



REVISED LOCAL DEVELOPMENT SCHEME AND UPDATE ON THE PROGRESS OF THE CASTLE POINT PLAN

1 PURPOSE OF REPORT

- 1.1 To approve revisions to the Local Development Scheme (LDS) for the Castle Point Plan arising from the introduction of the new National Planning Policy Framework ("2024 NPPF") published on 12 December 2024.
- 1.2 The Castle Point Plan was due to progress to Regulation 19 Consultation in line with the timetable set out in the current LDS however, changes imposed by the 2024 NPPF require the Council to take additional steps which necessitate a revision of the LDS.

2 LINKS TO COUNCIL'S PRIORITIES AND OBJECTIVES

- 2.1 The proposals in the Castle Point Plan will have significant implications for all of the Corporate Plan objectives – Economy and Growth (by identifying economic growth opportunities and the value of development has to the local economy, jobs and skills, and making the Borough an attractive place to do business and work); People and Place (by development in the Borough that puts the needs of local people first and ensuring that infrastructure is delivered in the most timely and coordinated manner); and the Environment (by ensuring the protection of the most important habitats, having policies that ensure proper consideration of the environment is given, and protecting against the impacts of climate change).

3 RECOMMENDATION

- 3.1 It is proposed that Council **RESOLVES**

That the revised Local Development Scheme be approved.

4 INTRODUCTION

- 4.1 On 30 November 2022, the Council approved the resources and works necessary to secure the preparation of the Castle Point Plan making clear that it would be prepared through thorough engagement with the local community;

that it would set a genuine local housing need target; that it would prioritise development on brown field and urban areas; and protect the Green Belt.

- 4.2 At that meeting the Council also approved a Local Development Scheme (LDS), which sets out the plan making process and the timetable within which the Council is committed to making the Castle Point Plan.
- 4.3 The LDS was updated and approved at a Special Council meeting on 31 January 2024, following receipt of a letter of possible intervention by the then Secretary of State in December 2023. The report and LDS set out the Council's response to the Secretary of State, the progress made, a revised timetable (that brought the submission forward to April 2025) and why the Council should retain control of its plan making. The Government confirmed that it would not intervene but would monitor progress and expect the Council to remain on schedule.
- 4.4 In December 2024, the Government published a new National Planning Policy Framework ("2024 NPPF") and alongside that a requirement that each local planning authority update and submit to the Government a new LDS by 6 March 2025.
- 4.5 This report presents that new LDS.

5 PROGRESS ON THE CASTLE POINT PLAN

- 5.1 At the Special Council on 17 July 2024, the Council approved the Issues and Options report for public engagement at Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulation 18 Consultation). That marked the first statutory step in the preparation of the Castle Point Plan and had followed an extensive period of community engagement and evidence gathering.
- 5.2 The Regulation Consultation was conducted between 22 July 2024 and 16 September 2024. This engagement was delayed by one month due to the General Election in June 2024 as consultation and engagement events should not be started or substantially undertaken during the pre-election period. That unforeseen delay immediately put pressure on the timetable.
- 5.3 Since the completion of the Regulation 18 Consultation, the Castle Point Plan has been drafted and work has continued on a number of evidence documents and cooperation meetings have been held with key partners and neighbouring councils.
- 5.4 To inform the Regulation 18 Consultation, the Council undertook a Call for Sites exercise in January and February 2024, as well as undertaking a comprehensive assessment of the Borough's urban capacity. The Council has also completed its own housing needs assessment, which tested the then Government's standard methodology against up-to-date housing projection and census data, as well as interviews with local residents.

- 5.5 However, not all of the evidence and supporting documents have yet been completed. Some, such as the Transport Assessment and Infrastructure Delivery Plan, cannot be fully completed until it is clear what is the level of development anticipated within the Castle Point Plan and where that development is going to go (broad locations identified). In addition, the Sustainability Appraisal and Habitats Regulations Assessments (both of which are statutory requirements of plan making) cannot be fully completed without completion of the draft Castle Point Plan. Therefore, work remains ongoing.

Castle Point Plan Board

- 5.6 The Castle Point Plan Board (the “Board”) was constituted in November 2022 to provide joint working arrangements between nominated Members (from all political parties) and Officers. It has met at least monthly, in either board meetings or workshops, and covered all aspects of the plan work to date. The Council publishes notes of the meetings, which can be found at: <https://www.castlepoint.gov.uk/castle-point-plan-progress-reports>
- 5.7 The Board has provided leadership and Member input into the evolution of the Castle Point Plan, including possible development sites. The Board has agreed the scope of evidence required for the Castle Point Plan; and provided a forum for cross party consensus.
- 5.8 The work of the Board and of officers is undertaken in line with the requirements of the prevailing NPPF relevant at each stage of the plan making process. Accordingly, when the NPPF changes, the work also needs to change to reflect the new requirements. When the NPPF was revised in December 2023 (the “2023 NPPF”) it formed the national policy basis for work since, including the Regulation 18 Consultation. However, since 12 December 2024, the 2024 NPPF has now superseded the “2023 NPPF”.

