

To all Members

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Date: 5 December 2014

Dear Councillor

**Council – 16 December 2014 – Agenda Item 12**

Please find enclosed the following appendices which relate to the report under item 12 of the agenda for the Council meeting of 16 December 'Adoption of the Development Management Plan' :-

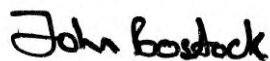
**Appendix 1** – The Development Management Plan Document.

**Appendix 2** – The Sustainability Appraisal (non-technical summary).

**Appendix 3** – The Schedule of Modifications.

**Appendix 4** – The Planning Inspector's Report.

Yours sincerely,



John Bostock  
**Member Services Manager**

# **Development Management Plan for Full Council**

**16 December 2014**

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**If you would like this information in  
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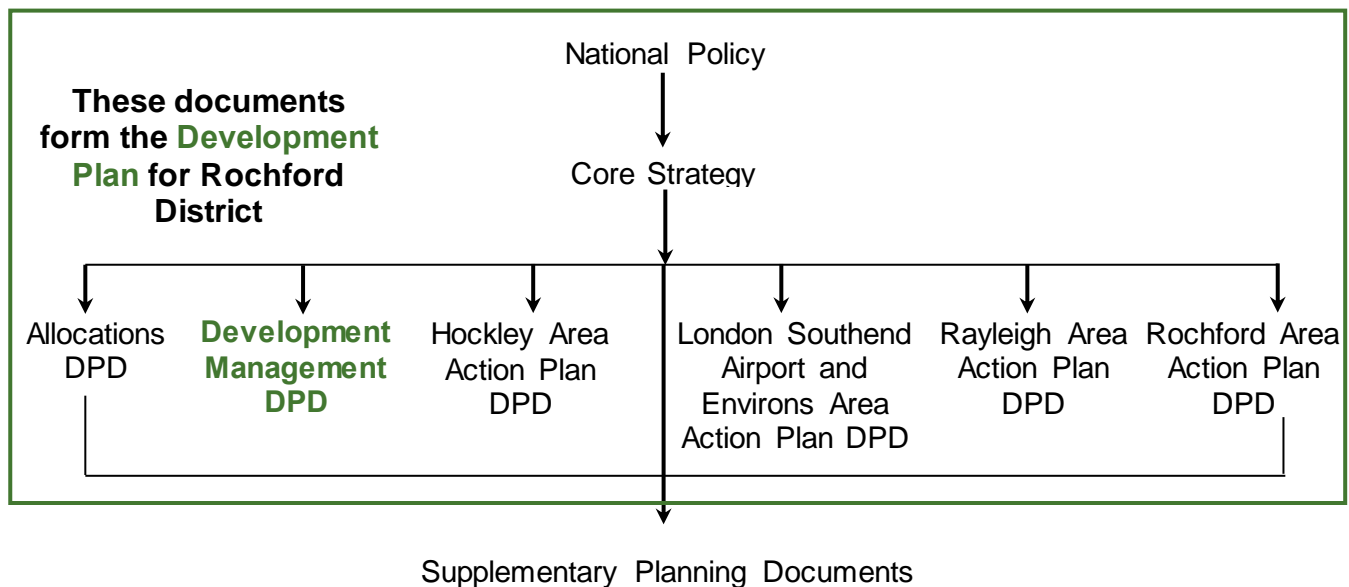
## 1 Introduction

### The Role of the Development Management Plan

- 1.1 The planning application process is moving towards a more positive and proactive approach to shaping, considering, determining and delivering development proposals, called development management. It is led by the Local Planning Authority working closely with those proposing developments and other stakeholders (ranging from national bodies such as Natural England and the Environment Agency to parish/town councils and local communities). Development management is undertaken in the spirit of partnership and inclusiveness, and seeks to facilitate the delivery of key priorities within the District.
- 1.2 Adopting the development management approach will enable us, in conjunction with local communities and a wide range of other stakeholders, to promote and achieve the vision and objectives set out in the Core Strategy (which filters down through the other documents forming the Local Development Framework) and the Sustainable Community Strategy, as well as to deliver relevant local, and national objectives. This will assist us in shaping sustainable, prosperous, attractive and safe places where people want to live, work and relax.
- 1.3 The Development Management Plan will set out the detailed day-to-day planning policies through which development within the District will be delivered. It sets out detailed policies for a range of issues such as the design and density of new developments, rural diversification, houseboats and parking standards.
- 1.4 The Development Management Plan is structured as follows:
  1. **Introduction** – This section sets out the context for the Development Management Plan.
  2. **Housing, Character of Place and Residential Amenity** – This chapter establishes detailed policies for addressing the detailed design of residential proposals and policies relating to telecommunications development, locally listed buildings and Conservation Areas.
  3. **The Green Belt and Countryside** – This chapter addresses appropriate development in the Green Belt and the wider countryside including residential, employment and leisure development.
  4. **Environmental Issues** – This chapter sets out detailed policies for houseboats, nature conservation and air quality.
  5. **Transport** – This chapter provides more detail on parking standards and traffic management.
  6. **Economic Development** – This chapter sets out detailed policies for appropriate uses on allocated employment land and working from home.
  7. **Retail and Town Centres** – This chapter addresses retail development in town, village and neighbourhood centres, and advertisements.

## Relationship with other Local Development Documents

- 1.5 There are a number of different documents which together will set out the Development Plan for the District. The diagram below (Figure 1) shows what these documents are and how they fit together. Planning applications will be determined in accordance with the Development Plan. Development Plan Documents/Local Plans will set the blueprint for the future development of the District through planning policies. Supplementary Planning Documents, however, do not contain policies and as such are not part of the Development Plan. These documents will sit below the policy documents and provide additional advice and guidance, where appropriate, to assist officers in the determination of planning applications.



**Figure 1 – The Development Plan**

- 1.6 The Core Strategy is the overarching planning policy document of the LDF, which sets out our main issues for the future and the policies which will shape the future development of the District. The Development Management Plan will sit below the Core Strategy in the hierarchy of local development documents for Rochford District. Therefore both these documents will be used in the determination of planning applications for the development and use of land and buildings in the District.
- 1.7 The other Local Development Documents also play an important role in shaping what the District will look in the future. The Allocations Document will set out how land will be used in future, for example for residential development, community facilities and important nature designations to name but a few. The four Area Actions Plans will provide policies specific to the areas they cover (the three main shopping areas, and the airport and its surrounding area). Together these documents will form the Development Plan for the District.

- 1.8 The Development Management Plan will be subject to several stages of public consultation, which will help shape its preparation. This consultation document is the third stage in the process and has been developed having regard to our approach to future development as set out in the Core Strategy, and comments received during public consultation on both previous versions of the Development Management Plan; the Discussion and Consultation Document in 2010 and the (informal) Preferred Policy Options Document in 2012.
- 1.9 The Core Strategy was adopted on 13 December 2011. The Development Management Plan will support and aid the delivery of the policies within the Core Strategy.
- 1.10 This document should be read in conjunction with the approach outlined in the Core Strategy.
- 1.11 The Core Strategy is divided into various sub-sections; the Development Management Plan covers these sub-sections as set out below:

**Table 1: Relationship between the Core Strategy and Development Document**

<b>Core Strategy</b>	<b>Development Management</b>
Housing	The Housing, Character of Place and Residential Amenity chapter addresses housing issues in more detail.
Character of Place	The Housing, Character of Place and Residential Amenity chapter addresses character of place issues in more detail.
Green Belt	The Green Belt and Countryside addresses development in the Green Belt and wider countryside in more detail.
Upper Roach Valley and Wallasea Island	These designations will be protected primarily through the Allocations Document.
Environmental Issues	The Environmental Issues chapter addresses issues such as biodiversity and air quality in more detail.
Community Infrastructure, Leisure and Tourism	The Green Belt and Countryside chapter primarily addresses the development of green tourism, equestrian facilities, playing pitches and other leisure and recreational activities, and rural diversification in more detail.
Transport	The transport chapter addresses the issues of parking standards and traffic management in more detail. The Planning Obligations and Standard Charges Document (Core Strategy Policy CLT1) will provide further information on transport requirements and funding.

<b>Core Strategy</b>	<b>Development Management</b>
Economic Development	The Economic Development chapter address the issues of employment land and working from home in more detail. The Green Belt and Countryside chapter also supports rural businesses.
Retail and Town Centres	The Retail and Town Centres chapter addresses retail and town centre issues in more detail.

- 1.12 The Minerals and Waste Local Plans produced by Essex County Council also form part of the Development Plan for Rochford District. The Waste Local Plan provides the strategy and policies for waste planning in Essex and Southend until at least 2031, and identifies sites for development. The Minerals Local Plan provides the strategy and policies for minerals planning in Essex until 2029 and includes allocations of sites for development. The Local Planning Authority must have regard to the policies in these documents in the determination of the future development of the District. Parts of Rochford District lie within a Minerals Safeguarding Area and therefore consultation with Essex County Council is required for development proposed within this Area.

## **Vision**

- 1.13 Our vision is shared with that of the Local Strategic Partnership:

**‘To make Rochford District a place which provides opportunities for the best possible quality of life for all who live, work and visit here’**

- 1.14 To support this, the Council has three main corporate objectives. These are:

- Making a difference to our community
- Making a difference to our environment
- Making a difference to our local economy

- 1.15 The strategic vision for the District during the plan period is set out in the Core Strategy. The Core Strategy and Development Management DPD have a key role to play in the delivery of the vision for Rochford District. For each theme of development management, the vision and objectives for that topic as determined in the Core Strategy have been set out. The Development Management DPD will contribute to the vision and objectives in conjunction with the Core Strategy. Together, these all contribute to the overall vision for the District. The vision and objectives for the plan period have been adapted from those in the Core Strategy to reflect changing circumstances, emerging initiatives and suggestions from community involvement.



### **Sustainability Appraisal**

- 1.16 The preparation of a Sustainability Appraisal is a mandatory requirement under the Planning and Compulsory Purchase Act 2004 for the production of the documents which together form the Local Development Framework. The integration of this document into the development of planning policy ensures that the wider social, environmental and economic effects of the draft policies and proposals contained within Development Plan Documents (such as the Core Strategy DPD, Development Management DPD and the Allocations DPD) are fully assessed.
- 1.17 The initial stage of the Development Management Plan, called the Discussion and Consultation Document, was published for consultation in 2010. This document was assessed for its environmental, economic and social impacts (Sustainability Appraisal). This assessment and an analysis of the consultation responses received, as well as existing and new evidence that has emerged, have informed the development of this document.
- 1.18 However, the interim, informal second stage of this document called the Preferred Policy Options Document, which was published for consultation in 2012, provided an additional opportunity to comment on the development of the document prior to the publication of the final version. This document was a culmination of recommendations made through the sustainability appraisal process and consultation responses. As an informal stage, this document was not appraised separately, but has been subsumed into the development of the submission document. This final document has been appraised in sustainability terms.
- 1.19 The results of the Sustainability Appraisals, including non-technical summaries, and the Consultation Summary for each stage of the Development Management (combined in the Consultation Statement) are available as separate documents.
- 1.20 The Sustainability Appraisal, as well as the Consultation Statement, form part of the evidence base of the Local Development Framework.

### **Community Involvement**

- 1.21 Community involvement is an important and integral part of the development of the Local Development Framework. The preparation of this Pre-Submission document has taken into account the findings of community involvement exercises from the various public consultation stages which have informed the development of the Core Strategy, as well as at the Discussion and Consultation and Preferred Policy Option versions of the Development Management Plan.

### **Relationship with Other Strategies**

- 1.22 As stated above, the Development Management Plan will have to conform to the Core Strategy. The Core Strategy has been developed having regard to a wealth of other strategies, at higher and lower tiers to the District (i.e. regional, sub-regional, county and sub-district level strategies). The Development Management Plan should also take into account these other strategies, and contribute towards their delivery.
- 1.23 The Sustainable Community Strategy (2009) is the long-term vision for the District and sets out the priorities for improvement intended to deliver the vision. It is developed by

the Local Strategic Partnership which is a partnership of local public, private and voluntary sector organisations who play a key part in the provision of services within the District.

- 1.24 Our Local Development Framework should aid the delivery of the Sustainable Community Strategy and act as an umbrella for all other strategies developed for the area.
- 1.25 The Sustainable Community Strategy identifies seven key priorities:
- Supporting the Ageing Population
  - Fostering Greater Community Cohesion
  - Strengthening the Third Sector (voluntary sector)
  - Increasing Accessibility to Services
  - Keeping Rochford Safe
  - Encouraging Economic Development: Skills, Employment and Enterprise
  - Promoting a Greener District
- 1.26 The Core Strategy, as the main planning policy document of the District's Local Development Framework, has a key role to play in delivering all of the above. The Development Management Plan will address the Sustainable Community Strategy priorities primarily through aiding the delivery of the Core Strategy.
- 1.27 In addition to the Sustainable Community Strategy, there are a number of other strategies which influence our Local Development Framework. These are set out in paragraph 1.27 of the Rochford Core Strategy.
- 1.28 National planning policy in the form of the National Planning Policy Framework or NPPF, has also shaped the production of the Development Management Plan.

