 182,500 in an area of approximately 4,100 hectares, Southend has one of the highest urban densities in England, outside London.
- 3.8 It is a sub-regional centre for employment and retail provision in South Essex as well as a major tourist resort and leisure destination centred on its seven miles of foreshore fronting the Thames Estuary. Over seven million-day visitors a year come to Southend along with a quarter of a million staying guests.
- 3.9 The predominant land use in Southend is residential interspersed with mature parks and gardens. The area has a number of key business parks, such as at Progress Road as well as district commercial centres at Leigh and Westcliff supplemented by a number of local centres.
- 3.10 With limited land resources, Southend faces significant challenges in seeking to meet development needs and to maximise its potential for economic and tourism growth in a sustainable manner.

Reasons for Joint Plan Making

- 3.11 The current strategic planning policy framework for the Rochford district and Southend borough is set out in:
- the Rochford District Core Strategy adopted in 2011 covering the period to 2025;
 - the Southend Core Strategy adopted 2007 covering the period to 2021;
 - London Southend Airport and Environs Joint Area Action Plan adopted in 2014 covering the period to 2031;
 - Essex and Southend on Sea Waste Local Plan adopted in 2017 covering the period to 2032; and
 - Essex Minerals Local Plan adopted in 2014 covering the period to 2029.

It is recognised that Minerals and waste planning is a strategic cross boundary matter which falls to ECC and SBC. A separate Statement of Common Ground will be prepared to manage these planning matters.

Both Councils (RDC and SBC) have been successful in delivering policy provisions for employment and housing delivery.

- 3.12 However, the Government's recently introduced standard methodology for calculating housing need (Objectively Assessed Needs – OAN) presents a significant challenge to both Councils on the number of houses that need to be built over the next 20 years. This growth and the need for complimentary employment and infrastructure provision presents the Councils with difficult decisions in formulating their new local plans.
- 3.13 The Governments standard methodology for calculating housing need⁸ shows there is a need to provide around 1,600 homes per annum and approximately 650 new jobs per annum across both Council areas over the plan period. Of these needs, a significant majority (1,200 homes and 550 jobs pa) result from Southend Borough's identified needs. The Councils' respective evidence bases show that there is limited land available within existing urban areas to accommodate these needs⁹, and the Councils are therefore having to look critically at the capacity of land outside their urban areas, including within the Metropolitan Green Belt, to meet their growth needs.
- 3.14 Both Councils have commenced work on preparing new Local Plans to guide development decisions in the area over the next twenty years. Both have consulted on respective Regulation 18 'Issues and Options' Documents. In light of the duty to co-operate and the strong relationship between the two authority areas, and being at similar stages in the plan preparation process, the Councils have agreed to prepare a Joint Part 1 for their respective Local Plans covering their entire local authority areas. This would allow the authorities to more effectively address more localised strategic issues and growth pressures and respond positively to cross-boundary opportunities and challenges, including around London Southend Airport.
- 3.15 The joint planning arrangement between the Councils will sit within a broader planning and investment framework being prepared across South Essex through ASELA and the preparation of the SEP.
- 3.16 The SEP is expected to sit alongside each authorities' respective Local Plans, providing an overarching framework for South Essex and considering strategic issues such as the broad spatial distribution of new growth across the sub-region. The

⁸ <https://www.gov.uk/guidance/housing-and-economic-development-needs-assessments>