The New National Planning Policy Framework 2024

- 5.9 Following the General Election, the new Government announced major reforms to the planning system and the intention to revise the 2023 NPPF. The Government undertook a national public consultation on those changes to which the Council responded. That response is set out in a decision taken by the Deputy Leader, in his capacity as Cabinet Member for Strategic Planning on 20 September 2024. That decision was reported for noting to Cabinet on 16 October 2024.
- 5.10 The key revisions to the 2023 NPPF that affect the Castle Point Plan include:
- Changes to the standard methodology for calculating housing targets and reversing the changes made in the 2023 NPPF so that new housing targets are mandatory; and
 - The requirement for mandatory Green Belt Reviews as part of the plan making process, and the assessment of whether Green Belt meets a new

definition of Grey Belt, which could lead to land being allocated as such in a local plan.

- 5.11 Most of the other provisions in the 2023 NPPF are retained in the new version, including that the 2024 NPPF must be read as a whole (paragraph 3); the presumption in favour of sustainable development and the footnote (paragraph 11); and the test of soundness for a local plan (paragraph 36).
- 5.12 The Council's current LDS aimed to submit the Castle Point Plan in April 2025. With the delay in the engagement on Regulation 18 Consultation caused by the General Election, achieving that target was under strain but the Council remained committed to delivery and remained on track with the LDS.
- 5.13 The Council's response to the public consultation on the changes to the NPPF included an objection to the transitional arrangements. The Council proposed that for plans in production based on the 2023 NPPF (such as the Castle Point Plan), the transition period should be June 2025. This would have meant that the Castle Point Plan could proceed under the 2023 NPPF. The Government has not accepted the Council's position on this but introduced a transition deadline of 12 March 2025 which means that the Castle Point Plan will be examined under the 2024 NPPF. That means that the plan must be legally compliant with the 2024 NPPF and the Council will need to clearly demonstrate that it has "taken into consideration" the policies in the 2024 NPPF.
- 5.14 The requirement to "take into consideration" does not mean that the Council must adhere to every principle in the 2024 NPPF. What it means is that the Council must demonstrate that it has procedurally followed the 2024 NPPF, and where there are requirements for evidence, such as a Green Belt Review and consideration of Grey Belt, the Council has completed that work and justified its conclusions accordingly.
- 5.15 The mandatory requirement to undertake a Green Belt Review and, as part of that, consider whether Green Belt land should be considered as Grey Belt, is a significant change in the 2024 NPPF. The Council must, therefore, undertake a Green Belt Review and assess Grey Belt before the Castle Point Plan can be submitted for examination.
- 5.16 Undertaking a Green Belt Review and a Grey Belt assessment does not automatically oblige the Council to reallocate land as Grey Belt or releasing land from the Green Belt for development (other planning considerations also need to be considered). Undertaking a Green Belt Review will, however, ensure that the Castle Point Plan is legally compliant with the requirements of the 2024 NPPF and provide an independent assessment of the Green Belt and Grey Belt in the Borough.
- 5.17 The Government has stated that it will issue guidance in January 2025 on how Green Belt Reviews should be undertaken, although no firm date has been given as to when that guidance will be published. In order to ensure that the

Castle Point Plan is as sound as possible the current Green Belt Review work will need to be compliant with the requirements of this as yet unseen new guidance.

Impact on the Castle Point Plan Timetable

- 5.18 To date, the Council has been preparing the Castle Point Plan in line with the 2023 NPPF. Notwithstanding the public consultation, the Government advice was clear that councils should continue to work in line with the 2023 NPPF until a new NPPF was published. This is why the Government has mandated that councils publish a new LDS as the implications of the 2024 NPPF are felt nationally and have an inevitable impact on timetable.
- 5.19 The Council must undertake a Green Belt Review and, if, as a consequence of that review, it is identified that there is land in the Green Belt that no longer fulfils the functions of the Green Belt or is Grey Belt (as defined by the 2024 NPPF, Page 73), the Council must consider whether that land is suitable for development in other planning terms – i.e. a sustainable location or access. This is a fundamental new requirement and until that work is completed and fully considered the Council will not be able to finalise the Castle Point Plan. This is because if land is reallocated, that will have an impact on the amount of development in the Borough, which impacts on the infrastructure requirements and other areas of local plan preparation work such as the Transport Assessment, Habitats Regulations Assessment and the Sustainability Appraisal.
- 5.20 In addition, the 2024 NPPF requires the Council to reconsider its statutory Duty To Cooperate obligations because the new mandatory target set by the Government is 14,020 dwellings over a 20 year period. In order to demonstrate that the Council has complied with its Duty to Cooperate obligations it must show that it has exhausted all possible scenarios for how it can - or cannot - meet the new housing target, and only then must it formally request whether a nearby authority can accept some or all of the unmet need.
- 5.21 The new mandatory housing target is nearly twice the previous target (7,100) and significantly higher than the locally assessed need, or 5,100, as set out in the Regulation 18 Consultation. Demonstrating how the Council can or cannot meet this new target will be a significant test at examination. If the Council can demonstrate that it cannot meet this need, it must ask whether another nearby authority can accept the unmet need. For an alternative council to consider that, they will need to be satisfied that the Council has assessed all alternative options to meet the housing number within the Borough.
- 5.22 On that basis and to provide sufficient time to conclude the finalisation of the Castle Point Plan, it is proposed to amend the timetable as set out below and set out in a revised Local Development Scheme in **Appendix 1**.
- 5.23 The changes to the timetable for the completion of the Plan are summarised below:

Stage	LDS (January 2024)	LDS (January 2025)
Developing the Plan (formal Regulation 18, drafting and decision on Regulation 19)	June 2024 – February 2025	June 2024 – March 2025
Publication (formal Regulation 19)	January 2025 to March 2025	April 2025 to May 2025
Submission	April 2025	June 2025
Examination*	June 2025 – December 2025	June 2025 to January 2026
Adoption*	March 2026	April 2026

**Note: at this stage the post submission timetable is set by the Planning Inspectorate and is subject to change*

- 5.24 It is essential that when the Council submits the Castle Point Plan for examination that it is sound and legally compliant (i.e. in line with the 2024 NPPF). Failure to meet legal compliance will mean that the Castle Point Plan is automatically not sound and, therefore, cannot be adopted by the Council. An unsound plan will require the Council to start again to prepare a new plan, incurring considerable costs and leaving the Council exposed to either Government intervention, and the consequent loss of plan making powers, or planning by appeal, as the Council does not have an up-to-date plan in place, nor a five-year housing land supply.
- 5.25 The 2024 NPPF therefore brings key new risks for the plan and legal compliance, which have knock on consequences for the plan making timetable.

6 OPTIONS

- 6.1 **Option 1:** the Council has an obligation to submit a revised LDS to take account of the 2024 NPPF by 6 March 2025. The Council could choose to not vary the timetable, but in doing so, put the Castle Point Plan at risk due to legal compliance and legal soundness. This is not recommended.
- 6.2 **Option 2:** Adopt a new LDS, as set out in the report, and proceed with the revised timetable. Although this creates a short delay, it does mean that the pace of work adopted to date continues, but with time to consider the additional requirements of the 2024 NPPF prior to a decision on the draft Castle Point Plan for Regulation 19 and submission. This is the preferred option.

- 6.3 **Option 3:** Stop the work on the Castle Point Plan and create a new plan. This is not recommended and is not considered necessary. An assessment of the draft Castle Point Plan against the new NPPF has been conducted and work on a new plan is not required.
- 6.4 The preferred option is **Option 2** for the reasons outlined above and this is the option to which the recommendations in paragraph 3 and the implications in paragraphs 7-13 relate.

7 RISK IMPLICATIONS

- 7.1 The key risk to the Council is approving at Regulation 19 and submitting a plan which does not meet the legal requirements of compliance to the plan making process and the requirements of the 2024 NPPF and is not legally sound.
- 7.2 The submission of a legally non-compliant plan, including a failing of the duty to cooperate obligations, runs the significant risk of the plan being found unsound. That will mean that the Council, and the Borough, is at risk of intervention by Government (as there is no up to date local plan in place) and/or increased speculative development, particularly on sites within the Green Belt. This could lead to decisions being taken by the planning inspectorate and the loss of control of decision making by the Council.
- 7.3 The Council has set out its aspirations for the Castle Point Plan and its key objectives. In order to have the best chance of the plan being found sound and fulfilling those objectives, to amongst other things, protect the Green Belt allocated in it, it needs to have a sound plan in place.

8 FINANCIAL IMPLICATIONS

- 8.1 The cost of the Green Belt Review can be accommodated from within the existing budget for the creation of the Castle Point Plan. However, an expression of interest has been submitted to Government for funding to contribute towards the cost as well as the subsequent work required based on the findings of the review. The outcome of this expression of interest will not be known until mid-February.

9 LEGAL IMPLICATIONS

- 9.1 The legal implications are contained within the body of this report.

10 HUMAN RESOURCES IMPLICATIONS

- 10.1 There are no staffing implications

11 EQUALITY AND DIVERSITY IMPLICATIONS

- 11.1 The Castle Point Plan will be subject to an Equality Impact Assessment and that assessment will be presented when the Castle Point Plan is before Members for approval.



