

Committee: Cabinet

Date: 16th November 2011

Subject: Canvey Town Centre Masterplan

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1. Purpose

- 1.1 This report explains the outcomes of consultation carried out in respect of the Canvey Town Centre Masterplan during the period June to September 2011. The Cabinet are asked to consider whether to adopt the Canvey Town Centre Masterplan as Supplementary Guidance having regard to the outcomes of consultation.

2. Links to the Council's Priorities and Objectives

- 2.1 The Canvey Town Centre Masterplan is explicitly linked to the Council's Regeneration and Homes priority. It will also contribute towards both Environment and Civic Pride, and Community Safety.

3. Recommendations

- 3.1 To invite the Special Policy Development Group to consider a recommendation to Cabinet that the Canvey Town Centre Masterplan be adopted as a Supplementary Guidance to policy EC3.1b (iii) of Planning Policy Statement (PPS) 4, subject to the following caveats:
1. *All decisions made having regard to this masterplan should also have regard to the transport modelling report for Canvey Town Centre prepared on behalf of Essex County Council in 2011/12.*
 2. *Through the delivery of the masterplan traffic calming measures should be applied along Lionel Road and at its junction with Furtherwick Road in order to discourage its use as a 'rat-run'.*
 3. *All decisions made in accordance with this masterplan should incorporate specific measures for enabling safe access by bicycle. These should include:*
 - a. *Formally signed on-street and off-street (where appropriate) walk/cycle routes that link the town centre to residential areas;*
 - b. *Provision of advanced stop lines at signalised junctions to provide cyclists with improved priority, visibility and awareness;*
 - c. *Significant increase in dedicated cycle parking, located at all key destinations in the town; and*
 - d. *Promotion and publicity to improve the image of walking and cycling on Canvey, encouraging more trips to be made in this way.*

4. *Through the delivery of the masterplan, a signalised crossing should be provided on Foksville Road in order to provide a safe crossing point between the school and the town centre, which also limits congestion at peak times.*
5. *Through the delivery of the masterplan create active frontages or secure the provision of CCTV covering the footpath between the Paddocks site and Furtherwick Road to ensure a safer feeling environment.*
6. *Through the delivery of the masterplan secure the provision of specific facilities for young people.*
7. *The Council will seek to achieve a balanced mix of retail floorspace provision achieved in Canvey Town Centre through the delivery of the masterplan. Supermarket floorspace will comprise of no more than 6,500m² and other retail floorspace will be increased to 12,500m².*
8. *The Council will expect up to 400 additional homes to be provided in Canvey Town Centre through the delivery of the masterplan.*
9. *In delivering the Lake Link part of the Masterplan the Council will require ecological assessments and a Wildlife Site Management Plan to be prepared for Canvey Lake.*
10. *All development proposals should indicate a commitment and set out proposals for maintaining a high quality public realm and open spaces, as set out in the masterplan.*
11. *All development proposals for commercial development in Canvey Town Centre will be required to contribute via Section 106 agreements to delivering environmental and social elements of the masterplan also.*
12. *Through the delivery of the masterplan apply the Essex Vehicle Parking Standards in respect of parking for people with disabilities. Also secure parking provision specifically for people with babies and young children.*
13. *Where viable, development proposals for housing delivered through the masterplan should meet the Lifetime Homes Standards, and make provision for wheelchair access to 10% of the homes being provided.*

NOTE: The Local Plan is the Development Plan for Castle Point. If a conflict arises between a designation in the Local Plan and a proposal in the Masterplan when a planning application is submitted, the matter will be reported to the Development Control Committee for a decision.

4. Background of the Masterplan

- 4.1 Progress with the Canvey Town Centre Masterplan was previously reported to the Cabinet on the 18th January 2011 (item 6d). At that time, the Cabinet noted the findings of the Special Policy Development Group, which had met regularly throughout the summer and autumn of 2010 to discuss the different aspects of the town centre masterplan. The Special Policy Development Group (SPDG) was of the view that the regeneration of Canvey Town Centre was necessary, but they were not able to fully support the masterplan. They therefore decided to recommend that Cabinet adopts the masterplan with caveats. The Cabinet therefore asked officers to carry out consultation on the Canvey Town Centre Masterplan, with the changes proposed by the SPDG and report back on that consultation, before a formal decision was made on whether to adopt the plan as a Supplementary Planning Document.

- 4.2 The public consultation on the Canvey Town Centre Masterplan took place from the 16th June until the 5th September 2011. Section 5 of this report sets out the methods of consultation undertaken.
- 4.3 Section 6 of this report provides details of the consultation responses received. Section 7 considers the need for caveats to be included within any adoption statement for the Canvey Town Centre Masterplan.
- 4.4 As a result of the withdrawal of the Core Strategy, it is not now possible to adopt the Canvey Town Centre Masterplan as a Supplementary Planning Document. It is however possible to adopt it as supplementary guidance. Section 8 of this report explains this issue in greater detail.

