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## PLANNING POLICY SUB-COMMITTEE: 17 NOVEMBER 2017

### 1 NEW LOCAL PLAN ISSUES AND OPTIONS DOCUMENT: LOCAL DEVELOPMENT SCHEME 2017-2021

- 1.1 This item of business was referred by the Planning Policy Sub-Committee on 17 November 2017 to Council with a recommendation to adopt the revised Local Development Scheme.
- 1.2 An extract of the key elements of the report of the Assistant Director, Planning & Regeneration Services to the Planning Policy Sub-Committee is attached at Appendix 1, together with a copy of the revised Local Development Scheme, at Appendix A.

Members emphasised the importance of all vital evidence being considered as widely as possible and that any contentious issues, e.g., infrastructure, being properly considered, and that this could result in going beyond 2021. officers emphasised that the intention was that there should be a robust plan in place by the examination stage that would cover all such issues.

### 2 RECOMMENDATION

- 2.1 It is proposed that Council **RESOLVES** that the revised Local Development Scheme, as attached at Appendix A, be adopted. (ADP&RS)

If you would like this report in large print, Braille or another language please contact 01702 318111.

**Appendix 1**

**NEW LOCAL PLAN ISSUES AND OPTIONS DOCUMENT:  
LOCAL DEVELOPMENT SCHEME 2017-2021**

**1 PURPOSE OF REPORT**

- 1.1 The Council is required to prepare and keep up-to-date its timetable for preparing its local planning policy documents. The most recent Local Development Scheme (LDS) was adopted by the Council on 18 October 2016. There has been a slippage in the timetable for the new Local Plan, and the LDS has therefore been reviewed to ensure that it is up-to-date to accompany the publication of the Council's Issues and Options Document.

**2 SALIENT INFORMATION**

- 2.1 The preparation of the LDS is a statutory requirement. It sets out a timetable for local planning policy production and enables residents, infrastructure providers, neighbouring Councils and other interested parties to keep track of our progress. The most recent LDS sets out the revised timetable for the preparation of the new Local Plan and Community Infrastructure Levy (CIL) Charging Schedule between 2017 and 2021.
- 2.2 The Council is committed to an early review of the Core Strategy, which was adopted in 2011, which will take the form of a new Local Plan in line with relevant planning legislation, national policy and guidance. This review commenced with a Call for Sites which was formally open between June 2015 and March 2016. Since 2015 a number of key evidence base documents at the local level have been prepared/commissioned to support the preparation of the new Local Plan, on topics such as environmental capacity, transport, and housing and employment land needs and availability. Other technical sub-regional studies have been jointly commissioned to determine housing, economic development and retail needs across South Essex.
- 2.3 Officers have, in addition to preparing and overseeing the development of technical studies, been actively engaging with local communities to seek their views on what should be included in the first stage of the new Local Plan, the Issues and Options Document. Interactive workshops were held at the parish level in summer/autumn 2016, which were supplemented by a survey to gather locally-specific information on what local communities want from their plan in the future.
- 2.4 The Issues and Options Document was anticipated to be published for consultation in spring 2017, as set out in the LDS adopted in October 2017; however, due to a number of factors including resourcing issues and slippage in the preparation of some technical studies and community engagement, there has been an overall slippage in this timetable. As set out in the draft

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revised LDS (appendix A), it is now anticipated that if the Issues and Options Document is published for consultation in winter 2017/spring 2018, subject to Full Council approval, it could be adopted in 2021. However, as a Local Planning Authority, we need to be mindful of planned consultation on changes to the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) expected in early 2018 and the potential implications for plan-making at the local level. This follows the publication and consultation of the Government's Housing White Paper<sup>1</sup> in February 2017 and 'Planning for the Right Homes in the Right Places'<sup>2</sup> in September 2017.

- 2.5 Inevitably this slippage has had an impact on the overall timescales for the preparation of the new Local Plan, and the CIL. This is reflected in the revised draft LDS taking account of the additional technical studies that would need to be prepared to support each stage of plan preparation. The Local Plan is expected to be delivered and adopted by Full Council by early/mid 2021 (dependent on the Planning Inspectorate).

### **3 RISK IMPLICATIONS**

- 3.1 The Department for Communities and Local Government (DCLG) is taking a keener interest in the progress of Local Planning Authorities in preparing their Local Plans since the publication of the NPPF in 2012. Furthermore, DCLG is likely to use the Council's published LDS as a tool to monitor future performance, given the Government's intention to speed up the planning process through the measures indicated within the Housing White Paper and 'Planning for the Right Homes in the Right Places'.
- 3.2 The need for the LDS is a statutory requirement for the Council. It is important that the LDS is updated to reflect current progress on the preparation of the new Local Plan and that any monitoring undertaken by DCLG is based on the Council's current position.