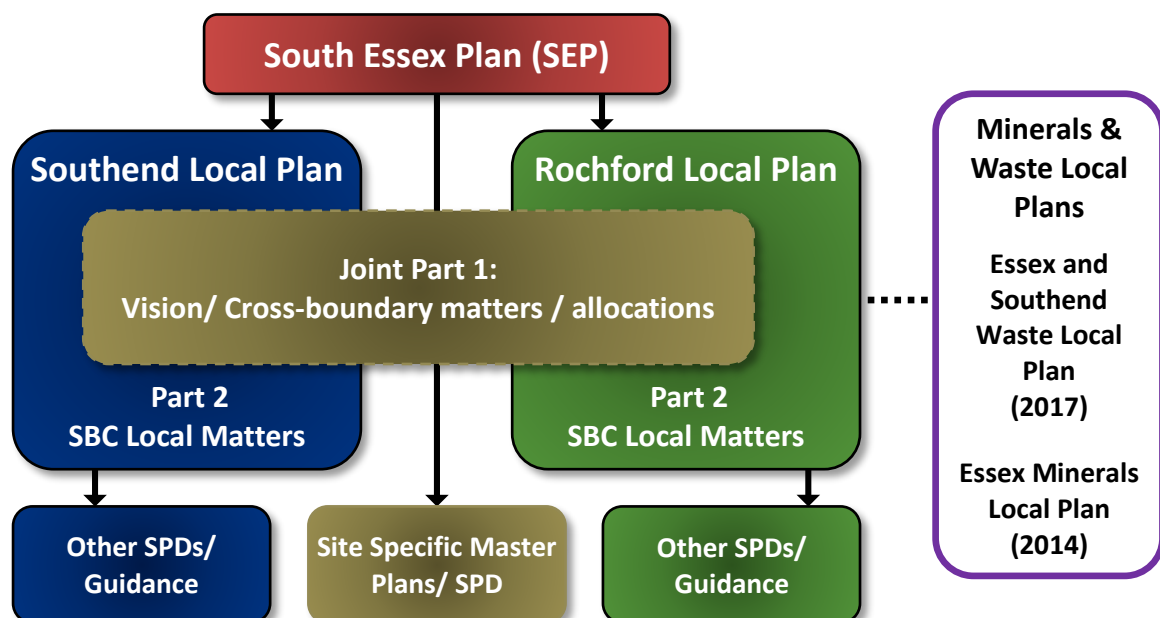
⁹ Southend Housing and Economic Land Availability Assessment 2018 and Rochford Strategic Housing and Economic Land Availability Assessment (SHELAA) 2017

common Joint Part 1 for the respective local plans will provide more detailed analysis and evidence needed to support the delivery of the SEP and address more technical matters such as the allocation of land, infrastructure, delivery and the MGB.

- 3.17 The commitment from RDC, SBC and ECC to work together to prepare common Joint Part 1 for respective local plans is set out in the Co-ordinated Plan Making MOU (Annex 1).

Planning Policy Hierarchy in South East Essex

Figure 1 - Planning Policy Hierarchy and relationship with SEP and other local planning documents



4. Strategic Matters

- 4.1 There are number of key cross-boundary matters between RDC and SBC that require a consistent localised response that need to be developed with ECC.
- 4.2 **Ensuring High Quality Outcomes** – strategic collaboration provides the opportunity for greater ambition in planning and delivering high quality sustainable development; particularly, for example, through garden community principles¹⁰. More generally, new development must be sustainable, functional and viable, but also reflect high standards of design. Major new developments will be planned carefully with the use of masterplans and design codes where appropriate;

¹⁰ www.tcpa.org.uk/garden-city-principles

- 4.3 **Providing Sufficient Homes** – housing need is high across the area and a large amount of land is being promoted for development either side of the Rochford/Southend administrative boundary. There is a need to ensure that preparation of a spatial strategy, site assessment and selection is consistent across both authority areas;
- 4.4 **Providing for Employment** – to strengthen local economies to provide more employable and skilled workers; more employment opportunities for residents, and higher productivity firms; to achieve a better balance between the location of jobs and housing, which will reduce the need to travel and promote sustainable growth;
- 4.5 **Transport Infrastructure and connectivity** - Developing appropriate integrated and sustainable transport networks to support the efficient movement of people and goods, including strategic transport corridors (including A127, A13 and A130) recognising the requirements of both Essex and Southend local transport plans, including modal shift, sustainable travel, new technology, rail franchisee investment plans, footpath and cycle networks, and any access mitigation to enable strategic scale development across administrative boundaries, and future proofed internet access to all new development;
- 4.6 **London Southend Airport** – the existing planning framework for London Southend Airport will need to be reviewed and rolled forward having regard to national policy, the economic potential of the area and environmental constraints;
- 4.7 **Collaboration to accelerate delivery and Infrastructure Planning** - including for example education, health, flood and water management and how provision will be funded/ delivered and governance structures to maximise developer contributions including alignment of infrastructure requirements and provision between ECC and SBC and other providers;
- 4.8 **Environment and Climate change** – reducing greenhouse emissions, minimising vulnerability and improving resilience, encouraging reuse of existing resources and supporting renewable and low carbon energy. Protection of designated sites for wildlife, biodiversity net gain, blue and green infrastructure and built heritage;
- 4.9 **Approach to Minerals and Waste** – ensuring SBC and ECC planning response to minerals and waste is appropriately addressed; and
- 4.10 **Resource efficiency** - the ability to more effectively align resources and reducing duplication of work to support the timely preparation of Local Plans.