5. Canvey Town Centre Consultation Plan

- 5.1 In order to engage with as many residents and stakeholders as possible, the following range of consultation methods were used:
- Online publication of information and an online questionnaire;
 - Press advert placed in the Yellow Advertiser on the 16th June;
 - Press release;
 - Posters on local notice boards;
 - Hard copy of information available in the Regeneration Shop, the library, the Council Offices and in the Town Council offices;
 - Physical presence of staff to provide information in the Regeneration Shop;
 - Officer presentations at the Canvey East and Canvey West Neighbourhood meetings in June 2011;
 - Postcards promoting the consultation and allowing comments to be submitted were sent to all 15,515 residential and business addresses on Canvey Island.
- 5.2 In order to ensure that hard to reach groups within the community were aware of the consultation, and were able to access the consultation, the following additional measures were taken:
- All documentation was made available in large print at the Regeneration Shop and at the Council Offices;
 - Letters were sent to representatives of hard to reach groups (via the Benefits Hard to Reach Group Forum) inviting them to comment and offering to attend meetings to explain consultation;
 - Letters were sent to schools and youth groups;
 - Letters were sent to community groups and other interest groups inviting them to comment and also inviting them to set up meetings if they require.
- 5.3 In order to ensure that retailers and town centre businesses were aware of the consultation, the following consultation methods were undertaken:

- Leaflets were dropped into all of the town centre shops and businesses;
- The consultation was promoted at Canvey Town Centre Steering Group meeting.

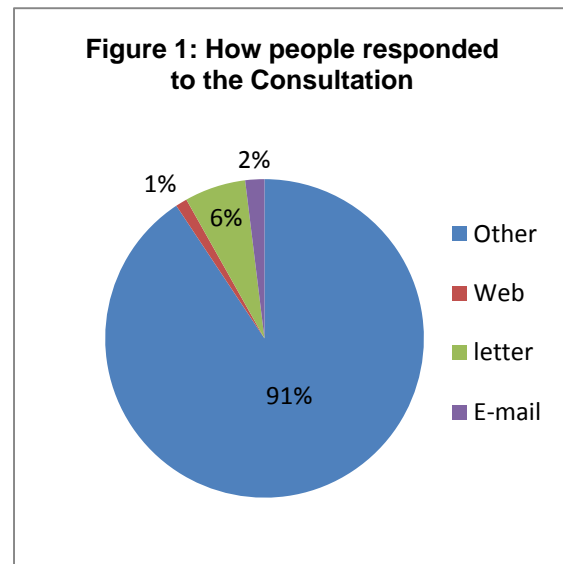
5.4 In addition to engaging with retailers and businesses, the Regeneration Team have also been engaging with businesses on Furtherwick Road in order to advance proposals for the public realm, and also had discussions with Sainsburys with regards to proposals for the supermarket element of the masterplan.

5.5 The Greater Manchester Pension Fund (GMPF), the owners of the Knightswick Centre, has responded, via their planning representatives, to the Council on the Canvey Town Centre Masterplan.

5.6 In addition to consulting with local residents, businesses and developer interests, the Council has also consulted with statutory consultees such as the Environment Agency, service providers such as the County Council and Primary Care Trust (PCT) and also non-statutory interest groups and organisations such as the RSPB. Letters were sent to these organisations inviting them to comment and also inviting them to set up meetings if they required.

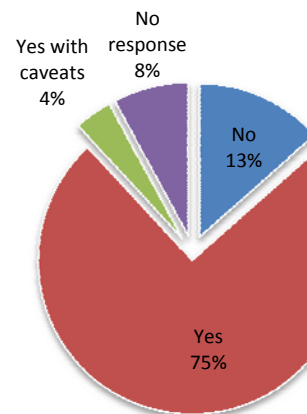
6. Consultation Responses

6.1 A total of 253 responses were received to the consultation. Following a slow start to the consultation, the Council distributed postcards with a comment section to all households and business addresses on Canvey Island. 91% of the responses received were made on these postcards. Of the total responses received, 79% were in favour of the adopting the masterplan as an SPD. 13% did not want the masterplan adopted as an SPD. The remaining 7% of responses did not indicate a preference either way, making comments on specific matters instead.



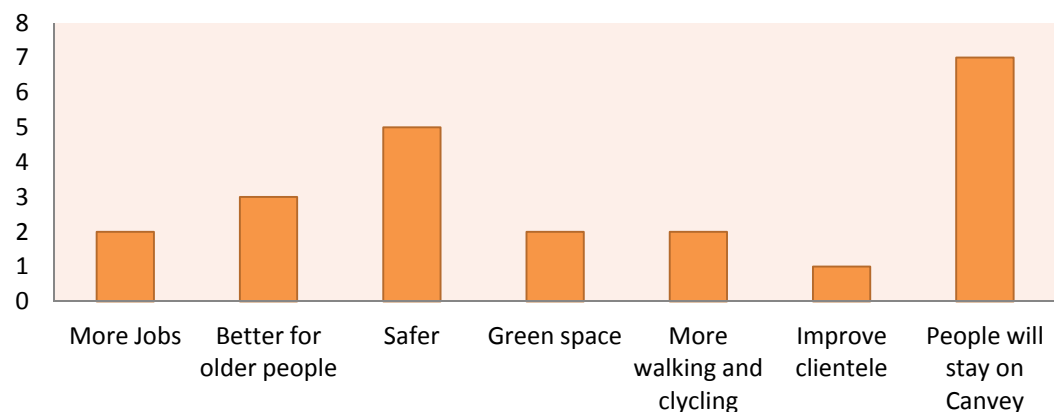
- 6.2 **Residents Responses – Positive:** A wide range of comments was received, although there were some key themes that emerged. Many of those responses that indicated support for the masterplan and its adoption to go ahead described the current town centre as drab, scruffy, plain and dull. Several comments expressed a need to modernise and renovate Canvey Town Centre.