### Evidence Base

- 1.29 This document, where appropriate, has also drawn upon the extensive evidence base which has informed the development of the Core Strategy. The evidence base contains numerous plans, studies and strategies which support the emerging policies and proposals in the Local Development Framework. These key documents are as follows:
- **A Summary of Climate Change Risks for the East of England** sets out the challenges facing the region.
  - **Affordable Housing Viability Study (2010)** assesses the viability of the affordable housing policy in the Core Strategy.
  - **Annual Monitoring Reports** report on a range of indicators on an annual basis since 2004.

- **Call for Sites** was carried out in early 2007 and resulted in the submission of a number of sites from developers, land-owners and agents for consideration by the Council. Over 200 responses were received as part of this process, with land holdings of various sizes and uses across the whole district being put forward for consideration. These sites have then been considered against their proposed uses, in terms of size, location, constraints, sustainability, and viability.

Appendix 1 to the initial stage of the Allocations Document (the Discussion and Consultation Document) provides a detailed assessment of sites that were put forward for consideration. Please note that, due to the size of this assessment, Appendix 1 is available as a separate document.

Additional sites were submitted following the initial consultation on the document in 2010. All of the sites (a total of 225 sites were suggested) have been considered in the 2012 Site Screening Report in terms of their relationship with the Core Strategy requirements. The sites which were then screened in – those within the general locations identified in the Core Strategy for residential and employment use – were assessed in more detailed in the 2012 Detailed Residential/Employment Site Options Assessments.

- **Community Involvement** carried out at each stage of the development of the Core Strategy (i.e. Issues and Options, Preferred Options, Revised Preferred Options, and Pre-Submission). Comments on the Discussion and Consultation version of the Development Management Plan were invited in March/April 2010, and comments on the informal Preferred Policy Options Document were invited in January/February 2012.
- **Conservation Area Appraisals and Management Plans (2007)** assess the characteristics of the District's Conservation Areas, as well as proposing action to ensure their value is retained or enhanced.
- **Design Guidance Notes: Pavilions and Club Houses** developed by Sport England provides advice and guidance on the suitable design and layout of pavilions and clubhouses.
- **Development Control: Planning for Air Quality (2010 Update)** sets out how air quality can be properly accounted for in the planning application process.
- **Employment Land Study (2008)** examines the supply and demand for various forms of employment land and compares this to the current and projected future economic profile of the District in order to determine the spatial requirements for future employment. The 2010 update to this report focuses on employment land around the airport.
- **Essex and South Suffolk Shoreline Management Plan** identifies the best ways to manage flood and erosion risk to people and to the developed, historic and natural environment along the Essex and South Suffolk coast. It also identifies opportunities where shoreline management can work with others to make improvements.

- **Essex County Council Development Management Policies (February 2011)** provides policies relating to highways and transport infrastructure.
- **Essex Flood Risk Management Strategy** looks at ways to tackle local flood risk in a co-ordinated way. It will identify some strategic actions needing to occur over the next two years and the underlying principles upon which to base future decisions.
- **Essex Gypsy and Traveller Accommodation Assessment (2009)** provides an update assessment of the accommodation needs of Gypsies and Travellers.
- **Essex Landscape Character Assessment (2003)** outlines the extent of the three broad landscape character types within the District, and includes an assessment of their sensitivity to different forms of development.
- **Essex Thames Gateway Water Cycle Study – Scoping Study (2009)** a sub-regional review of the existing condition of both the natural water environment and the water infrastructure which serves the population of the South Essex.
- **Guidance Notes for the Reduction of Obtrusive Light (2012)** developed by The Institution of Lighting Professionals identifies environmental zones and corresponding light thresholds.
- **Guidelines for the Keeping of Horses: Stable Sizes, Pasture and Fencing** developed by the British Horse Society recommends appropriate standards for the keeping of horses.
- **Habitats of Principal Importance in England (November 2008)** identifies priority habitats that should be conserved.
- **Housing for People with Additional Needs Strategy 2013-2016** informs current and future developers and managers of housing, in both the social and private sectors, of the current understanding of supply and need for housing.
- **Joint Strategic Needs Assessment (2008)** details a wealth of data around health and well-being issues in Essex.
- **Local Wildlife Site Review (2007)** is an assessment of existing and potential local wildlife sites to determine their importance as natural habitats.
- **Looking Back and Moving Forward – Assessing the Housing Needs of Gypsies and Travellers in Essex (2006)** provides an assessment of the projected future accommodation needs for Gypsies and Travellers up until 2016.
- **Open Space Study (2009)** examines the current provision and quality of a variety of open spaces throughout the District.
- **Planning and Climate Change Coalition (2012) Planning for Climate Change** provides guidance for local authorities.

- **Planning and Design for Outdoor Sport and Play (2008)** sets out principles for the planning and design of outdoor sport and play facilities (both children and young people).
- **Playing Pitch Strategy (2012)** examines the supply and demand for playing pitches in Rochford District, in relation to a number of sports.
- **Preliminary Flood Risk Assessment** is a high level, county-wide analysis which considers past flooding and possible future flooding from the Essex Flood Risk Management Strategy and Surface Water Management Plans.
- **Retail and Leisure Study (2008)** examines the shopping and leisure use habits of the District's residents, and the spatial implications of these for the future development of the area.
- **River Basin Management Plan - Anglian River Basin District (2009)** identifies pressures facing the water environment in the Anglian River Basin District, and the actions that will address them.
- **Rochford Biodiversity Action Plan** sets out actions and targets to enhance biodiversity in the District.
- **Rochford District Historic Environment Characterisation Project (2006)** provides a wealth of evidence on the importance of the historic environment within the District and facilitates the integration of management and conservation principles within the planning process.
- **Rochford Futures Report** profiles the social, economic and environmental characteristics of Rochford District at a District and Ward level.
- **South Essex Outline Water Cycle Study (2011)** identifies any key constraints on housing and employment growth planned within Basildon Borough, Castle Point Borough and Rochford District that may be imposed by the water cycle and how these can be resolved.
- **South Essex Surface Water Management Plan 2012** sets out a co-ordinated approach to the management of surface water within South Essex (encompassing Basildon Borough, Castle Point Borough and Rochford District).
- **Species of Principal Importance in England (August 2010)** identifies priority habitats that should be conserved.
- **Standing Advice for Ancient Woodland (2011)** produced by Natural England seeks to aid the Local Planning Authority in the determination of planning applications affecting ancient woodland.
- **Strategic Environmental Assessment Baseline Information Profile** presents a plethora of secondary data about the social, physical, environmental and demographic characteristics of the District.
- **Strategic Flood Risk Assessment Level 1 & 2 Final Report (February 2011)** provides a revision to the previous Thames Gateway South Essex Strategic Flood Risk Assessment report, and has been progressed following the scoping report in 2009. This is a combined Level 1 and Level 2 report, which includes a

strategic overview of all potential sources of flooding which is sufficiently detailed to enable the application of the Sequential Test within the District (Level 1), and provides more detail of flood risk where there is development pressure in areas that are at Medium and High risk and to facilitate the application of the Exception Test where necessary (Level 2).

- **Strategic Housing Land Availability Assessment** determines the availability, suitability and achievability of housing development sites within the District. The 2012 Strategic Housing Land Availability Assessment (SHLAA) assessed the quantum of land available for residential development. The study confirmed the capacity and extant permissions and other appropriate sites, and ascertained that there would have to be some Green Belt release in order to meet the District's housing requirements. The SHLAA determined that there were deliverable sites within the general locations identified in the Core Strategy capable of providing the required number of dwellings.
- **Strategic Housing Market Assessment 2008** provides data on housing supply and demand at the sub-regional level. The **Strategic Housing Market Assessment: Update Report 2010** provides a review of the situation in order to reflect changes to the Thames Gateway South Essex housing market in the period from October 2008 to February 2010.
- **Sustainability Appraisals and Strategic Environmental Assessments** are an integral part of the development of the planning policy documents forming the Local Development Framework. A Sustainability Appraisal was carried out at each stage in the development of the Core Strategy, assessing the social, economic and environmental impacts of proposed policies. The Sustainability Appraisals have influenced the development of the Core Strategy and thus the strategic approach to future development. This has subsequently shaped the approach of the Development Management Plan.

Furthermore the findings of the Sustainability Appraisals assessing the Development Management Plan, both at the Discussion and Consultation Document and Pre-Submission Document stages, have been incorporated into this document. The combined Sustainability Appraisal of the Development Management Plan has informed refinement of the proposed policies, and should be read in conjunction with the Core Strategy Sustainability Appraisal and Addendum.

- **Thames Gateway South Essex Strategic Flood Risk Assessment** determined the areas at risk of flooding across the sub-region, and calculated the probability of their flooding, enabling land across the sub-region to be categorised as Flood Zone 1, 2, 3 depending on the risk.
- **Thames Gateway South Essex Strategic Flood Risk Assessment Review – Scoping Report (2009)** provides a review of the Thames Gateway South Essex Strategic Flood Risk Assessment (SFRA) which was published in 2006.
- **UK Climate Change Risk Assessment - Built Environment** sets out the main priorities for adaptation in the UK under 5 key themes and describes the



policy context, and action already in place to tackle some of the risks in each area.

- **UK Post-2010 Biodiversity Framework** sets a broad enabling structure for action across the UK between now and 2020.
- **Urban Capacity Study (2007)** examines the capacity to accommodate development within the District on existing appropriate sites. This study has been superseded by the Strategic Housing Land Availability Assessment.

### National Planning Policy Framework

#### Presumption in Favour of Sustainable Development

- 1.30 When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.
- 1.31 Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.
- 1.32 Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:
- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
  - Specific policies in that Framework indicate that development should be restricted.

## **2 Housing, Character of Place and Residential Amenity**

### **Vision**

#### **Short Term**

- New sustainable, residential developments are planned that are well related to infrastructure, community facilities, and play space. These have begun to be implemented. A number of residential developments, along with additional infrastructure, have been completed and are meeting the needs of local communities.
- The Council has adopted a Local List which has afforded additional protection to locally significant buildings.
- Work continues on implementing the Conservation Area Management Plans which is having a positive impact on the character and appearance of the District's Conservation Areas.

#### **Medium/Long Term**

- A range of high-quality, sustainable new dwellings that meet the needs of local people of all social groups are in place and integrated into communities that have a strong sense of place.
- The vast majority of the District's Green Belt remains undeveloped.
- New infrastructure has accompanied new residential development, meeting the needs of local communities.
- The District's distinctive character and historical built environment has been retained.
- New development has been implemented which contributes positively towards the District's character.

### **Objectives**

1. Ensure the delivery of an adequate supply of sustainable dwellings to cater for the District's growing demand.
2. Deliver a balanced strategy for the distribution of housing, directing housing growth to the most sustainable locations having regard to social, economic and environmental considerations.
3. Ensure the District's settlements remain viable and that rural services can be sustained.
4. Prioritise the redevelopment of appropriate brownfield sites for housing, to minimise the release of Green Belt land for development.
5. Ensure the delivery of housing which caters for the needs of all communities in terms of tenure, type and location.
6. Ensure that appropriate infrastructure accompanies new housing development.
7. Ensure that new development respect and make a positive contribution towards the built environment.



### 8. Support and enhance the local built heritage.

#### Introduction

- 2.1 The Core Strategy contains key policies to ensure the efficient and effective use of available land for housing through the utilisation of previously developed land, and identifies general locations which could accommodate appropriate sustainable extensions to the residential envelope to meet housing need. Whilst ensuring that the required quantum of housing and gypsy and traveller sites in the District are sustainably delivered, the Core Strategy also seeks to ensure the appropriate mix of housing tenure and dwelling types, and requires compliance with the Lifetime Homes Standard to ensure that new dwellings are capable of meeting the District's changing demographic needs (i.e. the character and composition of the population). Partnership working with a range of stakeholders, including Essex County Council, the Environment Agency and Natural England, and consultation with the Council's Housing Strategy Team amongst other Council departments is required to ensure that this is achieved.
- 2.2 The protection and enhancement of the District's distinct settlement characteristics are also key issues which are covered in the Core Strategy. Information relating to the distinctiveness of the District is contained within the Local Development Framework evidence base. It is important to ensure the high quality design of new developments and that local design guidance is taken into account within development proposals in order to create a strong sense of place. The Core Strategy also recognises the importance of protecting locally significant buildings which are of historic and architectural importance (Listed Buildings), through the appropriate management of the District's Conservation Areas, and the reintroduction of a Local List of important buildings and structures.
- 2.3 This chapter elaborates on the core strategic issues by providing policies on specific housing issues and the protection and enhancement of the historic environment. The design, scale and form of new dwellings, or modifications to existing dwellings within existing settlements can impact on the character of the street scene (i.e. the appearance and character of the street) and the surrounding built environment. It is important to ensure a positive impact on the surrounding environment and a coherent and interesting character through following good design principles and using locally distinct settlement characteristics. The design of new developments must also be considered with respect to the wider implications of such development on the form, flow and character of the built environment and its impact on sustainability objectives.
- 2.4 Protecting and enhancing the existing character and individual identities of the District's settlements is a key objective of the Core Strategy, as set out within the Housing and Character of Place chapters of the Core Strategy. Therefore new development both within, and on the periphery of, existing settlements is encouraged to take into consideration the character of the established street scene, in addition to the District's dwelling type requirements.

