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## ROCHFORD DISTRICT REPLACEMENT LOCAL PLAN – NEW SECTIONS AND TIMETABLE FOR DEPOSIT

### 1 SUMMARY

- 1.1 The purpose of this report is to seek Members' views on new chapters and supplementary guidance to be included in the First Deposit Draft of the Replacement Local Plan. The Plan will replace the existing Rochford District Local Plan First Review, and provide a policy basis for the control of development in the District up to 2011.
- 1.2 The preparation of a Local Plan is a statutory function for the authority. The timetable for the publication of the First Deposit Draft of the next Local Plan has slipped, and this report also seeks Members' views on a revised schedule.

### 2 INTRODUCTION

- 2.1 The attached appendices provide details of chapters and supplementary guidance proposed for inclusion in the Plan:-
- Natural Resources Chapter ([Appendix 1](#));
  - Rural Issues Chapter ([Appendix 2](#));
  - Building Conservation and Archaeology ([Appendix 3](#));
  - Shopping and Town Centres Chapter ([Appendix 4](#));
  - LPSPG on Car Parking Standards ([Appendix 5](#));
  - LPSPG on Housing Design ([Appendix 6](#));
  - LPSPG on Crime Prevention ([Appendix 7](#)); and
  - Living over the Shop – Housing Chapter Policy ([Appendix 8](#))
- 2.2 To date a series of new and revised policies have been agreed for inclusion in the replacement plan and for completeness, where appropriate, these have been included in the chapters now reported here. It should be noted that the policies and lower case text may not yet comprise the full details for each chapter. For example, the Rural Issues chapter still requires a section dealing with large development sites (Baltic Wharf, for example) and policies to control development in the countryside beyond the Green Belt.

### 3 NEW CHAPTERS AND POLICIES

#### ***Building Conservation and Archaeology***

- 3.1 This chapter of the local plan is currently called 'urban conservation', but it is considered that the title 'building conservation and archaeology'

better reflects the contents. The revised policies in this chapter of the plan have not previously been reported to Members.

3.2 Members need to be aware of one significant proposal for change to the policies included in this chapter. The 'local list' of buildings was an attempt to protect unlisted buildings that were felt to have some architectural or visual character. However, a local list has no statutory support from Government and experience has shown that there is much confusion between the statutory framework of protection and this local attempt at policy protection through the local plan. If a building is listed then the owner must comply with a legislative framework that makes it a criminal offence to carry out alterations that would affect its character as a listed building. However, the local list policy was doing nothing more than indicating that the planning authority would seek to discourage owners from making changes to their buildings: there was no statutory control as a result of the policy. Therefore, it is considered that the local list policy should be deleted from the local plan.

3.3 Policies dealing with grant aid to listed buildings and building preservation notices have also been deleted from this chapter of the plan since they are not specifically required in a land-use plan.

*POLICY BC1 – Conservation Areas: General*

3.4 At present the policies dealing with development in conservation areas are very long and overly complicated. In examining these policies the opportunity has been taken to simplify them and to produce a single policy that reflects the aims of seeking high quality and good design for development in conservation areas.

*POLICY BC2 – Demolition within Conservation Areas*

3.5 This policy has been reworded to provide a set of criteria against which proposals for demolition within a conservation area might be assessed, rather than presenting blanket opposition to demolition which is considered to be unrealistic.

*POLICY BC3 – Alterations to Listed Buildings*

3.6 No significant changes proposed for this policy.

*POLICY BC4 – Demolition of Listed Buildings*

3.7 A new criteria based policy dealing with demolition of listed buildings which would only be considered in the most exceptional circumstances.

*POLICY BC5 – Development Affecting Archaeological Sites*

3.8 This policy has been revised to require developers to submit with any application an appropriate assessment of the impact their proposals will have on archaeological sites.

*POLICY BC6 – Development Affecting Scheduled Ancient Monuments and other Nationally Important Archaeological Sites*

- 3.9 The existing policy is overly long and detailed. This revision makes very clear that development proposals which affect an ancient monument will be refused.