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Background Papers:-

None.

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Castle Point Borough Council
Local Development Scheme (LDS)
January 2025

1 Introduction

1.1 On 31 January 2024, the Council approved for the preparation of a new local plan for the Borough – the “Castle Point Plan”.

1.2 The Local Development Scheme (LDS) is the Council’s project plan and timetable for preparing the Castle Point Plan (a new Local Plan) and supplementary planning documents (SPD). The new plan will replace the Local Plan Saved Policies 1998.

1.3 The approval and publication of an LDS is a requirement of the Planning and Compulsory Purchase Act 2004. It is that Act under which the new Castle Point Plan will be prepared. Therefore, this LDS will fulfil the statutory requirements of that act, as set out in Section 15, namely:

- ‘(a) the local development documents which are to be development plan documents;*
- (b) the subject matter and geographical area to which each development plan document is to relate;*
- (c) [deleted]*
- (d) which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;*
- (e) any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee under section 29;*
- (f) the timetable for the preparation and revision of the development plan documents;*
- (g) such other matters as are prescribed.’*

1.4 This version replaces the January 2024 version of the LDS.

1.5 In response to the requirements in Section 15 the proposals are:

S15 Requirement	Proposal	Progress
<i>‘the local development documents which are to be development plan documents’</i>	The Castle Point Plan	Underway with submission in April 2025 and target adoption in 2026.
	Essex Minerals Plan	Note: that this is prepared by Essex County Council in

		collaboration with partners, and will be subject to a LDS produced by Essex County Council the timetable for the preparation and revision of the development plan documents.
	Essex and Southend on Sea Waste Local Plan	Note: that this is prepared by Essex County Council in collaboration with partners, and will be subject to a LDS produced by Essex County Council the timetable for the preparation and revision of the development plan documents
the subject matter and geographical area to which each development plan document is to relate	<p>The development plan relates to the whole of Castle Point Borough</p> <p>The Castle Point Plan will set out:</p> <ul style="list-style-type: none"> • The quantum and spatial strategy to meet local housing, employment, infrastructure and community needs. • Policies to management development • Policies that identify areas where development will be restricted 	Underway with submission in April 2025 and target adoption in 2026.
which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities	At the present time, none	N/A
any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee under section 29	At the present time, none	N/A
the timetable for the preparation and revision of the development plan documents		

2 The scope of the Local Development Scheme

2.1 The Local Development Scheme has two principal purposes:

- To inform the public and stakeholders about the Castle Point Plan and Supplementary Planning Documents for Castle Point Borough Council; and
- To set out a suitable timetable to prepare or review these documents.

2.2 Appendix 1 sets out information relating to the Supplementary Planning Documents being prepared by the Council. Appendix 2 sets out a risk assessment for the preparation of the documents.

3 Duty to Cooperate and Collaboration

3.1 As the Castle Point Plan is being prepared under the 2004 Act the requirement for Duty to Cooperate remains.

3.2 The Council has been co-operating with neighbours and statutory bodies to maintain a robust evidence base to support local decision making.

3.3 South Essex authorities have been working together on evidence towards a framework for growth on the sub-region. That evidence is jointly commissioned and can be used for to support the preparation of local plans, although Council's can opt out and produce their own evidence.

3.4 By working with the South Essex Councils work, the Council has a forum for the discussion of strategic matters which affect the borough, such as transport, the impact of growth and economic development. It is also a forum for the consideration of issues that arise as new local plans are prepared.

3.5 On an Essex wide level the Essex Planning Officers Association (EPOA) has been working across Essex to develop shared evidence base work such as around parking requirements and the accommodation needs of Gypsies and Travellers. These documents will be a consideration in the preparation of the Castle Point Plan.

3.6 A key project delivered through the EPOA is the Essex Coast Recreational Avoidance and Mitigation Strategy (RAMS) to help prevent disturbance to protected species along the Essex coastline. This project has delivered a Supplementary Planning Document (SPD) (approved 2020) that is now being delivered through a shared resource. The Castle Point Plan will need to integrate this joint working approach.

- 3.7 Essex County Council (ECC) is a key partner and is responsible for the delivery of many elements of infrastructure and key community services in Castle Point. ECC are aligning their work to localities, to ensure that what they are delivering responds to local needs. The opportunity will be taken to work with ECC to align the Castle Point Plan with ECC's Locality Plan for Castle Point, to ensure that deliverable outcomes arise.
- 3.8 Castle Point Borough Council has a wide range of partners in the public and third sectors who each have a role to play in delivering infrastructure and services in Castle Point.
- 3.9 These partners will have an important role to play in developing the Castle Point Plan through shaping policy and delivering its proposals. These organisations include the Environment Agency, Homes England and the RSPB, and are all Members of the Castle Point Place Partnership. The Place Partnership will have a critical role to play in the development and delivery of the Castle Point Plan.
- 3.10 The Council will also work through topic specific forums and groups, such as the Flood Resilience Forum, to ensure a joint approach to infrastructure planning.
- 3.11 the Council will engage with partners at all stages of the plan making process. If local needs cannot be met within the borough, the Council will request whether nearby Councils will be able to accommodate unmet need and seek to find a solution. In addition, the Council will respond to request to cooperate from nearby Councils.