- 2.5 Reducing the District's carbon emissions and planning to adapt to climate change is an important theme running through the Sustainable Community Strategy (2009), and this is reflected in the Core Strategy (specifically within the Environmental Issues chapter of the Core Strategy). Planning can play an important role through ensuring the sustainability of new developments and alterations to existing buildings, whilst seeking to increase the energy efficiency of existing dwellings, as appropriate. The Core Strategy, for example, promotes the development of new dwellings to the Codes for Sustainable Homes and Lifetime Homes Standards, and supports both small and large scale renewable energy projects.
- 2.6 The historic environment of the District contributes to the unique character and history of individual settlements, as well as the established local street scene. The significant historic townscapes, village centres and other smaller areas which merit statutory protection are protected through Conservation Area designations and listed building status in the case of historic buildings meeting national criteria relating to their significance. It is, however, also important to consider the impact of development and change on the wider area beyond the boundary of protected areas and on locally important unlisted buildings which are cherished by the local community.

### **Housing**

#### **Design of New Developments**

- 2.7 The design of new developments, whether major<sup>1</sup> or small-scale, can impact on the character of an area. It is important that additions or alterations to the residential envelope are in-keeping with the local characteristics and reflect the distinctiveness of the District's towns and villages to ensure the cohesion of new communities into existing settlements.
- 2.8 The planning of sustainable extensions to the residential envelope will be design-led and community focused to secure high quality sustainable development. This will require the appropriate integration of the means of access for pedestrians, cyclists, cars etc. and allowing sufficient functioning of the Council's waste management and recycling scheme. This will also require the integration of public open space, historic features, landscaping, public art and habitat creation, recreational facilities and educational provision, community facilities, including the provision of primary health care, as appropriate, and dwellings of mixed size and tenure within the new and adjoining communities. Accessibility is an important aspect of design, and development should be designed to be accessible to all, taking account of people's different needs (for example, by accounting for the potential use of mobility scooters). The provision of public open space within any proposed development should have regard to the findings of the most up-to-date Open Space Study.

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<sup>1</sup> A development is considered major if 10 or more dwellings are proposed or the site area is 0.5 hectares or more.

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- 2.9 It is important that new developments are fully equipped with well designed and suitable waste and recycling storage facilities that will ensure sound site management and that waste and recyclable materials can be collected easily and efficiently from the site. Appropriate facilities should be integrated into development proposals. Technical information to assist in the design of development proposals can be found in Appendix 1. The Council's Recycling Team should be properly consulted on proposals.
- 2.10 It is also important to promote and support the enhancement of the environmental quality of the District's countryside and settlements. As such, regard should be had to the landscape character areas, which define the different geographical regions with a recognisable pattern of landscape characteristics, which create a distinct sense of place. The Council will also encourage the preparation of Village Design Statements and Parish Plans by local community groups throughout the District, which will provide developers with guidance on the local character of individual settlements and help ensure that developments are sensitive to the local area and designed in a way that would be acceptable to the local population. Village Design Statements will be expected to have been produced in consultation with the public to ensure that they reflect local opinions, and they must be endorsed by the Council before they can be used. It is also important to take into consideration the findings of the Rochford District Historic Environment Characterisation Project (2006); which provides a wealth of information on the importance of the historic environment within the District, depicting how historic patterns of development have influenced the variability of the historic environment, for example, in terms of archaeological conservation and value. This will enable the sensitivity of landscapes and the characteristics of local places to be fully considered in the context of individual planning applications.
- 2.11 The Council are concerned about the potential impact of climate change and will therefore expect developers to implement appropriate initiatives to mitigate the impact of new developments. The design and construction of buildings can directly affect the environment in terms of energy use and the generation of greenhouse gases, and the subsequent impact on climate change through global warming. This will also affect the consumption of non-renewable natural materials. The implementation of appropriate measures to reduce the consumption of energy and natural resources will help achieve the wider objective of securing more sustainable forms of development within the District.
- 2.12 The Council will therefore expect that all new buildings are well designed, fit-for-purpose, appropriate for the site and its setting, and adaptable for long-term use. New buildings should achieve high environmental standards through energy and resource efficient sustainable design and make best use of sustainable construction techniques. All dwellings (i.e. domestic buildings) must achieve the required Code for Sustainable Homes and Lifetime Homes Standards and non-domestic buildings must aspire to achieve the appropriate BREEAM (Building Research Establishment Environmental Assessment Method) rating. Further information on the Code for Sustainable Homes Standard, Lifetime Homes Standard and the BREEAM rating can be found within Policy ENV9, H6 and ENV10 of the Core Strategy.
- 2.13 Whilst aspiring for sustainable construction of new buildings, the Council also actively encourage the provision of well designed high quality places, which is pivotal for both major and small-scale developments. Schemes should have a safe, inclusive layout with legible and well planned routes, blocks and spaces, integrated residential, commercial and community activity, safe public spaces and pedestrian routes without traffic conflict, secure private areas, attractive buildings and landscaped spaces. Existing features such as trees and woodlands should be retained, where possible,

and appropriate mitigation measures taken (Policy DM25). Security principles set out in the national guidance 'Secured By Design'<sup>2</sup> should be taken into account in the formulation of development proposals.

- 2.14 Concept Statements have been prepared by the Local Planning Authority for major developments proposed on Green Belt sites which are to be reallocated for residential use in the Allocations Document to facilitate sustainable extensions to the existing residential envelope. These Concept Statements outline the appropriate design principles for a particular site in order to deliver the best possible social, economic and environmental benefits for the community. All proposals for sustainable extensions to the existing residential envelope should therefore take into consideration the advice, guidance and visions set out in the Concept Statements.

### Policy DM1 – Design of New Developments

The design of new developments should promote the character of the locality to ensure that the development positively contributes to the surrounding natural and built environment and residential amenity, without discouraging originality, innovation or initiative.

The design and layout of proposed developments must demonstrate that the following have been carefully considered and addressed within the proposal:

- (i) Accessibility, particularly promoting alternatives to the private car;
- (ii) Integration of existing and proposed public rights of way;
- (iii) Adequate boundary treatment and landscaping within the development;
- (iv) Retention of trees, woodland and other important landscape features in accordance with Policies DM25 and DM26;
- (v) Sufficient car parking in accordance with Policy DM30;
- (vi) Suitable density for the locality in line with Policy DM2;
- (vii) Local open space requirements including the provision of greenspace, play space, private and communal gardens, allotments and other types of open space, based on the most up-to-date Open Space Study;
- (viii) Impact on the natural environment including sites of nature conservation importance, and on the historic environment including Conservation Areas and Listed Buildings, archaeological sites and the wider historic landscape;
- (ix) Avoiding overlooking, ensuring privacy and promoting visual amenity;
- (x) A positive relationship with existing and nearby buildings in accordance with Policy DM3;
- (xi) A scale and form appropriate to the locality in line with Policy DM3;
- (xii) Compliance with textual Concept Statements; and
- (xiii) Village Design Statements and Parish Plans, where applicable.

Design briefs for major developments must show that they consider and reflect the identity of the surrounding area, and must allow for the effective running of the Council's waste management and recycling scheme.

Proposals should have regard to the detailed advice and guidance on the design and layout of new developments as set out in Supplementary Planning Document 2 – Housing Design, as well as to guidance in the Essex Design Guide for Residential and Mixed Use Areas.

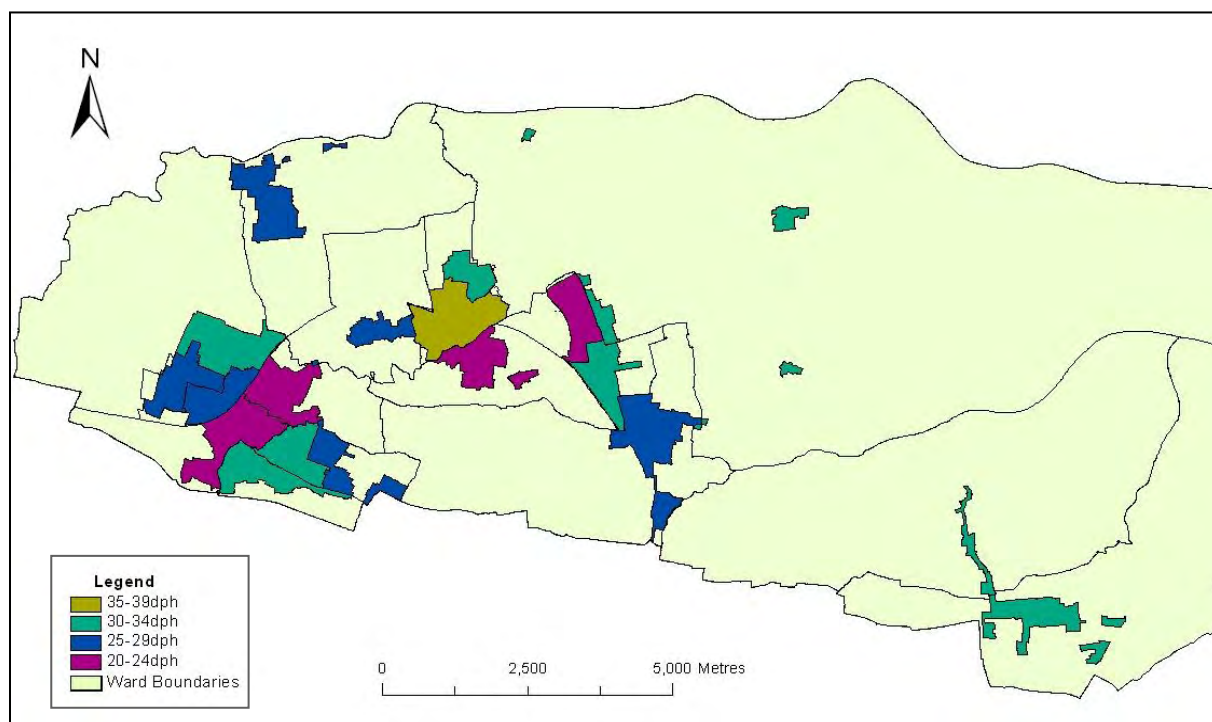
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<sup>2</sup> 'Secured By Design' information available from <http://www.securedbydesign.com/index.aspx>

### **Density of New Developments**

- 2.15 The density of new developments is critical to the efficient and effective use of available land in accessible and sustainable locations. However, it is also important to create high quality environments with sufficient public open space, parking and other amenities to promote good quality of life for new and existing communities.
- 2.16 The NPPF provides guidance on the provision of high quality, sustainable housing, with a mix of housing tenures which reflects local needs, ensuring the effective use of existing housing stock, and providing enough homes in appropriate locations through the efficient and effective use of land. It gives the Local Planning Authority flexibility in setting appropriate densities to specific localities. However, it is still imperative that land contributing towards the District's housing land supply is appropriately and efficiently utilised. The previously established national indicative minimum density of 30 dwellings per hectare is considered to strike a balance between ensuring the efficient use of land and respecting the character of localities. As such promoting a minimum density threshold of 30 dwellings per hectare is considered to be appropriate.
- 2.17 The density of dwellings within the existing residential area varies across the District, both between individual settlements and within each settlement. Density was randomly sampled within the existing residential area of each ward to illustrate this disparity, however, it is important to emphasise that this is a purely indicative exercise and does **not** in any way represent the average density for each ward, or suggest appropriate densities for each area; it is simply a guide. The densities presented on the map below by ward (Figure 2) were determined through sampling the number of dwellings within two separate one hectare areas which were selected at random, and working out the average of these. Figure 2 depicts the average gross density of dwellings (in that it does not account for the presence of roads etc.) within the areas sampled in each ward.





**Figure 2 – Average gross density of one hectare random samples by ward**

- 2.18 Density can impact on the character and form of development, and as such, the Council will maintain a flexible approach towards the appropriate density of new developments to reflect the individual identities of each area. However, it is recognised within Policy H1 (The efficient use of land for housing) of the Core Strategy that some locations, namely town centres, are more sustainable in terms of infrastructure provision and access to amenities, and can thus accommodate higher density development.
- 2.19 The Council therefore do not seek to be overly prescriptive with regard to density but will encourage appropriate densities which reflect the character, scale and form of the locality to create cohesive, sustainable environments.
- 2.20 However, in addition to impacting on the built environment, density of developments can also impact on the natural environment. As such, when determining the appropriate density for a site, the potential impact on areas of local, national and international nature conservation importance should also be taken into consideration.

## **Policy DM2 – Density of New Developments**

Proposals for residential development must make efficient use of the site area in a manner that is compatible with the use, intensity, scale and character of the surrounding area, including potential impact on areas of nature conservation importance, and the size of the site. The density across a site should be a minimum of 30 dwellings per hectare, unless exceptional circumstances can be satisfactorily demonstrated.

The precise density for any individual site will be determined by its immediate context, on-site constraints, the type of development proposed and the need to provide an appropriate mix of dwellings to meet the community's needs.