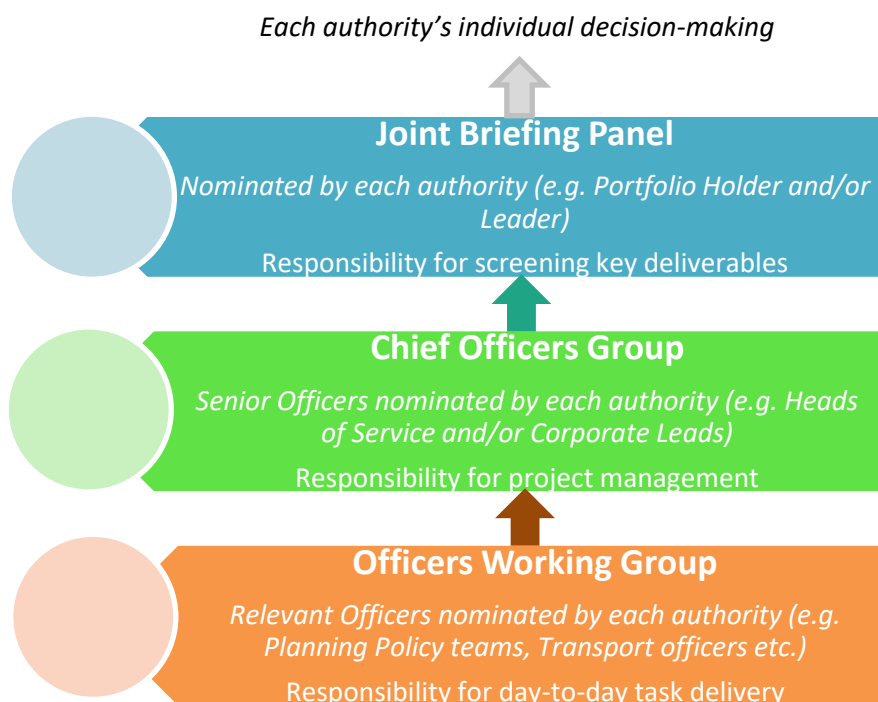
5. Governance Arrangements

- 5.1 RDC, SBC and ECC have a strong and proven history of collaborative working, including in the preparation of the London Southend Airport and Environs Joint Area Action Plan (JAAP) and the Essex and Southend Waste Plan.
- 5.2 The development of these previous plans was underpinned by effective cross-authority governance arrangements which allowed for different interests to be represented and synthesised, and which ensured that outputs could be delivered in a timely and organised manner. We also work jointly as part of ASELA.
- 5.3 The establishment of similar formalised governance arrangements is important in ensuring the timely and organised delivery of the new joint planning arrangements. A three-tiered governance structure has been established, comprising the following levels and as shown in Figure 1 below:
- **A Joint Briefing Panel**, comprising relevant Members from each Authority, e.g. Portfolio Holders and Leaders, supported by relevant Senior Officers
 - **A Chief Officer Group**, comprising relevant Senior Officers from each Authority, e.g. Heads of Service and/or Corporate Leads
 - **An Officer Working Group**, comprising officers from relevant teams within each Authority
- 5.4 The **Officer Working Group** is responsible for fulfilling the day-to-day tasks necessary for the delivery of the project outputs, including the preparation and commissioning of technical evidence, the preparation and consultation on draft Plan documents and engagement responsibilities with prescribed bodies under the Duty to Co-operate.
- 5.5 The **Chief Officer Group** holds responsibility for overseeing the key deliverables of the project. This includes providing the corporate lead for the project, resourcing, providing initial screening to the content of technical evidence and draft Plan documents and dealing with any issues impacting on progress. The Chief Officer Group will meet as and when required and comprise Senior Officers appointed by each authority. Other individuals may be invited to attend the Chief Officers Group.
- 5.6 The **Joint Briefing Panel (JBP)** will comprise:
- Elected relevant members from each Authority (e.g. Portfolio Holder, Leader)
 - Supported by representatives from the Chief Officer Group from each authority
 - Supported by representatives from the Joint Officer Group as required
- 5.7 The JBP will review all documents produced by the Joint Officer Group before they are submitted for formal approval or published to ensure there is joint agreement. In

the event that the JBP cannot agree on a joint way forward the Portfolio Holders will determine a resolution.