Figure 2: Responses to whether the Council should adopt the Canvey Town Centre Masterplan



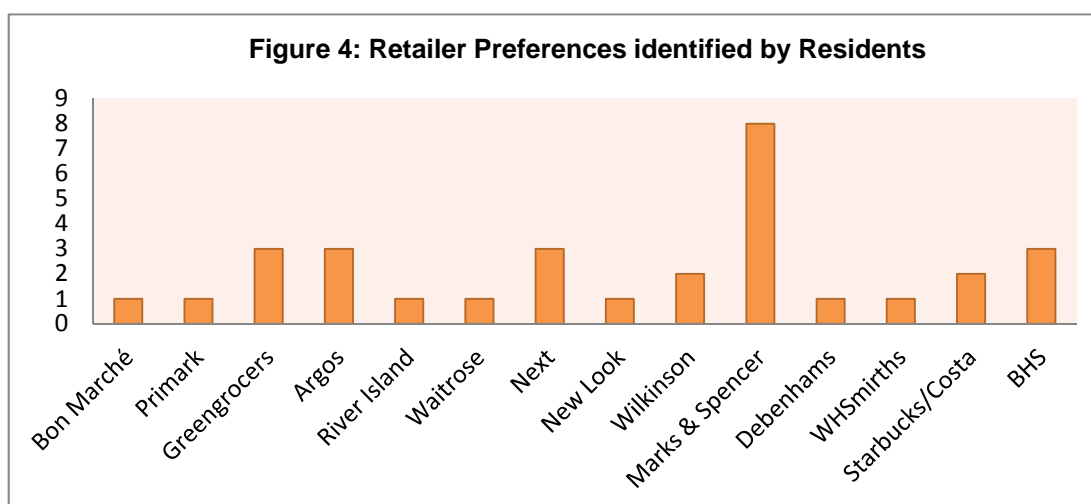
- 6.3 Concerns were also expressed about the number of empty shops. Many people expressed the need to have more shops in the town centre so that they didn't need to leave Canvey to go shopping. Analysis shows that residents identified the provision of more shops, and the reduced need to travel for shopping as a key benefit that would emerge from the town centre masterplan.
- 6.4 Other potential benefits of the masterplan, as identified by residents were the creation of a safer and greener environment, the provision of more jobs, and improved access to facilities and services for older people. There was also some support for walking and cycling opportunities set out in the masterplan.

Figure 3: Benefits of the Masterplan identified by residents

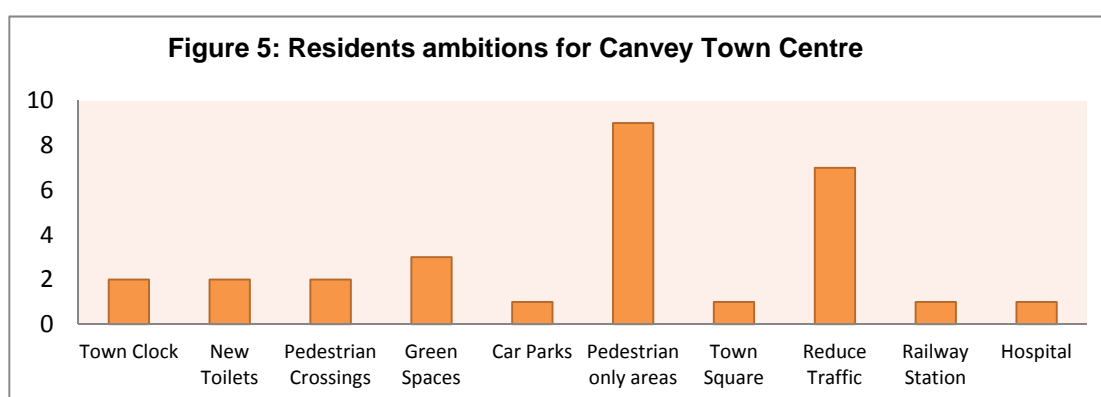


- 6.5 10% of the responses received commented specifically on the timing of the regeneration. There were concerns that actions should be taken as soon as possible to improve the town centre, with particular emphasis on filling empty shops.