## **Infilling and Residential Intensification**

- 2.21 Infilling can be defined as filling the small gaps between existing groups of dwellings with new development. Although gaps in the street scene can add to the visual and recreational amenity value of places, the Council consider the limited infilling of settlements to be acceptable where the development conforms to the existing street pattern and density of the immediate locality. The Council will also permit an appropriate level of residential intensification within town centre areas where densities are higher due to their sustainable locations; this will help safeguard Green Belt land in the District. The suitable density for town centre locations is 75 dwellings per hectare as set out in Policy H1 (The efficient use of land for housing) of the Core Strategy. However, the appropriateness of infilling in residential areas will be determined on a case by case basis primarily having regard to residential intensification, 'town cramming' (i.e. where too much infill development in the existing residential area would be detrimental to the area's character) and the impact on the character of the street scene.
- 2.22 A restrictive approach is appropriate as infilling and residential intensification can have a negative impact on the amenity and character of settlements, and lead to increased traffic generation, and 'town cramming'. As such, the Council will seek to avoid these adverse effects.
- 2.23 'Backland' development is where development is proposed to the rear of existing residential dwellings in large back gardens, or where several smaller plots can be amalgamated into one. 'Backland' development may be inappropriate due to the creation of a tandem relationship<sup>3</sup> between dwellings, loss of private amenity space, residential intensification, the detrimental impact on the character of the street scene and the amenity of neighbouring dwellings. Such development can often create problems of overlooking and loss of privacy as well as issues with inadequate access and parking. Generally such development is undesirable, although it may be considered appropriate in some circumstances. Thus the suitability of proposals will be determined on a case by case basis.

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<sup>3</sup> A tandem relationship between dwellings, where one dwelling directly faces the rear of another, should be avoided. This relationship is considered to be unacceptable as it can generate overlooking and privacy problems and can therefore be detrimental to the amenity of existing, and future, residents.

- 2.24 There is concern that the replacement of dwelling(s) with an alternative dwelling type could have a detrimental impact on the individual character of the District's settlements. Whilst providing a mix of dwelling types within new developments is supported in the Core Strategy (Policy H5), the Council will seek to resist the loss of existing dwelling types, which can impact on the character of the street scene. As an example, where the street scene is relatively homogenous in terms of house types and design the replacement of dwellings should usually be on a like for like basis to protect the local character. However, if it can be demonstrated that an alternative dwelling type would be more appropriate and ensure better utilisation of a site, without creating undue residential intensification and 'town cramming' e.g. the replacement of one bungalow on a wide plot of land with a pair of semi-detached houses, then this may be considered acceptable on a case-by-case basis. The demolition of individual dwellings to be replaced by multiple dwellings e.g. the replacement of a bungalow with flats, is not generally supported. Resisting the intensification of smaller sites within residential areas will protect the character of existing settlements. However, limited infilling is considered acceptable, and will continue to contribute towards housing supply, provided it relates well to the existing street pattern, density and character of the locality. An appropriate level of residential intensification within town centre areas, where higher density schemes (75+ dwellings per hectare) may be appropriate will be encouraged.

### **Policy DM3 – Infilling and Residential Intensification**

Proposals for infilling, residential intensification or 'backland' development must demonstrate that the following have been carefully considered and positively addressed:

- (i) the design of the proposed development in relation to the existing street pattern and density of the locality;
- (ii) whether the number and type of dwellings being proposed are appropriate to the locality having regard to existing character;
- (iii) the contribution to housing need, taking into account the advice and guidance from the Council, based on the most up-to-date evidence available;
- (iv) an assessment of the proposal's impact on residential amenity;
- (v) avoiding a detrimental impact on landscape character or the historic environment;
- (vi) avoiding the loss of important open space which provides a community benefit and/or visual focus in the street scene;
- (vii) avoiding the loss of private amenity space for neighbouring dwellings to ensure adequate provision as set out in Supplementary Planning Document 2: Housing Design;
- (viii) the adequate provision of private amenity space for the proposed dwelling as set out in Supplementary Planning Document 2: Housing Design;
- (ix) the availability of sufficient access to the site and adequate parking provision; and
- (x) avoiding a tandem relationship between dwellings, unless it can be satisfactorily demonstrated that overlooking, privacy and amenity issues can be overcome as set out in Supplementary Planning Document 2: Housing Design.



## **Habitable Floorspace for New Developments**

- 2.25 The habitable floorspace of a dwelling is considered by the Council as encompassing the floor area of bedrooms, living rooms, dining rooms, kitchens and spare rooms. The term ‘habitable floorspace’ in this context also encompasses large rooms greater than 20sq.m, which could be subdivided, and as such, will be counted as two habitable rooms. Habitable floorspace, however, does not include any bathrooms, separate toilet facilities, cupboards, landings, hallways, or conservatories.
- 2.26 The Council recognise the importance of ensuring high quality development in addition to providing enough dwellings to meet the District’s housing needs. Dwellings, whether comprising housing or flats, which are market or affordable, should be of an appropriate size and layout to provide suitable and comfortable accommodation for modern living.
- 2.27 Dwelling size must be proportionate and sufficient to meet the needs of the potential number of inhabitants and all habitable rooms must have an adequate size, height, and shape, with plentiful natural lighting and ventilation. An adequate dwelling size can also increase the adaptability and flexibility of the District’s housing stock, accommodate features of the Lifetimes Homes Standard and give greater choice, whilst supporting the needs of the population. The requirement to comply with the Lifetime Homes Standard within proposals for new developments can be found within the Core Strategy (Policy H6 – Lifetime Homes).
- 2.28 The internal floor area of a dwelling must comply with the minimum guidance standards set by the Homes and Communities Agency (HCA)<sup>4</sup> to ensure that the District’s future housing stock is flexible and that all dwellings are of an adequate size to be utilised for affordable housing as appropriate. The HCA use Housing Quality Indicators (HQIs) to measure the quality of housing schemes funded through the National Affordable Housing Programme, however, these indicators score the internal dwelling area by bedspace rather than number of bedrooms, which from a development management perspective is considered to be impractical to implement. As such other standards have been sought, by number of bedrooms, which would meet the HCA’s requirements. In 2007, English Partnerships (which is now part of the HCA) produced a quality standards document<sup>5</sup> which identified minimum internal floor areas according to the number of bedrooms and occupancy.
- 2.29 The table below sets out English Partnership’s minimum internal floor area according to the HCA standards based on bedspaces. As such, the former standards are considered to comply with the current standards of the HCA.

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<sup>4</sup> Housing Quality Indicators (HQIs) available from <http://www.homesandcommunities.co.uk/>

<sup>5</sup> Place, Homes, People Policy Guidance – English Partnership’s Quality Standards Delivering Quality Places. Revised: from November 2007 available from <http://www.englishpartnerships.co.uk/qualityandinovationpublications.htm>

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**Table 2 – Homes and Communities Agency floorspace standards compared with those of English Partnership**

<b>Unit Type (Number of bedspaces and storeys)</b>	<b>Homes and Communities Agency: Internal Floor Area</b>	<b>English Partnerships: Minimum Internal Floor Area</b>
1 bedspace	30 to 35 sq.m	
2 bedspace	45 to 50 sq.m	51 sq.m (1 bedroom/2 person homes)
3 bedspace	57 to 67 sq.m	66 sq.m (2 bedroom/3 person homes)
4 bedspace	67 to 75 sq.m	77 sq.m (2 bedroom/4 person homes)
5 bedspace (1 storey)	75 to 85 sq.m	93 sq.m (3 bedroom/5 person homes)
5 bedspace (2 storey)	82 to 85 sq.m	
5 bedspace (3 storey)	85 to 95 sq.m	
6 bedspace (1 storey)	85 to 95 sq.m	106 sq.m (4 bedroom/6 person homes)
6 bedspace (2 storey)	95 to 100 sq.m	
6 bedspace (3 storey)	100 to 105 sq.m	
7 bedspace (2+ storey)	108 to 115 sq.m	
7+ bedspace	add 10 sq.m per bedspace	

2.30 It is possible, not to mention desirable in respect of implementation, to translate standards relative to bedspaces into standards relative to number of bedrooms.

2.31 Table 3 combines standards set by HCA with those of English Partnerships to provide a workable and relevant standard for development management.

2.32 Both market and affordable housing should aspire to meet minimum approved standards for internal floor area for habitable rooms. Each dwelling should comply with the minimum acceptable floorspace standards as defined below in Table 3, unless it can be clearly demonstrated that compliance with the standards would be unviable or undeliverable.

**Table 3 – Minimum Habitable Floorspace Standards**

<b>Unit Type (Number of bedrooms)</b>	<b>Minimum Internal Floor Area (sq.m.)</b>
Studio flat	35 sq.m
1 bedroom flat	51 sq.m
2 bedroom flat	66 sq.m
2 bedroom house	77 sq.m
3 bedroom dwelling	93 sq.m
4 bedroom dwelling	106 sq.m

- 2.33 In addition to the minimum floorspace standards above, it is also important to take into account the functionality of the space within dwellings in that they are well planned and useable, particularly for habitable rooms. All habitable rooms should have a minimum floor to ceiling height of 2.5 metres<sup>6</sup> (8.2 feet) and be of an appropriate width to accommodate their proposed uses/function. All non-habitable rooms over 3 square metres should be of an adequate size, height and shape, with sufficient natural lighting, and be ventilated directly by external air via a window. These standards will apply to all dwelling types, and both market and affordable housing.
- 2.34 Whilst dwellings should be reasonably sized, they must also have a suitably designed internal layout to ensure comfortable habitation for potential occupants. Therefore the Council will not only have regard to whether the minimum standard has been applied to all dwellings within the development, but will also determine if the internal layout is appropriate and fit for purpose. In determining the appropriate design and layout of dwellings, the need to comply with the Lifetime Homes Standard as per Policy H6 of the Core Strategy must be taken into consideration. The 16 Design Criteria (5 July 2010)<sup>7</sup> for the Lifetime Homes Standard, or the most up to date criteria, should be applied to all new developments.

### **Policy DM4 – Habitable Floorspace for New Developments**

New dwellings (both market and affordable housing) must adhere to the minimum habitable floorspace standards set out in Table 3, unless it can be clearly demonstrated to be unviable or undeliverable. They should have a good internal layout with reasonably sized habitable and non-habitable rooms that are well-designed, planned and useable, applying the principles of the Lifetime Homes Standard criteria, and are suitable for modern living.

### **Light Pollution**

- 2.35 Inappropriate lighting can create light pollution which can affect rural, coastal and urban areas. This type of pollution can have a detrimental impact on ecology and wildlife, obscure vision of the stars, and introduce a suburban feel into rural areas which can thus affect local character and cause stress and anxiety for those adversely affected.
- 2.36 Light pollution, as defined by Environmental Protection UK<sup>8</sup>, can take several forms including:
- Intrusive lighting – overly bright lighting or light spilling beyond an area intended to be lit.

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<sup>6</sup> Housing Quality Indicators Form (updated April 2008) which identifies design and quality standards for affordable dwellings – available from <http://www.homesandcommunities.co.uk/>

<sup>7</sup> 16 Design Criteria from 5 July 2010 (REVISED) for the Lifetime Homes Standard available from <http://www.lifetimehomes.org.uk>

<sup>8</sup> Environmental Protection UK (Light Pollution Criteria) available from <http://www.environmental-protection.org.uk/neighbourhood-nuisance/light-pollution/>

- Sky glow – the glow seen above urban areas caused by stray artificial light being scattered by dust particles and water droplets in the sky.
- Poor lighting – lighting which is set inconsiderately or incorrectly including glare, energy wastage, ecological effects and aesthetics.

- 2.37 There is a need to minimise the adverse impacts of illumination (which is the process of lighting an object or surface) by avoiding unnecessary lighting, ensuring the level of lighting in new developments (including roads) is the minimum necessary for public safety, is energy efficient and respects the character of the locality. In some cases, full horizontal cut-off (the prevention of light spillage into adjoining areas) and other forms of containment of the light source may be required to prevent spillage and glare.
- 2.38 The District has three distinguishable areas which have varying sensitivity in terms of landscape character, impact on the Green Belt, nature conservation importance, and visual amenity. It is therefore considered appropriate to set out different lighting thresholds for external artificial lighting for these different areas. These different areas are referred to as environmental zones. Three distinguishable environmental zones have been identified below, based on those defined by the Institution of Lighting Professionals<sup>9</sup> taking into account the characteristics of the District. However, there are a few exceptions. Table 4 does not include Environmental Zone 0 (protected areas such as IDA dark sky parks) and Environmental Zone 4 (town/city centres with high levels of night-time activity) which are not considered to be applicable to the District. Environmental Zone 1 also does not include areas of nature conservation importance as it is not considered desirable to permit lighting within such areas.
- 2.39 Environmental Zone 1: Lighting proposals that neighbour or are near enough to significantly affect areas of nature conservation importance, e.g. Sites of Special Scientific Interest, Special Protection Areas and Local Wildlife Sites and habitats serving key foraging and/or habitat connectivity functions will only be permitted in exceptional circumstances. External artificial lighting can have severe implications for the natural behaviour patterns (such as eating and sleeping patterns) of a range of animals and plants, and therefore sites and habitats which are deemed important in terms of their provision of wildlife should not be in anyway adversely affected. When determining the potential impact of a lighting proposal on areas of nature conservation importance the Proposals Map in the Allocations Document and the most up-to-date Strategic Environmental Assessment Baseline Information Profile should be referred to. Consultation with statutory bodies e.g. Natural England would also be undertaken and would need to be taken into consideration.
- 2.40 Environmental Zone 2: Outside development boundaries in the Green Belt and wider countryside – Lighting proposals within the open countryside will only be permitted if the applicant can demonstrate to the Local Planning Authority that the scheme proposed is the minimum needed for security and/or working purposes and that it minimises the potential for obtrusive light from glare or light intrusion to an acceptable level. Artificial lighting in the open countryside can have a demonstrable effect on ‘dark skies’, one of the special qualities of the rural landscape.