4 Minerals and Waste Planning

- 4.1 Essex County Council is the Minerals and Waste Planning Authority for Castle Point Borough. The Essex Minerals Plan was adopted by the County Council in 2014. The Waste Local Plan was adopted in July 2017. These documents constitute part of the Development Plan for the Borough.
- 4.2 The Minerals Plan is in the process of being reviewed.
- 4.3 Further information on the Essex Minerals Plan and the Waste Local Plan can be found by visiting the Essex County Council website:
<https://www.essex.gov.uk/planning-land-and-recycling/planning-and-development/minerals-and-waste-planning-policy/minerals-1>

5 Monitoring and Review

- 5.1 The plan making process is designed by legislation to be a continuous process of preparation, monitoring and review. Since 2004, the monitoring and review elements

of the process have been undertaken through the Authority Monitoring Report (AMR). LPAs (Local Planning Authorities) are required to report at least annually on their planning activities, including monitoring the delivery of development and the effectiveness of local policies. AMRs can trigger the need for a full or partial review of the Local Plan should delivery performance or outcomes vary from what is planned and anticipated.

6 Evidence Base

- 6.1 The Council will collect, analyse, and publish the evidence it is using to prepare the Castle Point Plan. This evidence may be prepared either individually for Castle Point or with other local planning authorities or partners. See Section 7 below.
- 6.2 A library of evidence base material will be maintained on the Council's website for local residents and other stakeholders to view:

<https://www.castlepoint.gov.uk/castlepointplan/evidence>

7 Castle Point Plan

- 7.1 The Castle Point Plan will set out the framework and policies for place-making in Castle Point, ensuring that the needs of each of the five settlements of Canvey Island, Hadleigh, South Benfleet, Thundersley and Daws Heath are addressed whilst protecting what is special about the character of those places.
- 7.2 It will be underpinned by thematic strategies which deliver both the spatial requirements of the plan, and those non-spatial measures which will also be necessary to help the borough's communities and places to thrive.
- 7.3 The plan will set out a vision and strategy to 2043. However, it will be adaptive to deal with the inevitable changes that will occur over a 20-year period. This means that it will include a monitoring framework so that both the Council and the community and other stakeholders will know when it is time to review the plan and the proposals within it.
- 7.4 The Castle Point Plan will be developed over the period to 2025 in conjunction with the community, with local businesses, with delivery partners and with other stakeholders. Engagement forms a significant component of the programme. When the Council is not asking people their views, it is intended that the engagement will continue through the Council providing feedback on what it is doing in response to the issues that have been raised.

7.5 The Castle Point Plan will be a widely accessible document with an associated web resource. It is also the Council's intention to develop its evidence in a way which is accessible and capable of interrogation by people from all walks of life, so that as many people as possible can engage in the development of the local plan and the debate around options that arise.

7.6 Progress to date is set out below:

Item	Progress	Next Steps
Review of existing evidence (including Stage One Green Belt Assessment) and data to test compliance with tests of soundness and relevance	COMPLETE NOTE: Green Belt Evidence being reviewed considering December 2024 amendments to National Planning Policy Framework	Will be used to support the plan. If required updates and Topic papers will be prepared.
Stage One engagement with the local community and businesses to identify key issues	COMPLETE	Helps inform the issues and options
Stage Two engagement with the local community, businesses and partners on the Issues and Options (July to September 2024)	COMPLETE	Helps inform the draft plan
Engagement Through Art	UNDERWAY and will be ongoing to Regulation 19	Supports engagement and some artwork will be used to illustrate the plan to support community ownership
Local Housing Needs assessment, including interviews with local residents	COMPLETE	Evidence
Urban Capacity Assessment, including the use of AI to identify and assess an additional 375 sites in the urban area – Stage One Stage Two – site capacity assessments and working with landowners on deliverability	COMPLETE COMPLETE	Evidence
Call for Sites	COMPLETE	Evidence