*POLICY BC7 – Development Affecting Regional, County and Local Archaeological Sites*

- 3.10 As with proposed Policy BC6, the opportunity has been taken to simplify the existing policy which is unnecessarily long and detailed.

***Natural Resources***

- 3.11 Apart from the lower case text, an amendment is suggested to the policy dealing with sustainable drainage and a new policy is included dealing with biodiversity.

*POLICY NR14 Sustainable Drainage*

- 3.12 At the meeting of the Planning Policy Sub-committee in October last year, Members suggested that the proposed policy on drainage needed further clarification.

*POLICY NR5 Biodiversity on Development Sites*

- 3.13 This policy seeks to promote biodiversity on new development sites.

***Rural Issues***

- 3.14 Two policy additions to this chapter relate to cemetery provision generally and to the existing cemetery site at Hall Road.

*POLICY R13 Hall Road Cemetery*

- 3.15 It is proposed that the existing cemetery site, regardless of the identification of a site elsewhere in the district, should be subject to a land allocation to enable future expansion. The intended area for an extension will be shown on the Proposals Map and will be brought to Members for agreement in a future report.

*POLICY R14 New Cemeteries*

- 3.16 A consultation exercise through Rochford District Matters has not been successful at bringing forward suggestions for a new cemetery site in Rayleigh. Therefore, to date it has not been possible to identify a suitable site that might be identified as a new cemetery for the town. The proposed policy provides a set of criteria against which any proposals might be considered in the future.

***Shopping and Town Centres***

- 3.17 In addition to the lower case text, small revisions are suggested to Policy SAT11 Advertisements and to policy SAT12 Street Furniture,

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plus two new policies dealing with development in town centres and the Rochford foodstore site.

*POLICY SAT1 New Retail, Commercial and Leisure Development*

- 3.18 This policy reflects PPG advice that a sequential approach be adopted by planning authorities to proposals for new development in districts starting with town centres and working outwards.

*POLICY SAT2 Rochford Foodstore*

- 3.19 This policy reflects Council policy for the provision of a retail foodstore and new library on the site north of the Market Square.

**Housing Chapter – New Policy**

*Living over the Shop*

- 3.20 This new policy reflects the need to make best use of buildings within town centres in particular where traditionally there has been under-utilisation of vacant premises over shops.

**4 LOCAL PLAN SUPPLEMENTARY PLANNING GUIDANCE (LPSPG)**

- 4.1 Policy linked Local Plan Supplementary Guidance (LPSPG) will replace the current appendices in the local plan and provide a more responsive way for design guidance policies to be updated as and when required rather than waiting for a future review of the local plan.

- 4.2 The LPSPG documents will be published as part of the local plan documentation but will not be bound into the policy document. LPSPG will be placed on deposit with the local plan and will be subject to scrutiny and examination in public. However, if in the future revisions are required to any of the LPSPG documents, it is intended that such changes would be placed on deposit for a period of six weeks and that the planning authority would then consider objections and decide whether to continue with the proposed amendments.

- 4.3 The LPSPG would be tightly linked with local plan policies but because the guidance would be published separately, updates could be dealt with more responsively without affecting the supporting local plan policy framework. Draft LPSPG is attached to this report in appendices 5 to 7. LPSPG 1 and 2 are discussed further below.

***LPSPG1 – Housing Design and Layout***

- 4.4 LPSPG1 deals with housing design and layout. This advice has been considerably simplified since much of Appendix 1 in the current local plan has been superseded by the adoption of the Essex Design Guide as supplementary planning guidance.

- 4.5 One key issue to again seek Members' views on is the application of a policy for the minimum distance between new residential properties. This policy does have some merit when applied to infill plots between new and existing dwellings. However, taking into account planning policy guidance advice and the advice in the Essex Design Guide, the application of a minimum separation distance has the effect of straight-jacketing the options available to designers in preparing an appropriate layout. Therefore, it is suggested that Members consider clarifying the existing policy to indicate that it will apply to the spaces between new and existing dwellings, but not to the layout of new estates.