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<sup>9</sup> The Institution of Lighting Professionals (Guidance Notes for the Reduction of Obtrusive Light) available from <https://www.theilp.org.uk/documents/obtrusive-light/>

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- 2.41 Environmental Zone 3: Within development boundaries – Lighting proposals that are within or adjoining residential or commercial areas will only be permitted if the applicant can demonstrate to the Local Planning Authority that the scheme proposed is the minimum needed for security and/or working purposes and that it minimises the potential obtrusive light from glare or light intrusion to an acceptable level. Obtrusive light can have a significant impact on the amenity of residential areas in towns and villages. Where large scale lighting proposals are adjacent to a settlement boundary, regard will also be had to any detrimental impact on the surrounding countryside. Consultation with statutory bodies e.g. English Heritage, particularly where lighting is proposed within Conservation Areas or in proximity to Listed Buildings, would also be undertaken and would need to be taken into consideration.
- 2.42 The guidance produced by the Institution of Lighting Professionals<sup>10</sup> recommends the setting of lighting limits before and after curfews (an agreed time, usually late evening, at which the level of artificial lighting should be reduced) within these environmental zones. However, the lower thresholds which would be applicable after curfews is not considered to be reasonable or appropriate as the Council will seek to ensure that lighting is the minimum needed for security and working purposes in any case. Therefore the upper thresholds for each applicable environmental zone should be the maximum illumination permitted. Within the three environmental zones defined above the following thresholds should apply:

**Table 4 – Obtrusive Light Limitations for External Lighting Installations  
(amended from the guidance provided by The Institution of Lighting Professionals)**

Environmental Zone	Sky Glow ULR (Max. %)	Light Trespass (into Windows) Ev (lux)	Source Intensity I (kcd)	Building Luminance L (cd/m <sup>2</sup> )
1	0	2	2.5	0
2	2.5	5	7.5	5
3	5	10	10	10

**Notes:** 'ULR' or Upward Light Ratio is the maximum permitted percentage of luminaire flux that goes directly into the sky.

'Ev' is Vertical Illuminance in Lux and is measured flat on the glazing at the centre of the window. Lux is the unit of measurement of illuminance (the amount of light falling on an object). One Lux equals one lumen per square metre. A lumen is the unit of luminous flux (light) emitted by a light source or falling on a surface or object.

'I' is light Intensity in Candelas. Candela is the unit of luminous intensity of a light source in a given direction.

'L' is luminance (the intensity of the light emitted) in Candelas per square metre.

- 2.43 Further information on the application of these standards can be found within 'Guidance Notes for the Reduction of Obtrusive Light' developed by the Institution of Lighting Professionals.

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<sup>10</sup> The Institution of Lighting Professionals (Guidance Notes for the Reduction of Obtrusive Light) available from <https://www.theilp.org.uk/documents/obtrusive-light/>

- 2.44 Any lighting proposed should be the minimum necessary for safety and working purposes, and should be appropriately designed and installed in order to avoid unnecessary light spillage and trespass. The design, appearance and scale (i.e. the height) of proposed lighting and the impact on the character and appearance of an area will be carefully considered. In particular careful consideration will be given to lighting installations which may affect buildings, features and areas which are recognised for their historic and/or architectural importance (for example Listed Buildings and Conservation Areas) where government advice is that the special character of these areas, buildings and their settings should be protected from inappropriate development. The impact on locally listed buildings should also be carefully considered. The guidance produced by the Institution of Lighting Professionals<sup>11</sup> should be taken into consideration in the development and installation of any lighting proposals.
- 2.45 Floodlighting of sports and other leisure and recreational facilities also requires careful consideration as it can be a nuisance to adjacent land users, have a detrimental impact on the countryside and can cause unnecessary glow in the night sky. Any proposal for floodlighting must demonstrate how essential it is for the associated land use and must be of a design to minimise the impact on the environment and its surroundings. Details to be submitted must be adequate to enable the assessment of the effect of the lighting and the appearance of the fittings. Sport England's guidance 'Artificial Sports Lighting', or the most up-to-date available, should be referred to.

#### **Policy DM5 – Light Pollution**

Applicants should take into consideration the environmental zone where a development is being proposed and the corresponding lighting thresholds as set out in Table 4.

Proposed schemes must be appropriately designed and installed to minimise the impact of light pollution on residential and commercial areas, important areas of nature conservation interest, highway safety and/or the night sky through avoiding unnecessary light spillage and trespass. Where an adverse impact is identified, conditions may be attached to a grant of planning permission or a S106 agreement may be sought to mitigate such impacts.

Applications for sports and other leisure and recreational facilities development involving external floodlighting will be permitted provided that the following can be demonstrated:

- (i) the lighting is designed to be as directional as possible using the minimum number of lights required with the aim of reducing light pollution;
- (ii) a curfew time of no later than 10.00pm; and
- (iii) consideration is given to the effect of the light upon local residents, vehicle users, pedestrians, local wildlife and the night sky.

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<sup>11</sup> The Institution of Lighting Professionals (Guidance Notes for the Reduction of Obtrusive Light) available from <https://www.theilp.org.uk/documents/obtrusive-light/>



### Telecommunications

- 2.46 The implementation and maintenance of effective telecommunications networks such as telephone and radio masts within the District are essential to the development of the local economy and for the benefit of the local community.
- 2.47 The NPPF recognises the need to ensure the continued functioning and extension of existing telecommunications systems and the development of new networks whilst balancing the need to protect visual amenity and minimise environmental impacts. As such, the Council will seek to ensure that, particularly in the more rural areas of the District, there are adequate telecommunications systems (either through the maintenance or extension of existing networks, or the provision of new networks). Adequate provision will be balanced against ensuring that there are no unacceptable effects on the natural and built environment, in particular sites of local, national and international nature conservation importance (including Sites of Special Scientific Interest (SSSIs), the Coastal Protection Belt, Ancient Woodland, Special Areas of Conservation (SACs), Special Landscape Areas (SLAs), Local Wildlife Sites (LoWS) and the Upper Roach Valley) or sites of historic significance (such as Conservation Areas and Listed Buildings), and the impact on visual and residential amenity is minimal.
- 2.48 Where environmental improvements are to be encouraged, especially in the District's Conservation Areas, and other town and village centres, the Council will seek the co-operation of telecommunication providers in ensuring wherever possible that telephone cables are provided underground and that telephone boxes are sensitively designed and appropriately sited. Providers will be encouraged to dismantle all disused overhead lines.
- 2.49 The siting of substantial masts, which are essential to the operations of the various mobile phone companies, must be carried out with great care to ensure that sensitive areas do not suffer a loss of residential or visual amenity. Regard must be had however, to the limitations imposed by the nature of the telecommunications network and the technology that can constrain operators' choice of sites. A balance, therefore, needs to be struck.
- 2.50 Where the erection of a mast requires planning permission, their siting must be avoided in the sensitive areas of the District, as far as practicable. These areas include Conservation Areas, Listed Buildings, Sites of Special Scientific Interest (SSSIs), the Coastal Protection Belt, Ancient Woodland, Special Areas of Conservation (SACs), Special Landscape Areas (SLAs), the Upper Roach Valley and Local Wildlife Sites (LoWS). There is also a need to assess whether masts will affect any bird migration patterns and consultation will be undertaken with Natural England to assess this risk.
- 2.51 It is noted that planning permission is not required for all forms of telecommunications development. However, technical information supporting an application for planning permission must be accompanied by an ICNIRP (International Commission on Non-Ionizing Radiation Protection) certificate, which confirms that the emissions for the proposed installation are in compliance with the ICNIRP exposure guidelines. This ensures that the potential impact on amenity is taken into consideration.

- 2.52 Furthermore, there is a clear need to ensure communication between the different telecommunication companies to avoid the need for the erection of duplicate masts. Careful consideration needs to be given to the potential for mast sharing and also the placing of masts on existing buildings where their overall impact can be less than for a freestanding structure.

### **Policy DM6 – Telecommunications**

Where planning permission is required, proposals for the development of telecommunications networks, including the proposed equipment and associated structures should be avoided in sensitive locations (such as an area of nature conservation importance or the historic environment). Proposals for telecommunications development will be considered acceptable provided that:

- (i) if located on an existing building, mast or other structure, telecommunications equipment is sited and designed to ensure that there is minimal impact to the external appearance of the structure;
- (ii) in exceptional circumstances, if sited in a sensitive location (such as an area of nature conservation importance or the historic environment), it has been clearly demonstrated that there are no suitable alternative sites for the development of telecommunications systems available in the locality, the development is essential, it is to the benefit of the local community and it would not have a negative impact on the sensitive areas or local landscape character. Such evidence should accompany any application made; and
- (iii) evidence is provided along with applications which propose the siting of a new mast, to demonstrate that the possibility of erecting telecommunications equipment on existing buildings, masts or other structures has been fully explored. Where it can be shown that this is not possible, telecommunications development requiring an application for prior approval of siting and appearance will be considered acceptable where the equipment is of a design, height, material and colour, and where appropriate is screened, so as to minimise visual intrusion. Applicants should also consider:
  - (a) the potential impact of the proposal on the topography and natural vegetation;
  - (b) the proximity to areas of nature conservation interest or other sensitive areas and whether the proposal would have a negative impact; and
  - (c) the proposal's relationship to residential property, educational and healthcare facilities, employment and recreational sites.

When considering applications for telecommunications development, the Council will take into consideration the operational requirements of telecommunications networks and the technical limitations of the technology. Additionally, arrangements will be put in place to ensure that, if such development falls into disuse, any structures are removed and the land restored to its condition before development took place or other agreed beneficial use.



## **Character of Place**

### **Local List**

- 2.53 The Local List identifies individual buildings, groups of buildings or items of street furniture which are of local historic, architectural or visual importance, are locally distinctive or are considered to be character enhancing. The buildings on the Local List are non-designated heritage assets.
- 2.54 The Council recognise the importance of such buildings which contribute to the distinctive character of each area within the District and enhance the local environment. The setting of such buildings is considered to be of particular importance. The Council do not want to be overly restrictive but aim to provide guidance and criteria which will help to protect special characteristics of locally listed buildings or items of street furniture and encourage sensitive alterations and modifications, where appropriate.
- 2.55 The Council will work with owners of buildings included in the Local List at all stages of the planning process, and encourage them to avoid proposals for demolition, unsympathetic alterations or changes which will diminish the value of their buildings in historic, architectural or townscape terms.

### **Policy DM7 – Local List**

Alterations to buildings included on the Local List must complement the individual character of the building or group of buildings and retain important features or characteristics which make the building(s) worthy of local listing. The descriptions of the buildings which highlight the important features should be taken into consideration when alterations are proposed.

Extensions should be sensitive to the character and visual balance of the building, unless circumstances exist which outweigh the need to conserve the original building. Items of street furniture should not be altered unless this would improve their condition.

Applicants should demonstrate that the retention, restoration and/or replacement of the following have been carefully considered and addressed:

- (i) Important architectural and character features such as weatherboarding, modillions, bargeboards, existing roof material, cornerstones and ridge tiles, although this is not an exhaustive list; and
- (ii) Original windows for example sash windows should be retained and replaced with similar windows. The use of plastic PVC windows should be avoided.

If the building is part of a group then alterations should be consistent with the character or uniform appearance of the group.

### **Demolition within Conservation Areas**

- 2.56 Conservation Areas, as designated by the Council, are areas of special architectural or historic interest where the Council has a statutory duty to preserve or enhance their character and appearance. The character of an area derives from a number of elements; these can include the siting and design of its buildings, open spaces, views and features such as walls, the landscape, street scene, materials and the activities that take place there.
- 2.57 The Council has control over the demolition of most buildings (including walls and structures) within Conservation Areas by virtue of Section 74 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 2.58 The prime consideration when assessing such applications will be the desirability of preserving or enhancing the appearance of the area. The contribution made by the building to the architectural and/or historical interest of the area, and the wider implications of the building's demolition on its surroundings and on the Conservation Area as a whole will be taken into consideration.
- 2.59 National policy places great weight on the conservation of heritage assets; the more important the asset, the greater the weight that should be given to its retention. Any harm to or loss of a heritage asset should be avoided, unless it can be clearly justified. Substantial harm to or loss of grade II listed assets should be exceptional, and substantial harm to or loss of designated heritage assets of the highest significance (such as grade I and II\* listed assets) should be wholly exceptional.
- 2.60 Consent for the demolition of any building will not be granted unless there are acceptable plans for the future use of the site. In cases where redevelopment of the site is proposed, consent for the demolition will not be granted until full planning permission has been approved for the redevelopment scheme, and no demolition may occur until a legal agreement between Rochford District Council and the developers for redevelopment is in place.

### **Policy DM8 – Demolition within Conservation Areas**

Consent for the demolition of a building in a Conservation Area will be granted where it can be clearly demonstrated that the benefits of proposed demolition outweigh the harm to the Conservation Area. In the case of nationally or locally listed buildings, appropriate weight will be given to the significance of these heritage assets based on their importance when considering applications for demolition. Any harm to, or loss of, a nationally listed building will only be permitted in exceptional circumstances.

Detailed plans for the after-use of the site will be required to be in place prior to consent for the demolition of a building within the Conservation Area being granted. The Council will condition any consent for demolition to require that a contract for the carrying out of redevelopment works has been made and planning permission granted before any demolition takes place.