Item	Progress	Next Steps
Playing Pitch and Sports Facilities Strategy review	COMPLETE NOTE: New assessment underway to support Council's approach to physical activity. The new assessment is not critical to progressing CP Plan.	Evidence
Local Cycling and Walking Improvement Plan	COMPLETE	Evidence and action plan
Open Space Assessment	COMPLETE	Evidence
Economic Development Sites Assessment	COMPLETE	Evidence
Local Wildlife Site review	COMPLETE	Evidence
Strategic Flood Risk Assessment	Part 1: COMPLETE Part 2: UNDERWAY*	Evidence
Design Codes, including for a conservation area	COMPLETE	Evidence and supporting document. To be progressed as an SPD.
Gypsy and Travellers Accommodation Assessment	COMPLETE	Evidence
Transport Assessment	Initial Assessment: COMPLETE Modelling and Assessment: UNDERWAY*	Evidence
Infrastructure Delivery Plan	Baseline Assessment: COMPLETE Final Plan: UNDERWAY*	Evidence and action plan
Viability Assessment	UNDERWAY*	Evidence
Green Belt Review	UNDERWAY*	Evidence
Habitats Regulations Assessment	UNDERWAY*	Evidence and legal requirement
Landscape Sensitivity Assessments	COMPLETE	Evidence
Sustainability Appraisal and Strategic Environmental Assessment	UNDERWAY*	Evidence and legal requirement
Equality Impact Assessment	UNDERWAY*	Evidence and legal requirement
Health Impact Assessment	UNDERWAY*	Evidence

* But for the Green Belt Review and consequential amendments arising from it, this work is complete.

7.7 In addition, Essex County Council (ECC) has developed, through the Essex Climate Action Commission, evidence on net zero housing development, on water supply, on Sustainable Urban Drainage and on Health and Wellbeing that will feed into the plan. Additionally, work on Economic Development such as the Essex Sector Development Strategy will also help to inform policies.

7.8 Working with partners across South Essex, there is a completed Strategic Housing Market Assessment, a Green and Blue Infrastructure Study and Strategy, Economic Development Needs Assessment and an Employment Land Availability Study.

8 Revised Timetable

8.1 In December 2024, the Government published a revision to the NPPF which significantly altered plan-making requirements in relation to establishing local housing need and in relation to assessing the Green Belt. In publishing this revision to the NPPF, the Government extended the deadline for submission of a local plan under the 2004 Act to December 2026. The Council however remains intent on getting a plan in place as quickly as possible and is proposing just a short delay to the timetable in order address these alterations to the NPPF. This will see a plan submitted for the examination in the summer of 2025.

8.2 The new timetable for preparing the Castle Point Plan is set out below. The Council is in control of the process up until submission. Beyond that point, the timescales are estimated as the Planning Inspectorate are in control of the examination process.

Stage	Time Period	Engagement Activity	Progress
<i>Issues Identification</i>	January 2023 – August 2023	4 - 6 months engagement on issues with partners, the community, local businesses and other stakeholders.	COMPLETE
<i>Options Development</i>	September 2023 – June 2024	Feedback on how the Council is addressing the issues raised. Some informal engagement may occur.	COMPLETE
<i>Developing The Plan</i>	June 2024 – March 2025	8 weeks Options Engagement with partners, the community,	ENGAGEMENT COMPLETE

Stage	Time Period	Engagement Activity	Progress
(Formal regulation 18)		local businesses and other stakeholders in Summer 2024. This will be followed by a period when the submission plan will be drafted.	PLAN DRAFTING ON-GOING
Publication (Formal Regulation 19)	April 2025 – May 2025	Minimum 6 weeks formal consultation with partners, the community, local businesses and other stakeholders. During this period the suite of submission documents will be assembled ready for submission and a statement of community development will be prepared	
Submission	July 2025		
Examination	July 2025 – January 2026	Those who have made formal comments at the Publication Stage may be invited by the Inspector to participate in the Examination.	
Adoption	April 2026	Dependent on the Examination	

9 Statutory and Non-Statutory Assessments

Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)

- 9.1 Section 19 of the Planning and Compulsory Purchase Act 2004 requires Councils to carry out a 'sustainability appraisal' of the proposals in a Local Plan during its preparation. Many of the requirements for sustainability appraisal are similar to the requirements set out in the Environmental Assessment of Plans and Programmes Regulations 2004, which require an assessment of the plan on the environment. Assessments carried out under these regulations are known as Strategic Environmental Assessment and are normally incorporated within the wider Sustainability Appraisal process and reporting.

Habitat Regulation Assessment (HRA)

- 9.2 A Habitat Regulation Assessment is required in accordance with the Habitats Regulations 2017. This requires the Local Planning Authority to undertake an assessment of the policies and proposals set out within its Local Plan on sites of International and European importance in terms of nature conservation i.e. Ramsar sites; Special Protection Areas (SPAs) and Special Areas of Conservation (SACs).

Equality Impact Assessment

- 9.3 The Equality Act 2010 provides a statutory duty on the Council to have “due regard”, as part of any decision-making process and before reaching a decision, to eliminate discrimination, harassment, victimisation and other conduct prohibited by the Act.
- 9.4 To this end, development plan documents that affect how people access services will be subject to an Equality Impact Assessment.
- 9.5 Relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion, sex and sexual orientation.