- 5.8 The JBP forms an advisory role and will not have decision making or approval powers; existing approval and decision making mechanisms in each Authority will be used and the Portfolio Holders will be responsible for gaining the necessary approvals within their Authority. The aim will be to get concurrent agreement at both Councils (Rochford and Southend) within the constraints of the various meeting schedules. In the event that one or other Authority rejects a document, it will be returned to the JBP for reconsideration accompanied by written commentary on the relevant issues to be resolved.
- 5.9 The JBP is also expected to provide an opportunity for the Chief Officers Group to inform Members of progress on the project's key deliverables and other key decisions and to invite Member input into those decisions. The Joint Briefing Panel will meet as and when required by the Chief Officers Group. It will comprise elected Members appointed by each authority. Other individuals may be invited to attend the Joint Briefing Panel.
- 5.10 Cross party oversight of the project will be administered through the SBC Environment and Planning Working Party, RDC Planning Policy Sub-Committee, and ECC Cabinet Member for Economic Development. The need for joint meetings between the groups will be kept under review and be at the discretion of the JBP.

Figure 1: Diagram of Proposed Governance Structure



6. Timetable for review and ongoing cooperation

- 6.1 The Rochford and Southend Local Development Framework and timetable for review is set out in **Figure 2**. The timetable for preparing the Joint Part 1 of the new local plans in accordance with this framework for Rochford and Southend is detailed in **Figure 3**.
- 6.2 The development of cross-boundary strategic issues is an iterative process and depends on a wide range of factors and bodies, not just the local authorities. The risks associated with this will be managed and monitored through the governance process as detailed in section 5 above.
- 6.3 There are a number of risks specifically linked to preparing the Joint Part 1 of the respective local plans, some of which are political risks, others are technical risks. A high-level risk assessment and project plan will therefore be prepared alongside the Joint Part 1. This will be monitored by the Joint Briefing Panel, and the need to review the timetable for preparing the joint plan will be kept under review.
- 6.4 Preparation of the SOCG itself is also an iterative process and it will be reviewed prior to the key stages of plan preparation set out in Figure 4.

Figure 2: Rochford and Southend's Local Planning Framework (currently under review)

(Q refers to the quarter of that calendar year)

LPA	Present Plan Adoption	Proposed Plan Review Date	Reg 18 date	Target Reg 19 Date	Target Submission Date
Rochford	Core Strategy Allocations Plan DM Plan Hockley AAP Rayleigh AAP Rochford AAP Airport JAAP	Jan 2018	Jan 2018	2022 Q2	2022 Q4
Southend	Core Strategy 2007 DM DPD 2015 JAAP for London Southend Airport 2014 Essex and Southend Waste Plan 2017 SCAAP 2018	Feb 2019	Feb – April 2019	2022 Q2	2022 Q4
Essex	Essex Minerals Local Plan Review	Nov 2018	2020 Q2	2020 Q4	2021 Q1

Figure 3: Timetable for preparing common Joint Part 1 for Rochford and Southend Local Plans

JOINT PART 1 PLAN STAGE	TARGET DATE FOR COMMENCEMENT
Evidence base preparation	On-going
Issues and Options	2020 Q3
Preferred Approach Document public consultation	2021 Q3
Publication of Proposed Submission Document public consultation	2022 Q2
Submission to Secretary of State for independent examination followed by subsequent Examination and Adoption*	2022 Q4

** As an approximation, the period from submission to adoption may range from 9 to 12 months dependent on the content and scope of the plan, issues arising during examination and scheduling of meetings.*

7. Signatories to the Statement of Common Ground

SIGNATURE	ROLE	AUTHORITY
		Rochford District Council
		Southend Borough Council
		Essex County Council