**Development outside, but close to the boundary of, Conservation Areas**

- 2.61 Conservation Areas are designated to protect the character and important value of particular townscapes. Conservation Area Appraisal and Management Plans have been produced to aid their protection and enhancement, and Conservation Areas are protected through national guidance and legislation.
- 2.62 Development in areas which are outside, but adjacent to, Conservation Areas can have an impact on the visual amenity, setting, character and value of those areas which are protected and so will seek to ensure that they do not have a negative impact on the Conservation Area. The impact a proposed development (including proposals for new buildings as well as alterations to existing buildings) may have on a Conservation Area will be determined on a site-by-site basis. English Heritage's guidance on 'The Setting of Heritage Assets' should be taken into consideration.

**Policy DM9 – Development outside, but close to the boundary of, Conservation Areas**

Proposals for developments which are outside, but close to the boundary of, Conservation Areas must have regard to their impact on the overall street scene, and setting of individual buildings or groups of buildings within and on the edge of the Conservation Areas.

Proposals for developments which would alter the appearance of a building should carefully consider the impact of the changes proposed on the setting, character and appearance of the adjacent Conservation Area. Account should be taken of all changes proposed including (but not limited to) changing building materials, altering the positioning and design of fenestration and extensions and other alterations.

### **3 The Green Belt and Countryside**

#### **Vision**

##### **Short Term**

- The openness and character of the Rochford Green Belt continues to be protected, though small areas next to settlements have been released for development.
- Existing businesses in the Green Belt which are important to the local economy continue to be supported.
- Redevelopment of unattractive buildings in Battlesbridge Conservation Area is taking place, enhancing the character and appearance of the Conservation Area whilst respecting the objectives of the Green Belt.
- A number of rural buildings have been converted to enable and support green tourism projects and rural diversification.
- New strategies for improving access to the countryside particularly within the Upper Roach Valley Special Landscape Area (the area encompassing Cherry Orchard Jubilee Country Park and Hockley Woods) are being implemented.,
- New visitor facilities at the RSPB nature reserve at Wallasea Island are being developed.

##### **Medium Term**

- Green tourism initiatives have been developed which provide sustainable opportunities for rural businesses whilst maintaining a high quality environment. These initiatives have encouraged small-scale tourism projects sensitive to the local environment which help to sustain the rural economy without contributing to climate change.
- Acceptance of greater flexibility towards rural diversification has resulted in the development of a number of bed and breakfasts and hotels, facilitating stays in the countryside for visitors to the area.
- The first phase of sustainable urban extensions to meet the District's housing needs over the plan period have been implemented. A small area of the District's Green Belt has been reallocated for employment use in order to facilitate the creation of new jobs which meet the population's needs and contribute towards the District's economy.

##### **Long Term**

- The Green Belt remains predominantly undeveloped and open in character.
- Rochford District continues to be recognised as the green part of the Thames Gateway South Essex.
- The second phase of sustainable urban extensions is completed.
- Rochford is recognised as a tourist destination, with good access to the rivers and waterways and many visitors to the nationally recognised wetlands at Wallasea, and the sub-regional greenspaces located within the Upper Roach Valley Special Landscape Area and in the area to the south of the River Roach.

### Objectives

1. Continue to protect the openness and character of the District's Green Belt.
2. Ensure the minimum amount of Green Belt is allocated to meet the District's housing and employment needs, and that extensions to the residential envelope are in sustainable locations, which retain the individual identities of settlements and prevent coalescence.
3. Ensure existing lawful businesses in the Green Belt are able to continue to function and contribute to the local economy, as appropriate, having regard to the impact on the openness and character of the Green Belt.
4. Ensure appropriate forms of diversification are encouraged to support the local rural economy and help achieve the vision of developing green tourism in the District.
5. Ensure that appropriate activities are encouraged within the Green Belt such as areas of greenspace with facilities suitable for a wide range of activities including recreation, education, and nature study.
6. Improve access to the countryside through a range of mechanisms including the delivery of viable aspects of the Thames Gateway Green Grid Strategy and the Parklands Vision, alongside Essex County Council and neighbouring authorities.

### Introduction

- 3.1 Rochford District is predominantly rural, and the majority of land within the District is designated as Metropolitan Green Belt. In addition, there are areas of countryside at the eastern extremity of the District which are isolated, undeveloped and rural in character but sit outside of the Green Belt. The Core Strategy notes that the Council envisages Rochford District will continue to be the green part of the Thames Gateway. National policy on the Green Belt is contained within the NPPF.
- 3.2 The most important aspect of the Green Belt is its openness. The five purposes of including land within the Green Belt are set out in the Core Strategy as follows:
  - To check the unrestricted sprawl of large built-up areas;
  - To prevent neighbouring towns from merging into one another;
  - To assist in safeguarding the countryside from encroachment;
  - To preserve the setting and special character of historic towns; and
  - To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 3.3 The Core Strategy continues to maintain the restrictive approach towards development within the Green Belt to protect its openness. It is, however, recognised that the minimum amount of Green Belt necessary will need to be reallocated for appropriate alternative uses to meet the District's housing and employment needs.

- 3.4 It is recognised in the Core Strategy that rural diversification, including non-agricultural activities, is important for the rural economy. However, it is also necessary to consider the impact of diversification on the character of rural areas, economic development in urban areas, and wider sustainability issues. It should also be noted that much of the District's countryside is designated as Green Belt, and as such is expected to perform an important role as described above. Accordingly rural diversification is encouraged in the Core Strategy (e.g. the conversion of buildings to bed and breakfasts/small-scale hotels) which will enhance the rural economy whilst respecting the principles set out in the NPPF.
- 3.5 Rural diversification is considered within the Green Belt chapter of the Core Strategy, however, specific planning issues with respect to development within the Green Belt and wider countryside, including the impact of permitted development rights and tourism, needs further elaboration.
- 3.6 The classification of land as 'Green Belt' is a planning designation, rather than a description of the land itself; nevertheless its designation is fundamental in maintaining the green open character of the District and preventing the coalescence of settlements. It is recognised, however, that not all areas of the Green Belt are of the same character; rural diversification will be more appropriate in some parts than others. Such areas are no less worthy of Green Belt designation and continue to perform an important role in preserving the character and openness of the District but they may also afford tourism, rural diversification and leisure and recreational opportunities, where appropriate.
- 3.7 Proposals that comply with the Policies DM10 to DM23 set out within this section are not, by definition, inappropriate development.

### The Green Belt and Countryside

- 3.8 It is recognised that whilst the majority of the District is designated Metropolitan Green Belt, a proportion of the land mass to the east is open countryside which is not afforded this designation. This area around Foulness is encompassed by the Coastal Protection Belt and other nature conservation designations (such as Ramsar Sites, Special Protection Areas and Special Areas of Conservation). Accordingly it is important to have policies which relate to both the Green Belt and the wider countryside as appropriate.
- 3.9 Some of the issues and policies set out in this chapter are applicable to Green Belt and not the countryside, whilst others apply to both. Text within the sections themselves explain whether they are applicable to just the Green Belt, or the Green Belt and wider countryside.

### Landscape Character

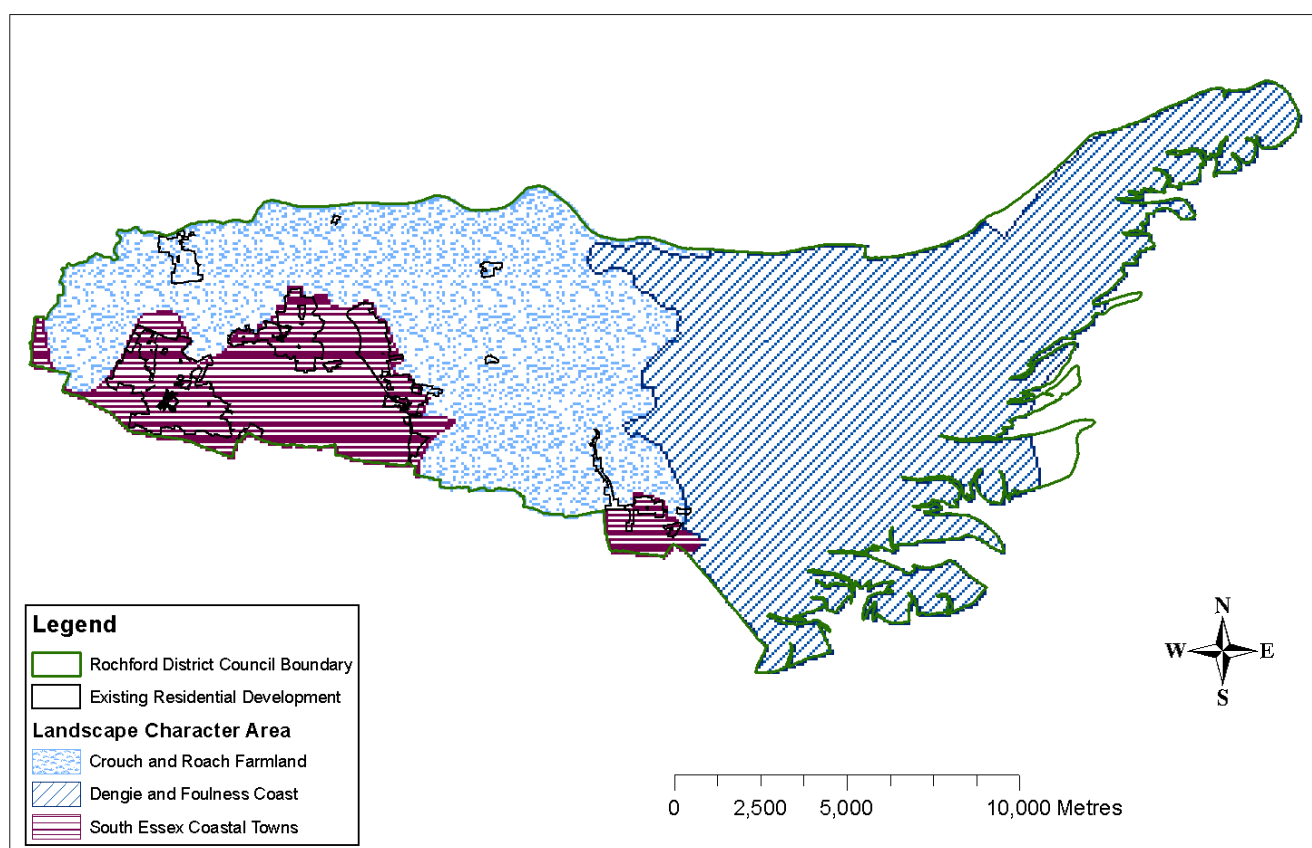
- 3.10 Rochford District is divided into three landscape character areas (see Figure 3):

- Crouch and Roach Farmland - The coastal character of the area is defined by the narrow estuaries which penetrate far inland, with associated low lying mudflats, salt marsh and reclaimed marshlands, including grazing marsh. The

land between the estuaries and their immediate margins is undulating arable farmland.

- Dengie and Foulness Coast - This is an extensive, remote area of reclaimed marshland, tidal mudflat sands and fringing salt marshes (which is rich in wildlife) beyond the sea wall; and
- South Essex Coastal Towns - An area of very mixed character, but unified by the overall dominance of urban development, with frequent views of an urban skyline.

3.11 The sensitivity of these landscape character areas to change is quite variable. The most sensitive area is the Dengie and Foulness Coast. The South Essex Coastal Towns landscape area is generally the least susceptible, although there are important nature conservation designations within this area (e.g. the Upper Roach Valley) which will need to be considered. This landscape is also highly sensitive to infrastructure development (for example, masts and pylons) and to a decline in countryside management.