Viability Assessment

- 9.5 The NPPF expects local planning authorities to consider the viability impact of policy requirements on the delivery of development when preparing local planning policies.
- 9.5 As part of the evidence base, it is expected that a Viability Assessment will be prepared testing the impacts of various policy options such as affordable housing provision and any developer contribution requirements on the viability of development proposals. This will be used to ensure that economic viability has been considered when the Castle Point Plan.

10 Infrastructure Delivery Plan

- 10.1 The Council will produce an infrastructure delivery plan (IDP) alongside the new plan. This will set out in the infrastructure requirements for the Borough, based on the level of growth proposed and its spatial distribution, and other infrastructure requirements (identified by the collaboration with partners). It will set out the proposed costs, mechanism for delivery and timetable.

11 Statement of Community Involvement

- 11.1 Section 17 (1) (b) of the Planning and Compulsory Purchase Act 2004 stipulates that the Local Planning Authority’s Statement of Community Involvement (SCI) must be specified in the Local Development Scheme. The SCI sets out how and when anyone with an interest in planning in the Borough can have their say on:

- Applications for planning permission for development
- Planning appeals (where permission is refused by the Council, but an applicant appeals to the Secretary of State)
- Planning enforcement; and
- Local Plans.

11.2 The latest Castle Point Borough Council's SCI was adopted in November 2020.

Appendix 1 – Supplementary Planning Documents (SPDs)

Detailed guidance on policy matters is normally set out in supplementary planning documents (SPDs) if there is a clear link to policies in an approved development plan document. The requirement for additional guidance on a topic determines the need for such documents to be prepared.

There are currently six SPDs adopted in Castle Point. Due to the passage of time, updates that have occurred to national policy, and because of the new policy requirements of the emerging Local Plan these will need updating. The table below details the existing SPDs:

SPD	Action	Notes
Developer Contributions Guidance (2023)	Update	Sections of this Guidance will need to be updated to reflect updated policies in CP Plan. Open Space Guidance to be added based on evidence and policies in CP Plan.
Residential Design Guidance (2013)	Replace	The LURA introduces a requirement for a design code to be prepared. Work is underway to prepare a design code which will inform density decisions in the Castle Point Plan and sit alongside the Castle Point Plan replacing the current residential design guidance but incorporating any parts still relevant and useful.
Essex Design Guide Urban Place Supplement (2008)	Revoke	
Essex Vehicle Parking Standards (2010)	Replace	Updated Essex Parking Standards have been prepared for adoption alongside the CP Plan.
Canvey Town Centre Master Plan (2012)	Update	An updated masterplan is needed to stimulate regeneration in Canvey Town Centre.

Essex Coast Recreational disturbance and Avoidance Strategy (RAMS) SPD	Update	To mitigate the impacts of housing growth on recreational disturbance at Habitat Sites, ensuring that there is no unmitigated harm arising from development in Castle Point at these sites. A pan Essex update is underway.
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In support of the Castle Point Plan it is anticipated that the following additional Supplementary Planning Documents may be required:

SPD	Reason for Requirement
Green Infrastructure Strategy and SPD	To deliver green infrastructure enhancements and biodiversity net gain across Castle Point in a coordinated way that delivers wider benefits to residents and the natural environment.
Green Buildings	To support the implementation of technical requirements of the CP Plan related to green buildings.
Master plans to promote regeneration	Master plans will be required to support the delivery of the Castle Point Plan. Whilst not essential in all cases, where regeneration may be delivered over an extended period, a master plan may benefit from adoption as an SPD to ensure consistency in decision making.

Appendix 2 – Risk Management

The key risks to the successful production of the local plan documents are:

Threat	Level of risk	Comment and proposed mitigation	Managed risk
Significant public opposition to the Castle Point Plan	High	<p>The Castle Point Plan will deal with how the four towns in Castle Point will change over the period to 2050. Not everyone is comfortable with change, especially as the Council will need to tackle contentious issues such as housing need and economic growth as the plan is developed. There is therefore the potential for significant public opposition which could cause the plan to falter.</p> <p>Logistically this could also cause a higher volume of work in the processing and analysis of representations than accounted for in the LDS timetable, which could set it back.</p> <p>To help reduce this risk, early and ongoing public engagement will form the basis of work on the Castle Point Plan and will then be ongoing through the development of the plan. Every effort will also be made to make evidence base work accessible to all stakeholders to widen engagement.</p>	Medium
Legal Challenge	High	<p>A legal challenge can be lodged to any Local Plan document within 6 weeks of its adoption. The degree to which this could occur is uncertain as it will depend to a degree on the policies and proposals in the Castle Point Plan and how they have been derived.</p> <p>To reduce the risk of legal challenge Officers will:</p> <ul style="list-style-type: none"> a) Follow legal requirements of the plan-making process. b) Ensure that a clear audit trail around decisions taken as part of the plan making process is maintained. c) Advise Members of any legal risks associated with the decisions they are seeking to take throughout the process. 	Medium
Inability of the Planning Inspectorate (PINS) to deliver	High	Past experience shows that the Planning Inspectorate are not able to deliver examinations quickly. The timetable requires a 9-month turnaround, which is consistent with what over Council's put in their	Medium/High