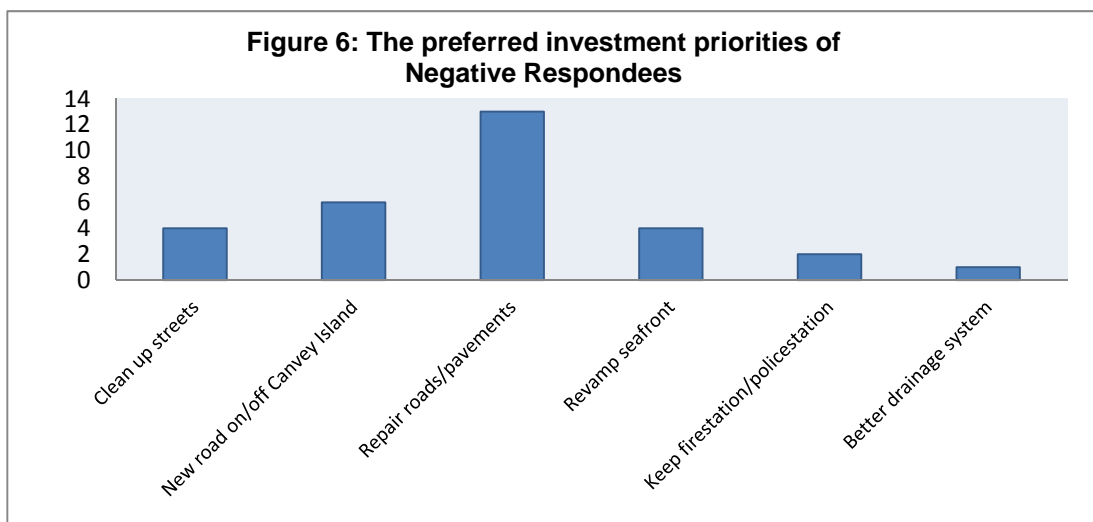
- 6.6 Numerous comments were received on the types of shop that can be found in the town centre. There was concern that there were too many charity shops in particular, although the number of estate agents and banks were also concerns for those residents who commented. 12% of the responses received specifically sought for a greater variety of shops to be provided, with some responses being specific about retailers that should be encouraged to locate on Canvey Island.



- 6.7 The new Thursday market received praise by nine residents, who would like to see it occur on a permanent basis. There was also a call for a weekend market.
- 6.8 Residents also used the postcards to express ambitions for the town centre. Many of these ambitions were picked up as part of the work to prepare the masterplan including improvements to the highways and crossings, pedestrianised areas, a town square, green spaces and the provision of public toilets. The provision of a Railway Station and Hospital in Canvey Town Centre are not however considered to be feasible given the investment and space required for such developments.



- 6.9 **Residents Responses - Negative:** 13% of the responses received were not in favour of town centre regeneration. There was a view amongst these consultees that it would be better to invest in other infrastructure/places rather than the town centre.



- 6.10 Additionally, there were two consultees who thought the proposals were a waste of money generally, and a further two comments who wanted Canvey Island left alone, as regeneration would result in the “Old Canvey” being lost.
- 6.11 **Statutory Consultees:** Responses were received from four statutory consultees in respect of this consultation – The Environment Agency, Natural England, Essex County Council and Anglian Water Services.
- 6.12 The Environment Agency indicated support for the masterplan in general, welcoming the link to the Lake, the consideration of emergency evacuation and the consideration of sustainable urban drainage techniques. They were also pleased to see reference to ensuring no new self contained flats or units at ground floor level (if provided at ground floor, units would need to be multi-storey maisonettes or duplex), providing safe refuges, incorporating flood resilience and resistant measures. Reference to Code for Sustainable Homes and BREEAM Standards, and the inclusion of recycling facilities within the masterplan were also welcomed.
- 6.13 Natural England indicated support for the use of appropriate sustainable construction techniques in the delivery of the regeneration of Canvey Town Centre (primarily through low carbon development). They suggested that where possible, opportunities should be taken to create and/or strengthen ecological linkages between areas of fragmented habitat (e.g. Canvey Lake Local Wildlife Site and other valuable green space on Canvey Island). They identified a number of proven techniques available to maximise biodiversity value, such as street trees, shrubs & hedges, sustainable urban drainage schemes (e.g. green open swales) and living green and/or brown roofs. They were pleased to note that this is an aspiration shared by the Masterplan Concept (3.1.1). They noted that public stakeholder feedback has identified a call for new spaces in the Town Centre, which provides such an opportunity to create a public open green space for the benefit of wildlife and the local community (including Pocket Parks). Natural England in particular indicated support for Masterplan Objective O10: Bring nature into the Town Centre and

improve the environment, and also Movement Objective M3: Promote non-car travel and improved health and wellbeing by increasing walking and cycling.

6.14 Essex County Council fulfils a number of roles in relation to service provision in Canvey Town Centre; as a result their representation addresses a number of issues associated with delivering the town centre masterplan:

- Support the adoption of the town centre masterplan subject to the town centre boundary being clarified, and consideration being given to additional transport modelling work before planning decisions are made;
- The County Council will undertake additional transport modelling related to the change in traffic circulation from one-way to two-way flows in order to better inform detailed design and implementation of the proposals;
- It will be necessary to undertake discussions with public transport operators serving Canvey Town Centre once the additional transport modelling is complete to ensure ongoing provision of services through the revised road layout;
- The County Council has confirmed that a school crossing patrol will not be provided on Foksville Road, as it is not the policy of the County Council to provide crossing patrols for secondary schools. Additionally, it is considered that they contribute towards congestion rather than relieving it.
- The urban design approach set out in the masterplan is welcomed.
- The Lake Link is welcomed subject to an appropriate balance being struck between increased access to the Lake and continued protection of existing wildlife and biodiversity interests;
- The Masterplan should respond positively to the issue of potential car parking difficulty in the renewed Town Centre for disabled people and young families;
- All new housing should be to Lifetime Homes specification, with 10% being wheelchair accessible;
- Agreement with the school would be required for multi-use of the school and for pedestrian links through the school grounds.
- Reference to the Furtherwick Park School should be removed from the masterplan and updated to refer to the Castle View School at this site.