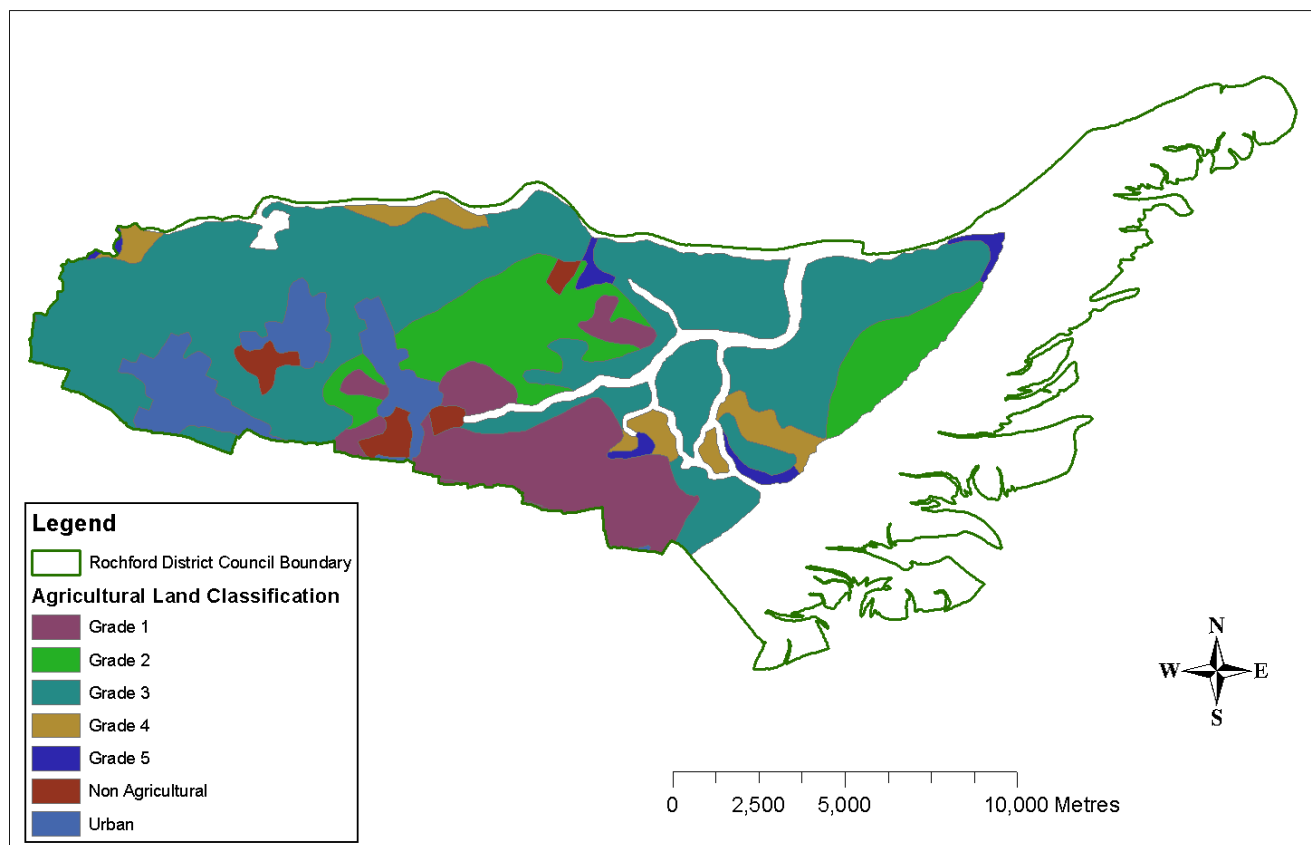


**Figure 3 – Landscape Character Areas of Rochford District**  
(Source: Essex County Council)



## Agricultural Land

- 3.12 Over half of the agricultural land located within Rochford District is classified as Grade 3. The majority of Grade 1 agricultural land is located to the south and south east of the District. The majority of Grade 2 agricultural land is centrally located in the District, as well as there being a small isolated area present to the east (see Figure 4).



**Figure 4 – Agricultural land classification of Rochford District**  
(Source: Essex County Council)

## Development of Previously Developed Land in the Green Belt

- 3.13 Land that is previously developed is defined in the NPPF as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. However, previously developed land does not include (points which further clarify the NPPF definition are underlined):

- land that is or has been occupied by agricultural or forestry buildings (agricultural or forestry buildings includes glasshouses/greenhouses or other horticultural buildings);
- land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures;



- land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and
- land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time (this includes buildings which have fallen into ruin or have been totally or partially demolished five or more years previously).

- 3.14 The Core Strategy (Policy GB2) supports certain forms of rural diversification and recreational uses are within the Green Belt but states that residential development and retail (with the exception of farm shops) are not considered to be acceptable forms of rural diversification.
- 3.15 Subsequent to the adoption of the Core Strategy, the NPPF has introduced new national policy on Green Belt. Whilst broadly the same as that which was in place previously, the NPPF does, however, state (paragraph 89) that redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development is not inappropriate development in the Green Belt.
- 3.16 Given the aforementioned change to national policy in respect of the Green Belt, and notwithstanding Policy GB2 of the Core Strategy (which remains extant), it is considered appropriate to set out the Council's policy on redevelopment of previously developed land in the District's Green Belt.
- 3.17 As with other forms of development in the Green Belt, the Council will favour applications for the redevelopment of previously development land that are in accordance with Policy GB2 of the Core Strategy. As such, redevelopment of previously development land in the Green Belt to residential, retail or other uses which are more appropriately located in town centres (e.g. office, commercial, leisure, and community uses) are not generally supported.
- 3.18 However, there may be circumstances in which the redevelopment of previously developed land for uses not generally supported by the Core Strategy in the Green Belt is nevertheless appropriate.
- 3.19 The strategic approach to residential and employment development set out in the Core Strategy has identified that a minimum amount of Green Belt land needs to be allocated to accommodate local need (Policy H2, H3 and ED4 of the Core Strategy). Land identified to meet these needs will be addressed within the Allocations Document.
- 3.20 Residential development should primarily be directed towards the District's defined residential settlements; sporadic development that is poorly related to existing development and services and facilities can negatively impact on sustainability. As such, it is important that any redevelopment of previously developed land for residential development in the Green Belt is very carefully managed to ensure it is sustainable.
- 3.21 Proposed residential development on previously developed land in the Green Belt should be well related to existing defined residential settlements. In this context, proposals will generally be considered well related to existing residential settlements if they are within 800 metres walking distance.

- 3.22 Proposals for residential development should be well related to local services and facilities (including schools, doctor's surgeries, shops etc.). In this context, as a guide proposals will generally be considered well related to local services and facilities provided they are within 800 metres walking distance of at least one of the following: allocated town centre; doctor's surgery; school (primary or secondary); or convenience retail store.
- 3.23 Proposals should also have good connections to the strategic road network, and promote sustainable transport modes such as walking and cycling.
- 3.24 Proposals for residential development should not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment. The landscape character area in which the proposal is situated should also be carefully considered. There are three different landscape character areas in the District, as set out above (Figure 3), and these have varying sensitivity to change. The South Essex Coastal Towns Landscape Character Area generally has the least sensitivity to change, and as such, proposals for residential use may be considered more favourably within this landscape character area.
- 3.25 Proposals for retail development should firstly apply the sequential approach to such development in accordance with Policy RTC2 of the Core Strategy. If it can be demonstrated that the proposal could not be located within a town centre, then edge-of-centre locations should be carefully considered. Finally, out-of-town locations for retail development will be considered once it has been demonstrated that such a location (which could include previously developed land in the Green Belt) would be the most appropriate location for the proposed development. Any proposals for an out-of-town retail development should not undermine the function of the District's town centres.
- 3.26 Proposals should be located in proximity (generally within 800 metres walking distance) to defined residential settlements. The development should have good connections to the strategic road network and should promote alternatives to private transport such as walking and cycling. Proposals should consider the landscape character area in which the proposal is situated, as these have varying sensitivity to change, and those located within the South Essex Coastal Towns landscape character area may be considered more favourably.
- 3.27 In addition, the proposed development should not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment. Such development should positively contribute to sustainable development.
- 3.28 Other uses not supported in the Green Belt by Policy GB2 of the Core Strategy such as office, commercial, leisure, and community uses, should be directed towards allocated employment land or the town centres, depending on the nature of the business, unless it can be demonstrated that this would not be appropriate.
- 3.29 Proposals for the location of such uses on previously developed land in the Green Belt should contribute positively towards the principles of sustainable development.
- 3.30 The development of other uses (such as office, commercial, leisure and community uses) should be located in proximity to defined residential settlements (generally

within 800 metres walking distance), have good connections to the strategic road network, and promote sustainable transport modes such as walking and cycling. However, other forms of development such as certain forms of industrial use, are better located away from residential areas due to reasons of residential amenity. Such uses should still be directed to sustainable locations, but not within close proximity to dwellings.

- 3.31 Due consideration should be given to the landscape character area in which the proposal is situated, as these have varying sensitivity to change. As such, proposals for office, commercial, leisure, and community uses may be more favourable within the South Essex Coastal Towns landscape character area. Such development should not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment.
- 3.32 Any development of previously developed land in the Green Belt should not undermine the five purposes of including the land within the Green Belt. In terms of conserving the Green Belt and character of the countryside, any development should not have a greater impact on openness than the existing buildings/structures on the site in terms of its scale, design and siting. The potential ecological value of the site should also be taken into consideration, as land that is previously developed can have the potential to support biodiversity.
- 3.33 Proposals should also have regard to Policy DM5, DM11, DM12, DM13, DM14 and DM15 of this plan in particular.

#### **Policy DM10 – Development of Previously Developed Land in the Green Belt**

The Council will favour proposals for the redevelopment of previously developed land in the Green Belt which accord with Policy GB2 of the Core Strategy.

Proposals for the development of residential, retail and other uses not promoted by Policy GB2 of the Core Strategy, such as office, commercial, leisure, and community uses, on previously developed land that is located in the Green Belt may be appropriate if it can be demonstrated that it would constitute sustainable development (i.e. all of the below criteria are met).

In particular, proposed residential development of previously developed land in the Green Belt will be permitted provided that the proposal:

- (i) is well related to a defined residential settlement;
- (ii) is well related to local services and facilities;
- (iii) has good connections to the strategic road network;
- (iv) would promote sustainable transport modes;
- (v) would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment;
- (vi) is located within the South Essex Coastal Towns landscape character area.

Proposed retail development of previously developed land in the Green Belt will be permitted provided that:

- (i) there are no suitable and available alternative sites in a town centre or edge-of-centre location;
- (ii) the proposed development would not undermine the function of the District's town centres;
- (iii) the proposed development is well related to a defined residential settlement;
- (iv) the proposed development has good connections to the strategic road network;
- (v) the proposed development would promote alternatives to private transport;
- (vi) the proposed development would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment;
- (vii) the proposed development is located within the South Essex Coastal Towns landscape character area.

Proposals for other uses not promoted by Policy GB2 of the Core Strategy (such as office, commercial, leisure, and community uses) will be permitted provided that:

- (i) it can be demonstrated that locating the proposed development on employment land, in a town centre or edge-of-centre location would not be appropriate, viable and/or deliverable;
- (ii) the proposed development is well related to a defined residential settlement if appropriate having regard to the type of development proposed and potential impact on residential amenity;
- (iii) the proposed development has good connections to the strategic road network;
- (iv) the proposed development would promote sustainable transport modes;
- (v) it would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment;
- (vi) the proposed development is located within the South Essex Coastal Towns landscape character area.

Development of previously developed land should not undermine the five purposes of including the land within the Green Belt.

Any development which is permitted should be of a scale, design and siting such that the openness of the Green Belt and character of the countryside is not harmed, and nature conservation interests are protected.

### **Employment Opportunities in the Green Belt and Countryside**

3.34 The Council supports the sustainable economic development of the District, including through developing existing spatial patterns of employment as outlined in the Core Strategy, and seeking to ensure the continued functioning and growth of small and medium sized businesses. These businesses play an important role, particularly in the sustainability of rural economies in creating local employment opportunities within the District; however, the Council recognises that it is imperative to balance the potential for economic growth with the protection of the District's countryside, and Green Belt land in particular.

- 3.35 There are a number of issues in respect of economic development in rural areas outside of the Green Belt which are adequately addressed by national planning policies and as such should not be repeated in the District's own policies. However, it is recognised that there is a potential conflict between national planning policies promoting economic development in rural areas, and those that seek to protect the Green Belt. Policies DM11 and DM13 below relate, as detailed in the text and options, only to the Green Belt and seek to address this potential conflict. With regards to rural diversification the Council believes that further elaboration on national planning policy is required; Policy DM12 looks at rural diversification in the Green Belt and in non-Green Belt countryside.

### **Existing Businesses in the Green Belt**

- 3.36 There is already a diverse range of businesses operating within the Green Belt, for a variety of historical and operational reasons. These locations are not designated as employment land because they are not appropriate for intensification or additional business uses, as these would negatively impact on the character of the area and would be unsustainable. The Council acknowledges that these businesses make an important contribution to the local rural economy; however, their location still merits Green Belt designation.
- 3.37 The Council recognises the importance of encouraging and sustaining local economic growth throughout the District, but this needs to be weighed against the impact of business operations on the objectives of the Green Belt, in particular its openness as well as wider sustainability objectives. The Council will support lawfully established businesses in appropriate and accessible locations to encourage the vitality of the local economy and to fulfil the potential of local businesses. To preserve openness as far as possible and to protect the character of the Green Belt, existing lawfully established businesses will in principle be allowed to increase the gross floorspace of the original building where existing business operations are taking place. The 'original building' in this case refers to the floor area as at 1948 or later (depending on when the building was constructed). However, if no original plans or plans for extensions are evident in the planning records, then the Council will assume that the current building is original. The size and scale of proposed extensions must be proportionate and will be determined on a case by case basis taking into consideration the NPPF.
- 3.38 Extensions to buildings for lawfully established businesses in the Green Belt, however, may be permitted provided that there are no suitable and available vacant units either on the site or close to the business in question. Where there are suitable units which are available then, in the interests of preserving the openness of the Green Belt whilst supporting lawfully established businesses, an extension will not be permitted. Existing units should be utilised, as far as practicable, before extensions are permitted.
- 3.39 The growth of the business should not have a detrimental impact on the amenity of nearby residential dwellings through a significant increase in traffic generation (either on the rural highway network or through the provision of additional car parking), or pollution (through noise, lighting, or other forms of emissions).