### **4 RESOURCE IMPLICATIONS**

- 4.1 The approval of the revised draft LDS provides a framework for how the Local Planning Authority will prepare the Council's new Local Plan and CIL. The anticipated costs of managing the service are to be met from investments in the existing budget provision.

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[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/590464/Fixing\\_our\\_broken\\_housing\\_market\\_-\\_print\\_ready\\_version.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/590464/Fixing_our_broken_housing_market_-_print_ready_version.pdf)

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[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/644955/Planning\\_for\\_Homes\\_consultation\\_document.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/644955/Planning_for_Homes_consultation_document.pdf)

- 4.2 Enabling a robust local planning framework will facilitate delivery of sustainable growth in the district. The planning system directly contributes income to the Council through Section 106 agreements, CIL (with the intention to bring this forward alongside the new Local Plan) and the New Homes Bonus to enable infrastructure and service delivery District wide.

## **5 LEGAL IMPLICATIONS**

- 5.1 Under section 15 of the Planning and Compulsory Purchase Act 2004, as amended, the Council is required to prepare and maintain the LDS. This report sets out the documents that are to be prepared as planning policy documents for the Council.

If you would like this report in large print, Braille or another language please contact 01702 318111.

**Rochford District Council**  
**Draft Local Development**  
**Scheme 2017-2021**  
**Planning Policy Sub-Committee**  
**17 November 2017**

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## **1 Introduction**

- 1.1 The Council is required to prepare a Local Development Scheme (LDS) under Section 15 of the Planning and Compulsory Purchase Act 2004. The purpose of the LDS is to set out the programme for the preparation of the Council's planning policy documents. The Council's first LDS was adopted in 2005 and has since been subject to a number of updates, the most recent of which was October 2016. This revised LDS covers 2017 to 2021, and will be reviewed regularly to ensure that there continues to be a realistic and achievable programme for the preparation of the Council's planning policy documents.
- 1.2 Community and stakeholder involvement is a key component of the planning system. Public participation will take place at an early stage in the preparation of the Council's planning policy documents. The LDS is the document which the public can use to find out what the Local Planning Authority is proposing to do and when, and at what stage they can expect to be involved in the planning process.

## **2 Current Local Development Documents**

- 2.1 The current local development plan (as of 12 October 2017) consists of seven development plan documents and a number of supporting supplementary planning documents. These documents were produced under the previous Local Development Framework (LDF) system, which has since been superseded by the reintroduction of single Local Plans through the Localism Act (2011).
- 2.2 These documents were prepared in accordance with the Council's Statement of Community Involvement (SCI), which was adopted January 2007. This has since been superseded by a revised SCI which was adopted in July 2016 to support the preparation of the new Local Plan. The SCI outlines how the Council intends to involve the community, as well as other stakeholders, in the preparation of local development documents, the consideration of planning applications and enforcement action.

### **Adopted Development Plan Documents**

- 2.3 The Council has produced and adopted seven development plan documents, which together form the statutory local development plan for the district. Development plan documents set out the planning policies which planning applications are assessed against. These documents, detailed below, have been adopted following independent examination by a Planning Inspector:
  - Core Strategy (adopted December 2011) sets out the spatial vision, strategic objectives and core policies up to 2025;
  - Allocations Plan (adopted February 2014) sets out site specific policies and land use allocations over the plan period;
  - Development Management Plan (adopted December 2014) sets out detailed policies for managing development across the District;
  - London Southend Airport and Environs Joint Area Action Plan (adopted December 2014), produced in conjunction with Southend Borough Council, sets out detailed policies for managing growth and change at the airport and in the surrounding area;

- Hockley Area Action Plan (adopted February 2014) sets out detailed policies for managing development in the centre of Hockley;
- Rochford Town Centre Area Action Plan (adopted April 2015) sets out detailed policies for managing development in and around Rochford town centre;
- Rayleigh Centre Area Action Plan (adopted October 2015) sets out detailed policies for managing development in the centre of Rayleigh.

### **Adopted Supplementary Planning Documents**

2.4 Supplementary planning documents are non-statutory documents that give further guidance on the policies and proposals set out in development plan documents. Whilst supplementary planning documents must be in conformity with development plan documents and subject to public consultation, they do not have to go through independent examination.

2.5 The Council has adopted a number of such guidance documents including:

- Educational Contributions (adopted January 2007);
- Housing Design (adopted January 2007);
- Shop Fronts - Security and Design (adopted January 2007);
- Design Guidelines for Conservation Areas (adopted January 2007);
- Design, Landscaping and Access Statements (adopted January 2007);
- Parking Standards Design and Good Practice (adopted December 2010);
- Playing Pitch Strategy (adopted April 2012);
- Local List (adopted December 2013).