6.15 Anglian Water Services had no issues to raise in respect of the masterplan.

6.16 **Non-Statutory Consultees:** Responses were received from two non-statutory consultees who provide advice on specific matters – The Theatre Trust and the RSPB.

6.17 The Theatre Trust indicated that the Canvey Town Centre Masterplan did not raise any concerns from an arts perspective. They indicated that the retention of the Paddocks for uses including arts, and proposals to integrate art into the public realm were pleasing aspects of the masterplan.

- 6.18 The RSPB support the intention to regenerate Canvey Town Centre and welcome the emphasis on incorporating green spaces, and these can relieve pressure on natural green spaces. The emphasis on improving the area for cyclists and pedestrians is also welcomed in particular movement objectives M1, M2 and M3, although it is considered that there is insufficient detail in the masterplan as to how improved cycling walking provision will be achieved. The RSPB therefore recommend that the following measures as set out in the Transport Modelling Report are incorporated:
- Formally signed on-street and off-street (where appropriate) walk/cycle routes that link the town centre to residential areas;
 - Provision of Advanced Stop Lines (ASLs) at signalised junctions to provide improved cyclist priority, visibility and awareness;
 - Significant increase in dedicated cycle parking (ideally covered) that is located at a range of key destinations in the town;
 - Range of promotion and publicity events linked to improving the image of walking and cycling and encouraging more trips to be made; and
 - Advanced signal controlled departure is considered at traffic lights and junctions to give cyclists priority over motorised traffic.
- 6.19 The RSPB also support the concept of the lake link but would like to see any opportunities taken to incorporate habitat of biodiversity value.
- 6.20 **The Greater Manchester Pension Fund (GMPF):** GMPF are significant land owners in Canvey Town Centre – owning the Knightswick Centre and the associated car park. The GMPF indicate in their consultation response that they welcome the Council’s approach to enhance the town centre. They consider that the masterplan’s aspirations are interesting and the document, as a marketing tool to attract a development partner, is useful. However, GMPF is concerned that the Masterplan document does not reflect GMPF’s own aspirations to enhance the Knightswick Centre in the short to medium term.
- 6.21 GMPF considers that the Masterplan is too prescriptive, and that if the document is adopted as an SPD, it will inhibit and discourage existing owners from investing in the town centre. GMPF suggests that if the Masterplan is to be adopted as an SPD, the proposals are phased in order that short and medium term investment proposals are not precluded.
- 6.22 **The Sustainability Appraisal:** Four responses were received specifically in relation to the Sustainability Appraisal. These were received from the three organisations with statutory duties in this regard – the Environment Agency, Natural England and Anglian Water Services, and also from the RSPB.
- 6.23 The Environment Agency was generally satisfied with the Sustainability Appraisal, but sought some minor amendments to be made to ensure its completeness, in particular they sought the inclusion of the SFRA and the Watercycle Study in the policy context part of the report, the inclusion of the 1 in 200 Year Flood Hazard Map at 2010 in the flood risk element of the report

and the addition of a section on waste. In relation to the objectives, they were of the view that objective 3 should be widened to include water quality.

- 6.24 Natural England is satisfied that sustainability appraisal report follows the standardised methodology set out in the CLG Plan Making Manual (which accompanies PPS12). They note that the biodiversity baseline has properly captured the significant areas of nature conservation on Canvey Island (including Sites of Special Scientific Interest, Special Protection Areas, Ramsar sites and Local Wildlife Sites). They were also satisfied that the Sustainability Appraisal Objectives include the conservation and enhancement of biodiversity and natural habitats in Castle Point.
- 6.25 Natural England was also pleased to see that the residents' priorities of Sustainability Issues rank one of the top priorities as the protection of the natural environment and the countryside. They were also encouraged to note that the general outcomes of the SA/SEA demonstrate a strong positive relationship between the objectives of the Canvey Town Centre Masterplan and the SA objectives, probably as a consequence of the high level stakeholder engagement undertaken. They agreed with the sustainability appraisal findings that in creating new ecological/public links between the town centre and Canvey Lake, increased access may result in recreational activities causing harm to biodiversity or habitats. They were of the view that it is important to assess the potential impacts of the Masterplan proposals in biodiversity assets and formulate appropriate mitigation if harm is likely.
- 6.26 Anglian Water Services were supportive of the inclusion of information on the management of surface water and waste water treatment capacity in the sustainability appraisal. No amendments to the sustainability appraisal or its findings were sought.
- 6.27 The RSPB indicated support for the mitigation measures outlined in Appendix D of the sustainability appraisal in respect of carrying out an ecological assessment when planning the Lake Link and any other works associated with the Lake.