ANNEX 1

Please see Appendix 1 of the Southend-on-Sea Cabinet Report Southend New Local Plan Update (16/01/2020)

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Local Development Scheme 2019

Contents

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Existing Adopted Planning Framework

Emerging Planning Policy

Other Associated Planning Documents

Local Development Scheme

Appendix 1 – Live Timetable

Introduction

This Local Development Scheme (LDS) sets out a 'live' timetable for preparing and reviewing the Southend-on-Sea (Southend) Development Plan to provide:

- An up-to-date statutory basis for determining planning applications (unless material considerations indicate otherwise)
- A long term spatial planning framework for the Borough's development, within which the Council, other agencies and key stakeholders can coordinate their investment programmes.

It will replace the current LDS which was adopted in 2018.

Existing Adopted Planning Policy

The Planning and Compulsory Purchase Act (2004) introduced a system of statutory Development Plan Documents (DPDs). These documents outline planning policy to manage development and related spatial matters.

Adopted local planning policy for Southend (see Appendix 1, Table 1) currently consists of:

- Core Strategy (2007);
- London Southend Airport and Environs Joint Area Action Plan (JAAP) (2014);
- Development Management Document (DMD) (2015);
- Essex and Southend-on-Sea Waste Local Plan (2017);
- Southend Central Area Action Plan (SCAAP) (2018); and
- a number of saved Borough Local Plan policies (1994)

Emerging Planning Policy

A new Development Plan for Southend

The new development plan will comprise of the South Essex Plan (SEP), Southend New Local Plan (SNLP) and review of the Essex and Southend Waste Local Plan. The SEP will provide the overarching framework within which more focused local development plans will be prepared, including the SNLP. The need for additional development plans to guide development and manage areas of growth and change will be kept under review (see Appendix 1, Table 2).

South Essex Joint Strategic Plan

The six South Essex authorities (Basildon Borough, Brentwood Borough, Castle Point Borough, Rochford District, Southend Borough and Thurrock Borough Councils) are preparing a SEP to provide a strategic planning framework for South Essex which will guide the preparation of the six local planning authorities' local plans.

The SEP will be a formal statutory Development Plan Document and contain strategic allocations and policies, including an overall spatial strategy and amount of housing, employment and supporting infrastructure to be provided. It will cover the period up to 2038. Essex County Council will assist with preparing the SEP.

Southend New Local Plan

The SNLP will be prepared in conformity with the SEP overarching policy framework, providing more detailed local development plan policies for guiding and assessing future planning applications within the Borough of Southend.

In January 2019 an 'Issues and Options' document was published for consultation purposes as part of the first stage in the preparation of the SNLP. A Feedback report was published in October 2019. Once adopted the SNLP will promote and guide development in the Borough to 2038.

The SNLP will include a review of the Core Strategy, DMD, SCAAP and remaining Saved Borough Local Plan Policies, and will include a spatial strategy; development management policies, site allocations and policies map.

Recent Local Plan evidence bases and consultation responses on the 'Issues and Options' consultation have identified a number of cross-boundary issues that cannot be effectively addressed in isolation, and under the Duty to Co-operate should be resolved in a co-ordinated manner. These include how best to meet the challenge of local housing and economic needs alongside delivering meaningful and transformational infrastructure improvements.

To facilitate effective collaborative cross-boundary planning the Southend and adjoining Rochford District Council (RDC) have agreed to prepare the next stages of their Local Plans in partnership. Under this arrangement, both authorities would continue to develop separate Local Plans but these plans would have a jointly prepared shared 'cross-boundary policy section' (the Joint Part 1) which may include a joint vision, spatial strategy and policies responding to the cross-boundary issues for delivering growth and regeneration. The separate Part 2 document would comprise of two documents, one for Southend prepared by Southend Council and one for Rochford prepared by Rochford District Council. These would address local issues and policies within each authority's area, including local objectives and development management policies and minerals planning matters for SBC.