### **Adopted Statement of Community Involvement**

2.6 The level of participation in the preparation of the Council's planning policies has dramatically increased since the first Statement of Community Involvement (SCI) came into effect in 2007. However, there have inevitably been a number of legislative changes on community engagement since its adoption and, taking into consideration the Council's more recent consultation and engagement experience, the Council undertook a review of the 2007 SCI and updated where necessary.

2.7 The revised SCI was consulted on for a nine week period between 16 March and 18 May 2016, and was adopted by the Council on 19 July 2016. The SCI sets out how the Council will engage with the community and other stakeholders throughout the preparation of the new Local Plan and Community Infrastructure Levy (CIL) Charging Schedule in particular. The preparation of the SCI was inline with the timetable adopted on 23 February 2016.



### 3 Proposed Local Development Documents

- 3.1 The Council is looking to prepare two local development documents; a new Local Plan and Community Infrastructure Levy (CIL) Charging Schedule.

#### New Local Plan

- 3.2 The Council is committed to an early review of the Core Strategy. This will take the form of a new single Local Plan, which will become the principal development plan document for the district. It will include the Council's strategy for future development across the district; specific proposals and the allocation of specific sites to realise this strategy; and development management policies to support these. In particular it will ensure that policies are in place to meet development needs for residential and employment use throughout the district over the next 20 years.
- 3.3 The new Local Plan will be part of the local development plan and on its adoption it will supersede a number of policies within the current adopted local development plan (as set out at paragraph 2.3). As to which policies will be superseded, this will be dependent on the outcome of the plan-making process in respect of the new Local Plan, and which policies are ultimately included in the final, adopted version.
- 3.4 Community and stakeholder involvement will be a key element in the preparation of the new Local Plan. As with past development plan documents, the new Local Plan will be produced in stages, with opportunities for the public and other interested parties to participate in the decision-making process on a wide range of planning issues. The Council will also continue to engage with specific prescribed bodies, such as neighbouring Local Authorities, as part of the Duty to Co-operate.
- 3.5 Early engagement with local communities – both residents and businesses – took place over Summer/Autumn 2016. This has included a programme of parish workshops supplemented by a community survey. Such early engagement has enabled local communities to input into the first stage of the new Local Plan; the Issues and Options Document.
- 3.6 The new Local Plan will also need to be supported by an evidence base covering a range of topics which will be prepared and reviewed throughout the preparation of the Plan. A number of key evidence base documents are being prepared or reviewed including a Strategic Housing and Employment Land Availability Assessment (SHELAA), a Strategic Housing Market Assessment (SHMA) and an Economic Development Needs Assessment (EDNA). Other evidence relating specifically to highways, education and infrastructure in general are also being prepared. The preparation of such evidence, particularly in relation to highways (modelling options and potential mitigation measures), could have an impact on timescales. It is important therefore that the LDS is kept under review; and that the timescales are ambitious but realistic.
- 3.7 Some supporting documents will be available for comment alongside the new Local Plan, including the Sustainability Appraisal/Strategic Environmental Assessment and Habitats Regulations Assessment. The timetable for the new Local Plan is set out below:

Stage	Target Date
Evidence base preparation	January 2015 onwards
Call for Sites	June 2015 – March 2016
Early community engagement	Autumn/Winter 2016
Issues and Options Document public consultation*	Winter 2017
Preferred Options Document public consultation*	Winter 2018/Spring 2019
Proposed Pre-Submission Document public consultation*	Winter 2019/Spring 2020
Submission to Secretary of State for independent examination	Summer 2020
Examination hearings	Winter 2020
Inspector’s Report expected	Spring/Summer 2021
Adoption by Full Council	Spring/Summer 2021

3.8 The timetable for the preparation of the new Local Plan will be refined further as the document is progressed, and will need to take account of any changes at the national policy level as these emerge.

**Community Infrastructure Levy (CIL) Charging Schedule**

3.9 The Council intends to produce a Community Infrastructure Levy (CIL) which will detail a schedule of charges to be paid by developers to contribute towards the implementation of infrastructure. The CIL will set a charge per square metre of new floorspace which will be levied on new development across the District, where applicable. As with the new Local Plan there is a requirement for consultation and independent examination of the CIL.