7. Issues to be Addressed

- 7.1 As set out at the start of this report, the Special Policy Development Group recommended to the Cabinet that the Canvey Town Centre Masterplan should be adopted with caveats. The caveats proposed at that time were:
- a) Reconsider proposals for partly or fully pedestrianising Furtherwick Road;
 - b) Clarify an appropriate balance between supermarket floorspace and provision for local shops;
 - c) Clarify an appropriate balance between housing and other uses;
 - d) Details on proposals for the Paddocks including youth activities and children's playspace;
 - e) Additional information set out in the transport model is considered before the masterplan is adopted;

- f) Additional clarity is required regarding arrangements for school drop off and pick up;
- g) Clarity on the town centre boundary.

7.2 The appropriateness of each of these proposed caveats has been given careful consideration, the details of which follow.

7.3 **Proposed Caveats A and E:** Essex County Council has confirmed that they are carrying out additional transport modelling in order to ensure that the road layout in the town centre will work. It is therefore appropriate that planning decisions for applications in town centre will need to take account of this additional transport modelling work and any associated design proposals emerging from that. Such decisions will include the location of the bus hub, and the future use of Eldertree Road as part of the town centre highways network. To this end, it is recommended that the following revised caveat is included within the final adoption statement:

All decisions made having regard to this masterplan should also have regard to the transport modelling report for Canvey Town Centre prepared on behalf of Essex County Council in 2011/12.

7.4 Lionel Road was also raised as an issue in respect of proposed Caveat E. The MVA Transport Modelling work of 2010 indicated that there is the potential for this road to be used as a rat-run. To this end, it is recommended that the following caveat is also included in the final adoption statement:

Through the delivery of the masterplan traffic calming measures should be applied along Lionel Road and at its junction with Furtherwick Road in order to discourage its use as a 'rat-run'.

7.5 It was considered that there was insufficient coverage in the Masterplan as to how cyclists would be accommodated within the transport network. In order to overcome this, the MVA Transport Modelling Report 2010 suggested a number of specific measures that could be taken to improve the environment for cyclists. This was supported by the RSPB, with Natural England also supporting an improved environment for cyclists. As a result, it is recommended that the following caveat is included in the final adoption statement:

All decisions made in accordance with this masterplan should incorporate specific measures for enabling safe access by bicycle. These should include:

- *Formally signed on-street and off-street (where appropriate) walk/cycle routes that link the town centre to residential areas;*
- *Provision of advanced stop lines at signalised junctions to provide cyclists with improved priority, visibility and awareness;*
- *Significant increase in dedicated cycle parking, located at all key destinations in the town; and*
- *Promotion and publicity to improve the image of walking and cycling on Canvey, encouraging more trips to be made in this way.*

- 7.6 **Caveat B:** The Special Policy Development Group was concerned that the proposals for Canvey Town Centre were overly dominated by the proposed Supermarket. Indeed, the supermarket is shown in the Masterplan as increasing from 3,050m² to 6,500m². However, there are no proposals within the masterplan to remove existing small units to increase the provision of supermarket floorspace, and there are also proposals to increase the provision of other retail floorspace in the retail core from 2,950m² to around 12,500m². As a consequence, the proportion of the retail floorspace occupied by supermarket will decrease from 51% to around 34%, providing the opportunity for a greater mix of shops. Whilst this is shown in the drawings of the masterplan, this split is not explicit in its text. It is therefore recommended that the following caveat is included within the adoption statement of the masterplan:

The Council will seek to achieve a balanced mix of retail floorspace provision achieved in Canvey Town Centre through the delivery of the masterplan. Supermarket floorspace will comprise of no more than 6,500m² and other retail floorspace will be increased to 12,500m².

- 7.7 **Caveat C:** The Special Policy Development Group was concerned that the proposals for Canvey Town Centre were overly dominated by housing, and that an appropriate balance between housing and other uses should be achieved. Currently, there are 288 homes in Canvey Town Centre, as defined by the study area. The sites identified for housing in the masterplan have been assessed, and it has been concluded that up to 395 additional homes could be provided within the study area, bringing the total number of homes to 683.

- 7.8 The Essex Design Guide Urban Place Supplement, which the Council has previously adopted for use when considering development in urban locations such as town centres suggests that housing density levels in the region of 65 dwelling units per hectare should be achieved. If the masterplan was fully implemented the housing density would be 29.3 dwelling units per hectare. This is far lower than the recommended housing density for urban locations and indicates that the level of housing provision proposed is not out of balance with other town centre uses. It should also be recognised that PPS4 expects that there will be homes within the mix of uses for town centres, and therefore the masterplan is consistent with national policy.

- 7.9 It is however recognised that it would be useful for the masterplan to identify the quantity of homes expected to be delivered in Canvey Town Centre. It is therefore recommended that the following caveat is included within the final adoption statement:

The Council will expect up to 400 additional homes to be provided in Canvey Town Centre through the delivery of the masterplan.

- 7.10 **Caveat D:** The Special Policy Development Group sought detailed proposals to be provided on what would be done with the Paddocks site, including any

provision for youth facilities. The Paddocks site is allocated for community uses in the Local Plan. The masterplan seeks to retain the Paddocks site for such uses. Therefore, whilst there are no further details as to how community uses on this site will be provided, it is clear that this site is protected for such uses and a caveat in this regard would therefore appear to be superfluous.