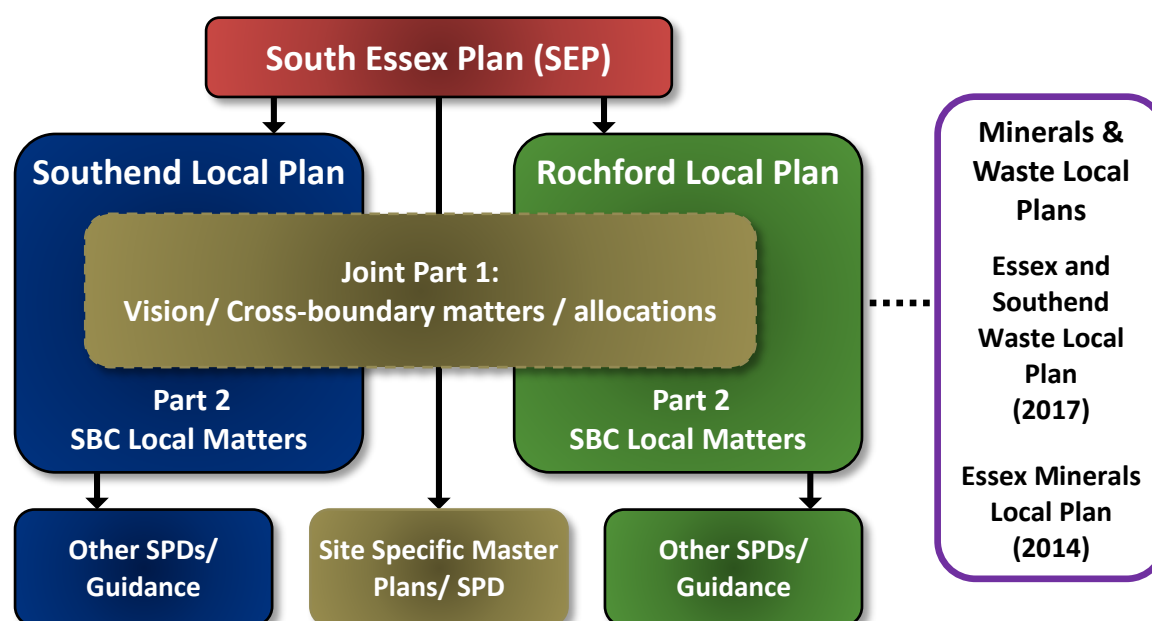
The need for additional development plan documents to supplement the SNLP will be kept under review. For instance, additional plans can be used to set out more detailed policies for specific areas or types of development where appropriate.

The current adopted joint area action plan for London Southend Airport and its Environs (JAAP 2015), prepared jointly with RDC, may need to be updated and reviewed as a separate document as the land straddles the authorities administrative boundaries. This will be considered as part of the preparation of the Joint Part 1 of the new Local Plan.

The recently adopted Essex and Southend Joint Waste Local Plan (2017) will also be subject to its own separate review and will form part of the Southend wider development plan.

The emerging policy framework is depicted in diagram 1.

Diagram1: The Emerging Policy Framework



Other Associated Planning Documents

The following documents together with the planning policy documents outlined above make up the family of plans comprising the Southend Local Planning Framework¹, namely:

- **Statement of Community Involvement (SCI)** – The Southend SCI 2018 outlines the Council’s approach to community involvement and consultation in regard to planning policy documents and planning applications. A separate Joint SCI 2018 sets out the approach for consultation on the emerging SEP;
- **Annual Monitoring Report (AMR)** – reports on and reviews progress in preparing the Local Plan, including individual DPDs, and on the implementation and effectiveness of the Council’s planning policies;
- **Supplementary Planning Documents (SPDs)** - provide additional guidance on Local Plan policies and proposals. The Council has adopted three SPDs: the Design and Townscape Guide SPD (2009) that provides guidance on design related issues for all development in Southend; the ‘Planning Obligations’ SPD (2015), which sets out the Council’s approach towards Section 106 agreements and developer contributions; and the ‘Streetscape Manual’ SPD (2015), which provides guidance for the design and management of the Borough’s streets, including street furniture and surfacing. The need for more detailed Supplementary Guidance and Masterplans would be kept under review, particularly the need for any Masterplan to guide major development proposals.

¹ Previously known as *Local Development Framework (LDF)*

- Community Infrastructure Levy (CIL) - This document expands upon the infrastructure requirements identified in relevant planning policy documents and details a schedule of charges to be paid by developers to contribute towards the implementation of requisite infrastructure. The document states how the CIL legislation will be applied locally.