3.10 Taking into account the current CIL Regulations, the Levy would be inherently linked to the preparation of the new Local Plan and will be supported by a robust evidence base, in particular a Viability Assessment to determine what can be charged; as well as an Infrastructure Funding Gap Assessment to identify the funding gap for the delivery of necessary infrastructure. As such it is anticipated that the preparation of the CIL will, for the most part, run alongside the new Local Plan. The timetable for the CIL is set out below:

\* The Council is no longer required by legislation to prepare three formal documents for public consultation and engagement, however this is still considered to be the most appropriate approach for the preparation of the new Local Plan

Stage	Target Date
Evidence base preparation	2018
Preliminary Draft Charging Schedule public consultation	Winter 2018/Spring 2019
Draft Charging Schedule public consultation	Winter 2019/Spring 2020
Submission to Secretary of State for independent examination	Summer 2020
Examination hearings	Winter 2020
Inspector's Report expected	Spring/Summer 2021
Adoption by Full Council	Spring/Summer 2021

- 3.11 The timetable for the preparation of the CIL will be refined further as the document is progressed, and will need to take account of any changes at the national policy level or new regulations as these emerge.

## 4 Other Local Development Documents

### Supplementary Planning Documents

- 4.1 The Council has adopted a number of Supplementary Planning Documents to date. Whilst it is not anticipated that any additional guidance documents will need to be prepared at present, the Council's adopted documents will be kept under review as the new Local Plan and CIL progress. The LDS will be updated as necessary.

### Neighbourhood Plans

- 4.2 Neighbourhood Plans are community-led plans for guiding the future development and growth of a local area introduced by the Localism Act (2011). Such plans must be in general conformity with the strategic policies in the local development plan for the area. They are subject to independent examination and referendum, and once adopted will form part of the statutory local development plan for the area.
- 4.3 In areas with defined parishes, such as Rochford District, these plans can be prepared by the Parish or Town Councils in consultation with the local community. As of 12 October 2017 one formal application had been received by the Council for the designation of Neighbourhood Areas. Details are published on the Council's website<sup>†</sup>.

### Minerals and Waste Local Plans

- 4.4 Essex County Council is responsible for preparing Minerals and Waste Local Plans, and determining planning applications for minerals and waste uses across Essex (excluding Southend and Thurrock unitary authorities). As of 12 October 2017 the following local development documents had been prepared and adopted by Essex County Council:
- Minerals Local Plan (adopted July 2014)
  - The Essex and Southend Waste Local Plan (adopted July 2017)

<sup>†</sup> [www.rochford.gov.uk/planning-and-building/planning-policy/neighbourhood-planning](http://www.rochford.gov.uk/planning-and-building/planning-policy/neighbourhood-planning)

**Authority (formerly Annual) Monitoring Report (AMR)**

4.5 The Authority (formerly Annual) Monitoring Report (AMR) is a document prepared by the Council which includes information on progress of local development plan preparation. This report is published on the Council’s website at the earliest opportunity.

**5 Monitoring and Review**

5.1 The Council’s progress in respect of plan production will be monitored through the AMR. Each year the AMR will:

- show how the Council is performing against the timescales in the LDS for the preparation of development plan documents and supplementary planning documents;
- consider the effectiveness of extant policies in advance of the adoption of new planning policy documents;
- monitor local development plan policies against a set of government, regional and local indicators; and
- provide an up to date list of documents in preparation and adopted, and provide details of future reviews of those documents.

5.2 This LDS sets out broad timetables for the preparation of the revised Statement of Community Involvement, new Local Plan and CIL Charging Schedule. These timetables will be reviewed and refined as the document production progresses.

**6 Risks and Mitigation**

6.1 There are a number of key risks which could impact on the delivery of these local development documents by the broad targets that have been identified. The key risks and potential mitigation measures include:

Risk	Level of Risk	Potential Mitigation
Changes to national policy and/or legislation	Medium/ High	Keep up to date with national policy and/or legislative changes Make amendments to emerging policies and undertake additional consultation as necessary
Lack of capacity/resources to deliver local development documents by timescales identified	Medium/ High	Consider options for increasing capacity/resources, including recruiting temporary staff Timescales may need to be reviewed

Risk	Level of Risk	Potential Mitigation
Lack of capacity/resources to support preparation of Neighbourhood Plans	Medium/High	Consider options for increasing capacity/resources, including recruiting temporary staff Ongoing engagement with Parish or Town Councils throughout the plan-making process
Lack of capacity/resources within external organisations including Planning Inspectorate	Medium	Early and ongoing engagement with key organisations needed to minimise risk Timescales may need to be reviewed
Legal compliance and soundness tests not met at examination	Medium	Robust, evidence based plan Effective public engagement Ongoing engagement with specific prescribed bodies as part of the Duty to Co-operate
Legal challenge to adoption of a local development document	Medium	Impact on resources Seek legal advice as required



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