- 7.11 **Caveat F:** The Special Policy Development Group was concerned about how school drop off and pick up issues would be resolved by the Masterplan. The MVA Transport Modelling Report indicates that there are likely to be issues with congestion arising from children being dropped off/picked up and also due to a constant flow of children crossing Foksville Road at the start and end of the school day.
- 7.12 The School already has planning consent, and they have made it clear that no provision will be made on-site to accommodate parents dropping off/picking up their children. Other car parking provision is however included within the masterplan, and could potentially meet this need, although parents may well incur a cost. It should be noted that the secondary schools on Canvey primarily serve Canvey residents, and therefore school children should be encouraged to walk to school in order to improve their health and promote a more sustainable and less congested environment.
- 7.13 Meanwhile Essex County Council have indicated that they will not be providing a crossing patrol on Foksville Road. As a result, it will be necessary to install a signalised crossing at this point in order to enable a flow of traffic at the start and end of the school day. It is recommended that the following caveat is included within the final adoption statement:

Through the delivery of the masterplan, a signalised crossing should be provided on Foksville Road in order to provide a safe crossing point between the school and the town centre, which also limits congestion at peak times.

- 7.14 **Caveat G:** The study area for the masterplan is not the same as the town centre designation in the Local Plan. The Local Plan is the adopted Development Plan for Castle Point and this takes precedence over the masterplan. Until such time as the Local Plan is reviewed, if a conflict arises between the Local Plan designation and the masterplan when a planning application is submitted, the matter would be reported to the Development Control Committee for a decision. It is recommended that the following statement is included in the final adoption statement for the masterplan:

The Local Plan is the Development Plan for Castle Point. If a conflict arises between a designation in the Local Plan and a proposal in the Masterplan when a planning application is submitted, the matter will be reported to the Development Control Committee for a decision.

- 7.15 A Sustainability Appraisal was also prepared to accompany the Canvey Town Centre Masterplan. This is consistent with the requirements of EU legislation on the Strategic Environment Assessment of the effects of Policies, Plans and Programmes. It is also consistent with legislation on plan making. In order to

mitigate the effects of the Canvey Town Centre Masterplan on sustainability and the environment, four caveats to the masterplan were proposed by the Sustainability Appraisal. These were:

- a. Require ecological assessments and a Wildlife Site Management Plan to be prepared in association with development proposals for the Lake Link.
- b. Require development proposals to include commitment to the ongoing maintenance of a high quality public realm and open spaces.
- c. Require development proposals to be accompanied by Section 106 Agreements to ensure the delivery of environmental and social elements of the masterplan.
- d. Clarify the quantum of housing development proposed by the masterplan.

7.16 These caveats were largely supported by the consultees; however caveat (d) has already been addressed above and should not therefore be repeated. It is therefore recommended that only caveats (a), (b) and (c) of the sustainability appraisal need be included in the adoption statement, subject to adoption of a Community Infrastructure Levy by April 2014. From that date use of Section 106 Agreements will be severely restricted and only available for use for on-site developer contributions.

7.17 All public bodies are required to consider the impact of their decisions on equality and diversity, having particular regard to those groups within the community with equality characteristics. As a result, an Equality Impact Assessment was prepared to accompany the Canvey Town Centre Masterplan. In order to mitigate potential negative effects on equality, the following caveats to the Canvey Town Centre Masterplan adoption statement were proposed:

- a. Require the creation of active frontages or the provision of CCTV covering the footpath between the Paddocks site and Furtherwick Road.
- b. Seek the specific provision of facilities for young people.
- c. Require the Essex Vehicle Parking Standards in respect of parking for people with disabilities to be applied.
- d. Require the provision of parking for people with babies and young children.

7.18 There were no objections to these caveats, with Essex County Council supporting the application of parking standards for people with disabilities and also for people with babies and young children. It is therefore recommended that caveats (a) to (d) of the Equality Impact Assessment are included within the adoption statement for the Canvey Town Centre Masterplan.

7.19 Additionally, Essex County Council proposed that an additional caveat should be included within the adoption statement which requires all new homes to meet the Lifetime Homes Standard, and for 10% of new homes to be wheelchair accessible. The Lifetime Homes Standard is part of the Code for

Sustainable Homes; however it is only mandatory at Code Level 6. Analysis undertaken at a national level by Ainsley Gomon and Cyril Sweett has indicated that the cost of meeting the full Lifetime Homes Standard can be up to £1,600 per home due to the need to amend standard house types to accommodate it. There are therefore viability issues associated with requiring the Lifetime Homes Standard to be met in all new homes, particularly where development costs are marginal due to existing use values. It is therefore recommended that the following caveat is included within the adoption statement for the Canvey Town Centre Masterplan with regard to this matter:

Where viable, development proposals for housing delivered through the masterplan should meet the Lifetime Homes Standards, and make provision for wheelchair access to 10% of the homes being provided.