Local Development Scheme

The purpose of this LDS is to:

- provide a brief description of the planning policy documents to be prepared, including those which will be produced jointly with other authorities, and the content and geographic area which they relate;
- explain how different policy documents relate to one another as part of the planning framework;
- set out the timetable for preparing policy documents, including the detail of the key milestones (see Appendix 2); and
- provide information regarding the CIL (Charging Schedule) and its review.

There is not a requirement for the LDS to show what other documents, for example Supplementary Planning Documents, the Council intends to produce.

Each document listed in Appendix 1 has a timetable for preparation; these timetables are an approximation and may need to be revised in future, hence the timetable is categorised as 'live'.

Plan preparation will continue to be monitored and reviewed as part of the AMR process and interim live updates to the LDS timetable will be provided, where necessary, and published on the Council's website.

The key milestones in the production of DPDs are set out below²:

1. Information gathering/ document preparation –

- The Local Planning Authority will collate evidence that will help inform the preparation of the document and supporting Sustainability Appraisal (SA). Initiating the SA, which will be used to appraise the DPD from a social, economic and environmental perspective, marks the formal commencement of the document. This stage may also involve informal consultation.
- A range of options for the DPD are developed for consultation, community involvement and appraisal, this may include preferred options. This stage culminates in the publication of a document for public participation.

2. Community involvement / Public participation – public participation on the DPD, including on reasonable alternative options. It is essential that consultation with members of the public, delivery bodies, statutory organisations and other stakeholders is undertaken at an early stage in the production of the DPD so that engagement can be most effective. The scale of the consultation and methods undertaken at this stage will be appropriate to the issues being addressed by the particular DPD, indeed some DPDs may be subject to more than one public participation stage. The results of

² Nevertheless Plan preparation will have regard to and ensure conformity with the current Regulations that set out the statutory stages for local plan preparation.

the community involvement and consultation at this stage will be used to develop the next iteration of the DPD.

3. Consideration of consultation responses and preparation of document – the Council will review the responses to the public participation and consultation, and use the results, along with any new evidence, to aid the development of the next iteration of the DPD.

4. Publication of proposed submission consultation –

- Having regard to the evidence base, the results of previous consultation and community involvement, and appraisal of earlier iterations, the Local Planning Authority will prepare the proposed submission draft of the DPD with the aim of producing a “sound” document for submission to the Secretary of State.
- At this stage the Council will publish what it considers to be a “sound” DPD i.e. one which is positively prepared, justified, effective, consistent with national policy, and legally compliant. A formal six-week consultation period provides an opportunity for stakeholders to comment on the soundness and legal compliance of the DPD.

5. Submission of DPD to Secretary of State – following proposed submission consultation; the response to this, together with the DPD, a summary of previous community involvement and other supporting documents are submitted to the Secretary of State to be subjected to independent examination.

- Independent Examination – the submitted DPD is then subject to independent examination conducted by the Planning Inspectorate (PINS) on behalf of the Secretary of State. PINS will consider responses to the proposed-submission consultation and determine whether the DPD is sound and legally compliant. The duration of the examination and timing of hearings will be determined by the issues arising and PIN’s scheduling and therefore is not plotted on the timetable.
- Following examination PINS will submit a report to the Local Planning Authority on the DPD’s soundness and legal compliance. Once a fact check of the document has been completed, the Local Planning Authority will then publish the Inspector’s Report, which will include recommendations and reasons for these recommendations.
- Adoption – under the Council’s constitution, a DPD must be adopted following a meeting of Full Council. As an approximation the period from submission to adoption may range from 3 to 9 months dependent on the content and scope of the DPD, issues arising during examination and scheduling of meetings.