Threat	Level of risk	Comment and proposed mitigation	Managed risk
examinations / reports to timetable		<p>programmes. Previously the examination took 17 months. Colchester and Epping Forest have experienced examination periods extending over 2 years.</p> <p>This challenge can be mitigated through:</p> <ul style="list-style-type: none"> a) Lobbying Government around this issue; b) Advising PINs in advance of submission so that an Inspector can be lined up; c) Through good engagement reducing the number of outstanding issues at the examination stage. 	
Staff resourcing	High	<p>The preparation of the Castle Point Plan in a way which achieves high levels of engagement will require dedicated staff resources.</p> <p>A resourcing plan was agreed in November 2022 for the CP Plan and this has been delivered. Additional temporary resources have been added as necessary to cover specific elements of work.</p>	Low
Staff turnover, staff loss, long term sickness	Medium	<p>As with any organisation, from time-to-time staffing pressures such as sickness, maternity, paternity leave and staff loss need to be effectively managed. This will be undertaken in line with Council procedures for staff retention, as well as measures such as recruiting into vacancies as quickly as possible, using temporary staff and secondments, or Service Level Agreements with other Councils, where possible, to cover maternity/paternity leave.</p>	Low
Financial resourcing	High	<p>Local Plan document preparation is expensive due to the requirements for an effective evidence base, the need for effective engagement and then due to fixed costs such as the cost of examination. A local plan cannot be prepared in the absence of financial resources. A resource plan accompanied the LDS in November 2022, and those resources remain available for the delivery of the remaining elements of the CP Plan.</p> <p>Examination costs may inflate due to the length or complexity of an examination and the hiring of expert witnesses to defend the</p>	Medium

Threat	Level of risk	Comment and proposed mitigation	Managed risk
		<p>Council's plan. Legal challenge could also mean further unforeseen costs are incurred, such as legal fees.</p> <p>In order to manage the costs:</p> <ul style="list-style-type: none"> a) Evidence sources have and will continue to be reviewed in order to prevent the need for commissioning separate work as far as possible; b) Where work or services are commissioned, they will be commissioned having regard to the needs of the Council as a whole e.g. an assessment of playing pitch need will culminate in a strategy that the Leisure Service can use; c) In commissioning work, officers will seek to achieve best value for money through procurement activities; d) The budget will be subject to regular monitoring and profiling by Financial Services to ensure that any budget pressures are identified early. The S151 officer is notified through this process should overspends be predicted in current or future years to ensure the budget remains on target. e) Any unspent budget will be carried forward across financial years to ensure that the programme for the preparation of the Castle Point Plan remains financially supported. 	
Intervention by the Secretary of State	High	<p>The Planning and Compulsory Purchase Act contains sections which enable the Secretary of State to intervene in local plan making if local plans are not being delivered or not being delivered in accordance with Government policy.</p> <p>The Adopted Local Plan dates to 1998 and the Council has been put at threat of intervention in the past as it does not have an up-to-date local plan in place prepared under the Planning and Compulsory Purchase Act 2004.</p> <p>To date, the Council has avoided this risk by working to a clear timetable and communicating regularly with Government officials on progress.</p>	High

Threat	Level of risk	Comment and proposed mitigation	Managed risk
		<p>Moving forward it will continue to manage this risk by:</p> <ul style="list-style-type: none"> • Monitoring progress and risk • Investing additional resources at key stages • Working with partners and suppliers to minimise the risk of delay caused by lack of information or understanding • Liaising with the Department for Levelling Up Housing and Communities, the Planning Advisory Service and Local Government Association for support in the plan making progress. 	
Changes to National Planning Policy	High	<p>The NPPF changed in December 2023 and then again in December 2024. One of the tests of soundness against which the CP Plan will be examined against is consistency with the NPPF. These frequent changes are therefore challenging to the preparation of a plan.</p> <p>It is anticipated that there will be additional changes later in 2025 to introduce the national development management policies.</p> <p>To avoid the impact of further changes to the NPPF on the plan-making process, significant additional delay has been avoided in this LDS. The CP Plan will be at regulation 19 by April and submitted by June. In taking this rapid approach it will enable the Council to avoid any changes made later in the year, and take advantage of any transitional arrangements.</p>	Medium