***LPSPG2 – Vehicle Parking Standards***

- 4.6 This guidance on car parking standards includes details of the standards recently adopted by the Council when considering the revised parking standards prepared for Essex by the Essex Planning Officers Association (EPOA) (See Minute 108/01).
- 4.7 Members adopted the new standards across the board except for those related to new residential properties (Use Class C3). The Government's guidance on parking standards is that planning authorities should adopt a maximum standard rather than a minimum standard. The EPOA has undertaken some further work on this standard and the revisions are reported in Appendix 5.
- 4.8 The revisions take account of the concerns raised by Rochford that maximum standards could result in on-street parking raising issues of pedestrian safety and obstruction for the emergency services. Rochford's existing parking standards already accept the principle of a reduced provision in certain locations where, for example, public transport is good. The two key points for consideration in the proposed standards are first, the provision across new estates of an average of 1.5 spaces per property, and second, a maximum provision of two spaces for 3-bed properties and three spaces for 4-bed properties in rural or suburban locations.
- 4.9 In the first case, new larger housing developments will have a mix of different sized houses and an average of 1.5 spaces across a scheme may certainly be possible, with larger dwellings maintaining the same standard of provision as at present, albeit a maximum rather than minimum standard. It should be noted that the wording in the proposed standard does not identify 1.5 spaces as an absolute to be achieved, but as an aspiration.
- 4.10 The second situation is directly related to the concerns expressed by Members when the standards were previously discussed. However, the only difference between the existing standard and that proposed is a change from maximum to minimum. There would be no reduction in

the minimum required number of spaces for dwellings with 3-bedrooms or with 4 or more bedrooms. Members will need to decide whether a maximum standard can be accepted or not. If it is concluded that a maximum standard cannot be adopted, it is suggested that the only need for amendment in the proposed standard would be to change 'maximum' to 'minimum' in the final paragraph.

## **5 TIMETABLE**

- 5.1 The process of producing a replacement local plan is a time consuming one, particularly given the volume of new Planning Policy Guidance that has been published since the existing plan was adopted in 1995.
- 5.2 As a result, the timescale envisaged for producing a First Deposit Draft has been an over optimistic one and there is still some work to be completed before the contents of the next plan are finalised.
- 5.3 In addition, the Local Plans section is currently working below full strength. Arrangements have been made to recruit a new experienced Senior Planning Officer to manage the plan production process, but it is unlikely that a new officer will be in post until May 2002 at the earliest.
- 5.4 Even with a full complement of 2.5 full time equivalent (FTE) staff there is no doubt that the volume of work involved in producing a local plan is challenging. Therefore, it is considered that the First Deposit Draft of the next plan is unlikely to be finalised before September 2002, taking into account printing of the written statement and the maps.
- 5.5 Clearly this elongated timescale is unfortunate and earlier publication would have been desirable. However, at the same time it is important that the next Local Plan is properly prepared and fully considered, particularly given the level of interest that will be generated from prospective developers and landowners.

## **6 ENVIRONMENTAL IMPLICATIONS**

As above.

## **7 LEGAL IMPLICATIONS**

The preparation of a Local Plan is a statutory function for the authority.

**8 RECOMMENDATION**

It is **recommended**

- (1) That Committee considers the details of the proposed text and policies for the Rochford District Replacement Local plan as outlined in the appendices to the report and determines whether any revisions or additions are required before being put forward to the Environmental Services Committee for approval.
- (2) That the difficulties associated with the preparation of the replacement local plan be considered and the revised timetable be reported to the Environmental Services Committee. (HPS)

Shaun Scrutton

Head of Planning Services

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For further information please contact Shaun Scrutton on:-

Tel:- (01702) 318100  
E-Mail:- shaun.scrutton@rochford.gov.uk