Table 1 - existing adopted planning policy and community infrastructure levy

Document	Status	Description	Geographical Coverage	Chain of Conformity	Date of Adoption
Core Strategy	DPD	Contains the council's vision for Southend, and provides the strategic policy framework and growth targets to guide and promote all development in the Borough to 2021.	Borough Wide	National Policy	Dec 2007
London Southend Airport and Environs Joint Area Action Plan	DPD	Contains a policy framework, site allocations and proposals to deliver economic development and growth in and around London Southend Airport, including two business parks, in accordance with the vision and objectives in the Core Strategy and taking account of the broader objectives of the Thames Gateway south Essex regeneration area. (Plan prepared jointly with Rochford District Council)	London Southend Airport and its environs (including areas within Southend and Rochford)	With Core Strategy	Dec 2014
Development Management	DPD	Contains detailed policies for the management of development in the Borough. A Policies Map will accompany this DPD to illustrate geographically the application of its policies.	Borough Wide	With Core Strategy	July 2015
Community Infrastructure Levy	Charging Schedule	To set out a charging regime for contributions to infrastructure.	Borough Wide	With Core Strategy	July 2015
Essex and Southend Waste local Plan	DPD	The document comprises a Core Strategy, site allocations and Development Management Policies. It sets out the vision, objectives and spatial strategy for dealing with waste in the Plan area up to 2032. Identifies locations for the provision of waste management sites and sets out the key development management policies that waste planning applications will be assessed against. (Plan prepared jointly with Essex County Council)	Administrative area of Essex County Council and Southend Borough Council.	National policy	Oct 2017
Southend Central Area Action Plan (SCAAP)	DPD	Contains the policy framework, site allocations and proposals aimed at strengthening the role of Southend Town Centre and Central Seafront area as a successful retail, commercial and leisure destination, cultural hub and education centre of excellence, as well as a place to live. It also sets out the policy framework and proposals for adjacent residential areas. It is accompanied by an up-to-date Policies Map.	Southend Town Centre, Central Seafront and adjacent residential areas	With Core Strategy	Feb 2018

Table 2 – emerging planning policy

Document	Status	Description	Geographical Coverage	Chain of Conformity	Submission date
South Essex Joint Strategic Plan (JSP)	DPD	<p>To establish a joint framework to guide local development plan documents, including the Southend New Local Plan.</p> <p>Will include an overall spatial strategy and amount of housing, employment and supporting infrastructure to be provided.</p>	South Essex (comprising Basildon Borough, Brentwood Borough, Castle Point Borough, Rochford District, Southend Borough and Thurrock Borough Councils)	National Policy	2022 Q1
Southend New Local Plan (SNLP)	DPD	<p>To facilitate effective collaborative cross-boundary planning the Southend and adjoining Rochford District Council have agreed to prepare the next stages of their local plans in partnership. Under this arrangement, both authorities would continue to develop separate Local Plans but these plans would have a jointly prepared shared 'cross-boundary policy section' (the 'Part 1') which may include a joint vision, spatial strategy and policies responding to the cross-boundary issues for delivering growth and regeneration. 'Part 2' of the local plan will address local issues and policies within each authority's area, including local objectives and development management policies and minerals planning matters for SBC.</p> <p>The new Local Plan will include a review of the Core Strategy, DMD, SCAAP and remaining Saved Borough Local Plan Policies. Once adopted the SNLP will replace these planning documents.</p> <p>The Community Infrastructure Levy (Charging Schedule) will also be reviewed in light of the new Local Plan and its associated infrastructure requirements.</p>	Southend Borough Wide	Joint Strategic Plan	2022 Q4

Appendix 1

LOCAL DEVELOPMENT SCHEME – PROJECT TIMETABLES

These are live time tables that are subject to monitoring and will be updated as appropriate. (*Q refers to the quarter of that calendar year*)

South Essex Plan

STAGE	TARGET DATE FOR COMMENCEMENT
Evidence base preparation	On-going
Issues Document public consultation	2020 Q3
Preferred Approach and Options Document public consultation	2021 Q1
Publication of Proposed Submission Document public consultation	2021 Q3
Submission to Secretary of State for independent examination followed by subsequent Examination and Adoption*	2022 Q1

Southend New Local Plan

STAGE	TARGET DATE FOR COMMENCEMENT
Evidence base preparation	On-going
Call for Sites	On-going
Issues (and Options) Document public consultation	Q1 2019
Issues and Options (stage 2)	2020 Q3
Preferred Approach Document public consultation	2021 Q3
Publication of Proposed Submission Document public consultation	2022 Q2
Submission to Secretary of State for independent examination followed by subsequent Examination and Adoption*	2022 Q4

**As an approximation, the period from submission to adoption may range from 6 to 12 months dependent on the content and scope of the plan, issues arising during examination and scheduling of meetings.*