

Southend-on-Sea Borough Council

Delegated Authority

Report by Strategic Planning

to

Deputy Chief Executive (Place) and Executive Councillor for
Housing, Planning & Sustainability

27/07/17

Southend Central Area Action Plan: Modifications Agreement and Authorisation to Consult

1 Purpose of Report

- 1.1 To seek agreement of the 'main modifications' to the Southend Central Area Action Plan (SCAAP), which have been recommended by the Inspector appointed by the Secretary of State to examine the SCAAP. The main modifications are necessary to ensure that the SCAAP is sound. This report also seeks authority to consult on these main modifications.
- 1.2 It is considered that the main modifications recommended by the Inspector do not conflict with the overall strategy of the SCAAP.
- 1.3 The Borough Council has also identified a number of 'minor modifications'. These are not considered necessary for the soundness of the plan and do not require consultation. However, for completeness it is proposed that these are also subject to consultation, alongside the main modifications.
- 1.4 Under the Cabinet resolution (see **Appendix 1** for associated Cabinet Report dated 20/09/16) delegated authority was granted to the Director for Place (now Deputy Chief Executive (Place)), in consultation with the Executive Councillor for Housing, Planning & Public Protection Services, in conjunction with the Local Development Framework Working Party (if necessary), is authorised to
- a) approve and make amendments to the SCAAP that may result from inter alia analysis of the representations made following public consultation, recommendations of the Sustainability Appraisal and any additional evidence considered and then consult on these changes, if required, before they are submitted to the Secretary of State, and
 - b) agree and approve amendments that may be proposed by the Inspector during the Examination in Public process and to any further consultation that may be required as a result of this; and
 - c) take all necessary steps to ensure compliance with the relevant statutory processes and procedures necessary for preparation and participation of the Council at the Examination in Public

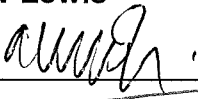
2. Recommendations

- 2.1 Agree that the proposed main modifications and minor modifications (attached at Appendix 2) are approved.**
- 2.2 Authorise a period of public consultation to take place for a period of no less than 6 weeks.**

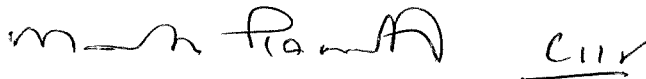
If in agreement please sign and return to Mark Sheppard on behalf of Peter Geraghty.

Signatures to agree the proposed modifications (Appendix 2) for consultation

**Deputy Chief Executive (Place)
Andrew Lewis**



**Executive Councillor for Housing, Planning & Sustainability
Councillor M. Flewitt**



3. Background

- 3.1 In accordance with the Council's Local Development Scheme timetable and the 'Strategic Objectives' and policies within the adopted Southend Core Strategy, the Council has prepared an Area Action Plan for the Central Area of the town and associated policies map; the Southend Central Area Action Plan (SCAAP). In October 2016, the Council approved the Revised Proposed Submission version of the Plan for public consultation and subsequent submission to the Secretary of State for Examination.
- 3.2 The SCAAP was submitted to the Secretary of State who appointed independent Inspector Mr Mike Fox BA (Hons) DIPTP MRTPI of the Planning Inspectorate to undertake a formal examination. The Inspector conducted hearing sessions over a 3 day period in May 2017.
- 3.3 During the examination the Inspector has indicated that a number of modifications are needed to ensure the Plan is sound and suitable for adoption by the Borough Council.

Proposed Modifications

- 3.4 A schedule of all modifications proposed to the SCAAP is set out in **Appendix 2** of this report. The modifications are separated into two categories.
- Main modifications: those changes required by the Inspector to ensure the Plan is sound and legally compliant.
 - Minor modifications: those changes identified by the Planning Authority which improve the readability and consistency of the Plan as a whole.
- 3.5 It is considered that the main modifications recommended by the Inspector do not conflict with the overall strategy of the Plan. In summary the main modifications seek to address the issues raised during the last stage of public consultation and include:
- A new strategic objective and policy criteria supporting retail development in the town centre,
 - Amended supporting text and policy criteria relating to public car parking provision within the central area, including numbers of publically available paid for parking in central area south and details of key visitor car parks within central area south,
 - Amended supporting text and policy criteria relating to environmental designations to ensure consistency with NPPF and following dialogue with Natural England
 - Amendments to Policy PA8 relating to the Baxter Avenue opportunity site and tenure split and affordability of new residential development
- 3.6 In addition to the main modifications, the attached schedule includes additional minor changes/amendments. These are not required in order for the SCAAP to be made sound, however, for completeness they will be subject to consultation.

also. The minor modifications are separately identified within the schedule from the main modifications required by the Inspector

3.7 The below proposed modifications relate to changes to the Revised Proposed Submission SCAAP (November 2016) (**Appendix 3**)

3.8 The proposed modifications have been subject to Sustainability Appraisal (**Appendix 4**), which will also be available for comment during the consultation

Public Consultation

3.9 The Inspector has recommended that the main modifications be subject to public consultation prior to issuing his report. The outcome of the consultation will be considered by the Inspector before he finalises his report and by the Council when making its final adoption decision on the plan.

3.10 Given the relationship between the main and minor modifications, and for the sake of completeness, it is considered helpful to include all proposed modifications as part of the public consultation

3.11 The schedule of modifications will be subject to formal public consultation in line with the adopted Statement of Community Involvement (2013). The consultation however would be limited to responses made in relation to the proposed modifications only.

3.12 An update on the SCAAP, including the modifications outlined in Appendix 2, will be presented at Local Development Framework Working Party on 10th August 2017

Timetable and Adoption

3.13 The outcome of the public consultation process must be reported back to the Inspector. The Inspector then reviews the issues raised and prepares a final report. The Inspector could, for example, recommend that the Plan is sound if adopted with the main modifications or he could find the Plan unsound. The latter outcome is considered unlikely given current indications, but either way a report would be presented to Full Council in due course recommending that the Plan is either adopted or withdrawn taking into account the Inspector's recommendations.

3.14 The Inspector has indicated that, given commitments at the Planning Inspectorate, it would be prudent to allow for a period of 6 weeks following the submission of the consultation responses to receive his final report

Indicative timetable	
Public consultation on modifications	At least 6 weeks during August/September 2017
Submission of Response to Inspector	End of September 2017
Inspectors Report	October / November 2017
Preparation of final Plan and recommendations for adoption via Full Council	October / November 2017

Full Council adoption of Plan	2017
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4. Appendices

Appendix 1 – Report to Cabinet (20/09/16) Southend Central Area Action Plan – Proposed Submission Document

Appendix 2 - Schedule of Modifications to the Southend Central Area Action Plan

Appendix 3 - Revised Proposed Submission SCAAP (November 2016)

Appendix 4 – Sustainability Appraisal of the Modifications to the Southend Central Area Action Plan