8. Adopting the Canvey Town Centre Masterplan

8.1 There is a high level of support from local residents for the Canvey Town Centre Masterplan to be delivered, with some residents wanting to see it happen sooner rather than later. The adoption of the Canvey Town Centre Masterplan as local planning policy will support this delivery by providing certainty to investors that the Council will support planning applications made in accordance with the masterplan. The Localism Bill re-emphasises the principal message in Circular 06/2004 that the use of a Compulsory Purchase Power is a useful tool in land assembly particularly to help re-invigorate town centres. The Council may seek to use its powers (subject to legal requirements) if necessary to secure the land necessary to deliver the masterplan proposals.

8.2 Supplementary Planning Documents normally provide the detail necessary to deliver a proposal in a Local Plan or a Core Strategy. The Council has recently decided to withdraw its Core Strategy, and therefore there is no local policy regarding the regeneration of town centres in Castle Point. However, the Retail Needs Assessment (2007) indicates that Canvey Town Centre is not a healthy retail destination, and would benefit from regeneration. PPS4, at policy EC3.1b (iii) states that local planning authorities should:

'Where existing centres are in decline, consider the scope for consolidating and strengthening these centres by seeking to focus a wider range of services there, promoting the diversification of uses and improving the environment.'

8.3 The draft National Planning Policy Framework (NPPF) at paragraphs 73 bullet point 5 and 76 bullet points 1 and 2 re-emphasise the importance of planning for priority areas and planning for viable and vital town centres.

8.4 As currently written, the Town and Country Planning (Local Development)(England) Regulations 2004 (as amended) do not permit the adoption of a Supplementary Planning Document that does not conform with a Core Strategy or old policy (assuming this means a Local Plan policy). As the existing Local Plan does not contain any strategic policies related to the regeneration of the town centres in Castle Point, the Council is not currently in

a position to adopt the Canvey Town Centre Masterplan as a Supplementary Planning Document.

- 8.5 However, paragraph 6.3 of PPS12 states that *supplementary guidance to assist the delivery of development may be prepared by a government agency, Regional Planning Body or a County Council or other body (e.g. AONB committee)... Such guidance would not be a supplementary planning document. However, if the same disciplines of consultation and sustainability appraisal (where necessary) are applied, such information might, subject to the circumstances of a particular case, be afforded a weight commensurate with that of SPDs in decision making. This may be more likely if the district/borough/city Councils, to which it is intended to apply, endorse the guidance.*
- 8.6 The Canvey Town Centre Masterplan was prepared by the Regeneration Partnership (a group of agencies working together – similar to an AONB committee). Considerable work on consultation and sustainability appraisal has also been undertaken. Therefore, the Council is in a position to endorse the Canvey Town Centre Masterplans as *Supplementary Guidance* should it so wish, and afford it equal weight to a Supplementary Planning Document as suggested by PPS12. The Supplementary Guidance would provide interpretation of national policy set out in policy EC3.1b (iii) of PPS4.

9. Legal Implications

- 9.1 The Localism Bill contains wide ranging reforms which propose to make the planning system clearer and more effective and to encourage more sustainable development. In July the Government published its draft NPPF for public consultation, the closing date for which was the 17th October. It is proposed that the NPPF will replace existing government planning policies made up of Planning Policy Statements, Planning Policy Guidance and Circulars.
- 9.2 If the Council's Local Plan is out of date, it appears from the draft of the Localism Bill that the NPPF will be the default plan; however the Government has indicated that it will work with local authorities to ensure that there are appropriate transitional arrangements in place before the NPPF comes into force (possibly 18 – 24 months).
- 9.3 The Council's Local Plan should be consistent with the NPPF and Supplementary Planning Documents should only be produced where they will help bring forward sustainable development at an accelerated rate and must not be used to add to the financial burdens on development. The Council should keep under review the Canvey Town Centre Masterplan to ensure it conforms to the requirement of the provisions in the NPPF. It is understood that the final version of the NPPF will be published in April 2012.

10. Financial Implications

- 10.1 There are no costs associated with the Council adopting the Canvey Town Centre Masterplan. Individual proposals which may come forward as a result of the Masterplan may have financial implications for the Council, but these would need to be considered at that time.

11. Diversity and Equality Implications

- 11.1 An equality impact assessment was prepared to accompany the masterplan. Subject the caveats related to equality being included within the adoption statement for the Canvey Town Centre Masterplan, there are no negative equality impacts arising from the recommendations of this report.

12. Timescale

- 12.1 Subject to agreement of the Cabinet to adopt the Canvey Town Centre Masterplan as Planning Guidance at its meeting in November 2011, it will come into effect as Adopted Planning Guidance on the 1st January 2012.

13. Conclusions

- 13.1 The consultation undertaken on the Canvey Town Centre Masterplan has identified widespread support for the transformation of Canvey town centre to provide more shops, community facilities and improvements to the street scene and traffic arrangements.
- 13.2 It is not now possible to adopt the Canvey Town Centre Masterplan as a Supplementary Planning Document due to the withdrawal of the LDF Core Strategy in September 2011.
- 13.3 It is therefore recommended that the Council adopt the Canvey Town Centre Masterplan as Supplementary Guidance against which planning applications for development in Canvey Town Centre can be considered.

Background Documents

Canvey Town Centre Masterplan

Equality Impact Assessment (EqIA) 2011

Sustainability Appraisal and Strategic Environmental Assessment May 2011

Report on Consultation - Canvey Town Centre Masterplan