### **Policy DM11 – Existing Businesses in the Green Belt**

The Council will support existing lawfully established businesses in the Green Belt, allowing extensions to existing business premises, replacement of existing business premises, and changes of use to enable diversification, where appropriate, subject to the following:

- (i) extensions and/or changes of use relate to an existing business which is lawfully established and would not be detrimental to nature conservation interests, landscape character, the historic environment, the best and most versatile agricultural land or residential amenity;
- (ii) the availability of suitable vacant units on the site/close to the business in question;
- (iii) where an extension is proposed it would not result in a disproportionate increase in gross floorspace over that of the original building;
- (iv) where a replacement is proposed it would not be materially larger than the one it replaces;
- (v) the development has been designed to minimise impact on the character, appearance and openness of the Green Belt;
- (vi) the scale, design and materials of the original building is respected;
- (vii) the development would not undermine town centre regeneration;
- (viii) the type or volume of generated traffic, particularly heavy goods vehicles, would be appropriate to the rural highway network, would not have an unacceptable adverse effect on highway safety, the amenity of nearby residential occupiers or important wildlife habitats; and
- (ix) where the conversion of nationally or locally listed agricultural and rural buildings is proposed it should:
  - (a) not negatively impact on the quality of the listed structure; and
  - (b) not affect the integrity of the existing structure. A structural engineers report should accompany any application for conversion of a Listed Building.

Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.

### **Rural Diversification**

- 3.40 Supporting rural diversification is important to ensure the prosperity of the local economy. As identified in the Core Strategy, the Council supports activities which would complement the current functioning of agricultural establishments through rural diversification, which includes the conversion of existing agricultural and rural buildings for small-scale B1 employment use, green tourism, conversion of farm buildings to bed and breakfasts/small-scale hotels and outdoor recreation and leisure activities (Core Strategy Policy GB2). Retail and residential development, however, are not generally considered acceptable forms of rural diversification in the Green Belt or rural areas outside the Green Belt.
- 3.41 The use of existing agricultural and rural buildings for bed and breakfast accommodation is acceptable in principle within the Green Belt and wider countryside



because this can make a positive contribution to the local rural economy and support the development of local green tourism initiatives.

- 3.42 Permission for development within the Green Belt and wider countryside must have regard to the landscape character, and the sensitivity of such a landscape to the development proposed, and the grade of agricultural land. It is recognised that the landscape areas less sensitive to development are also those that are generally less isolated and are more accessible. These areas tend to offer more viable and sustainable opportunities for rural diversification.
- 3.43 It is, however, recognised that agricultural establishments looking to diversify their activities are often located within Crouch and Roach Farmland and Dengie and Foulness Coast landscape character areas. Established agricultural and rural buildings already have an impact on the openness of the Green Belt and character of the countryside. As such these have the potential to still benefit from rural diversification opportunities, where appropriate, without further undue harm to the openness of the Green Belt or character of the countryside. Proposals should also take into consideration the value of agricultural land (in terms of the agricultural land classification as set out in Figure 4) that may be impacted through rural diversification.

#### **Policy DM12 – Rural Diversification**

Rural diversification will be supported so long as it involves an appropriate form of rural activity, as outlined in the Core Strategy, and having regard to the following:

- (i) the need to ensure that the proposed use would not have an undue impact on the openness of the Green Belt, character of the countryside, nature conservation interests, the historic environment, visual amenity or residential amenity;
- (ii) the need to ensure that the proposed use would not introduce additional activity or traffic movements likely to materially and adversely affect the openness of the Green Belt or character of the countryside, or place unacceptable pressures on the surrounding highway network;
- (iii) the sensitivity of the landscape character area to the proposed development;
- (iv) the impact of the proposal on the agricultural value of the land;
- (v) where rural diversification for employment opportunities is proposed, the area should have good links to the highway network particularly taking account of highway safety; and
- (vi) where the conversion of nationally or locally listed agricultural and rural buildings is proposed it should:
  - (a) not negatively impact on the quality of the listed structure; and
  - (b) not affect the integrity of the existing structure. A structural engineers report should accompany any application for conversion of a Listed Building.

Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.



### **Conversion of Existing Agricultural and Rural Buildings in the Green Belt**

- 3.44 The NPPF sets out the government's planning policies for economic development in rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas. The guidance encourages the reuse of existing farm buildings in the interest of rural diversification where practicable. The Council supports this objective and the conversion of existing agricultural and rural buildings in the countryside, and Green Belt where this is appropriate. As such, it is necessary to set out a policy for the conversion of agricultural and rural buildings in the Green Belt which balances economic and Green Belt objectives. Where the 'original building' is mentioned, this refers to the floor area as at 1948 or later (depending on when the building was constructed). However, if no original plans or plans for extensions are evident in the planning records, then the Council will assume that the current building is original.
- 3.45 Residential conversion of existing agricultural and rural buildings is not considered appropriate in the Green Belt or the wider countryside because it will undermine the Council's strategic approach to residential development and overarching sustainability objectives as detailed in the Core Strategy. Further to this, and pertinent to the matter of employment opportunities in the Green Belt and wider countryside, business uses in the Green Belt have the potential to support economic development and employment in rural areas, whereas residential conversion does not.
- 3.46 The Council does not wish to see listed agricultural and rural buildings (either those with Listed Building status or those locally important buildings on the Local List) such as outbuildings, barns and stables, which contribute to the heritage of the District to become neglected through a restrictive approach to their use. These buildings may be capable of serving a useful purpose in the rural environment and can contribute to the functioning of the local economy. As such, rural diversification of listed agricultural and rural buildings will be accepted, however, significant alterations will only be considered if they do not have an adverse impact on the integrity of the existing structure or its significance as a historic building. Supporting evidence from a structural engineer should accompany any application for the conversion of listed agricultural and rural buildings. Whilst appropriate rural diversification opportunities would be supported, the purpose of this policy is not to resurrect derelict agricultural or rural buildings, but to support rural diversification, and its ensuing economic benefits through the use of existing buildings.

**Policy DM13 – Conversion of Existing Agricultural and Rural Buildings in the Green Belt**

The reuse or adaptation of existing agricultural and rural buildings will be supported provided that:

- (i) the application relates to an existing building of permanent and substantial construction;
- (ii) the proposed use would not introduce additional activity or traffic movements likely to materially and adversely affect the openness of the Green Belt, or place unacceptable pressures on the surrounding highway network;
- (iii) the proposal does not exceed the existing footprint of the original building, with the exception of an allowance for additions that would be permitted in accordance with Policy DM11;
- (iv) would not have an undue impact on residential amenity;
- (v) there would be no detrimental impact on nature conservation or historic environment interests;
- (vi) where the conversion of nationally or locally listed agricultural and rural buildings is proposed it should:
  - (a) not negatively impact on the quality and significance of the listed structure; and
  - (b) not affect the integrity of the existing structure. A structural engineers report should accompany any application for conversion of a Listed Building.
- (vii) The conversion of existing agricultural and rural buildings for residential uses will be permitted provided that the proposal:
  - (a) is well related to a defined residential settlement;
  - (b) is well related to local services and facilities;
  - (c) has good connections to the strategic road network;
  - (d) would promote sustainable transport modes;
  - (e) would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment; and
  - (f) is located within the South Essex Coastal Towns landscape character area.

Where conversion incorporates additions in accordance with Policy DM11, further extensions will be restricted.

Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.

## **Tourism Opportunities in the Green Belt and Countryside**

### **Green Tourism**

- 3.47 The potential for the development of tourism within the District has been recognised as an avenue for enhancing the local economy, particularly in rural areas. The Council aims to encourage the promotion of green tourism which would benefit the local population through rural diversification and promote the District's green open spaces. There is the possibility of exploring landscape tourism based upon the differing landscape characteristics across the District.
- 3.48 Green tourism refers to sustainable tourism activities which can be promoted within the countryside (including within the Green Belt) and are sensitive to the both the natural and historic environment, and are sustainable in terms of stimulating rural economic growth and encouraging diversification of rural activities. Small-scale outdoor recreational and leisure activities such as walking and small-scale fishing lakes are considered appropriate forms of green tourism. Proposed activities should have a positive impact on the local environment and visual amenity of the surrounding area, and when considering the potential impact on the historic environment, the sensitivity of the different Historic Environment Character Zones set out in the Rochford District Historic Environment Characterisation Project (2006) should be taken into consideration. Furthermore the promotion of green tourism must respect nature conservation interests and proposals must not adversely affect sites of ecological importance.
- 3.49 The majority of the District is designated Green Belt land, and as such, the impact of this must be considered within the promotion of green tourism. Activities should not impact on the openness of the Green Belt, and where ancillary facilities may be needed, existing rural buildings should be utilised, where appropriate. In considering proposals for a tourism activity, the landscape character and quality of the agricultural land affected will be considerations.

### **Policy DM14 – Green Tourism**

The Council will support proposals for green tourism, provided the proposal would not have an undue negative impact on:

- (i) the openness of the Green Belt (if applicable) and character of the countryside;
- (ii) the visual amenity of the surrounding area;
- (iii) the amenity of local residents;
- (iv) important areas of nature conservation, including any potential disturbance to nearby sites recognised for their importance for biodiversity or geodiversity;
- (v) the landscape character area in which the proposal is situated, having regard to the area's sensitivity to the development proposed;
- (vi) the historic environment, taking into consideration the sensitivity of the different Historic Environment Character Zones set out in the Rochford District Historic Environment Characterisation Project (2006);
- (vii) on the agricultural value of the land;
- (viii) on the highway network, having regard to the likely scale of tourism that the proposal would generate; and
- (ix) where the conversion of nationally or locally listed agricultural and rural buildings is proposed it should:
  - (a) not negatively impact on the quality of the listed structure; and
  - (b) not affect the integrity of the existing structure. A structural engineers report should accompany any application for conversion of a Listed Building.

Where ancillary facilities are proposed for the purposes of green tourism, it must be demonstrated that such facilities are necessary for the functioning of the activity. Existing agricultural and rural buildings should be reused and converted for the accompanying uses, wherever possible. Any new structures must be the minimum size, height and bulk to accommodate the proposed use. Ancillary facilities should not have an undue impact on the openness of the Green Belt or character of the countryside.

The conversion of existing agricultural and rural buildings to bed and breakfasts/small-scale hotels/holiday lets will be permitted in appropriate locations provided that all of the above criteria are met and:

- (a) the application relates to an existing building of permanent and substantial construction; and
- (b) the proposal does not exceed the existing footprint of the original building, with the exception of an allowance for additions that would be permitted in accordance with Policy DM11.

Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.

### **Leisure and Recreational Opportunities in the Green Belt and Countryside**

- 3.50 The NPPF (paragraph 89) considers the construction of new buildings for the provision of appropriate facilities for outdoor sport and recreation to be appropriate in the Green Belt, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. The NPPF (paragraph 81) also supports opportunities to enhance the beneficial use of the Green Belt, for example through providing opportunities for outdoor sport and recreation.
- 3.51 The Council recognises that the District's countryside offers the opportunity for numerous leisure and recreational activities as outlined in the Core Strategy. Equestrian facilities and playing pitches, in particular, are supported as appropriate forms of rural diversification for leisure and recreational purposes in the countryside. However, other forms of small-scale leisure and recreational activities may be considered appropriate provided that they do not have an undue impact on the openness of the Green Belt and character of the countryside.

### **Equestrian Facilities**

- 3.52 The provision of equestrian facilities is a popular form of rural diversification. Increasing demand for equestrian facilities within the District, however, reinforces the need to ensure a balanced approach through weighing the need for adequate recreational facilities for equestrian activities against the protection of the Green Belt and countryside, and wide-ranging nature conservation interests throughout the District. Equestrian development can appear as 'creeping urbanism', blurring the boundaries between urban areas and the open countryside. The NPPF (paragraph 28) sets out the government's approach to development in rural areas. It supports the development and diversification of agricultural and other land-based rural businesses, and sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. The vast majority of the District's rural areas are designated as Green Belt and, as such, a balance needs to be struck between supporting equestrian facilities and ensuring minimal impact on the openness of the Green Belt and character of the countryside.
- 3.53 The Council support the diversification of rural economies and as such encourage diversification into equestrian activities, in appropriate circumstances, where the proposal is suitably located and would not negatively impact on the environmental quality of the local area, openness of the Green Belt or the character of the countryside. As such, proposals should have regard to landscape character, biodiversity, impact on the openness of the Green Belt (where applicable), and nature conservation value of the area in which it is proposed.
- 3.54 Small-scale equestrian proposals (offering stabling for up to 10 horses) and large-scale proposals (proposing stables for 10 horses or more), where permitted, should ensure full reuse of existing agricultural and rural buildings before proposals for new development are considered. Where it is demonstrated that existing agricultural and rural buildings are inappropriate or insufficient for the purposes of the enterprise, new equestrian development may be permitted, providing it is closely located and related to existing development and not sited in remote or isolated rural locations. Isolated development can often appear intrusive in open countryside and can lead to the

intensification of uses once established. As such, equestrian development may be more favourable within the South Essex Coastal Towns landscape character area.

- 3.55 Proposals should seek to minimise the impact of proposed development on the openness of the Green Belt and character of the countryside by ensuring that any new buildings are of a modest design and scale, which is appropriate and the minimum size necessary for their intended purpose. Facilities should be located within one building, if appropriate, or in close proximity to other buildings to ensure visual intrusion is minimised. The Council considers that large-scale development of stables and a proliferation of small-scale developments are inappropriate because such enterprises would materially affect the landscape character and the integrity of the countryside and have an undue impact on the openness of the District's Green Belt.
- 3.56 It is important to ensure that the welfare of horses through the provision of equestrian facilities is balanced against the potential impact on the openness of the Green Belt and character of the countryside. Therefore any proposed stable facility will have regard to the British Horse Society Standards in terms of stable size and grazing area as set out in 'Guidelines for the Keeping of Horses: Stable Sizes, Pasture and Fencing'<sup>12</sup> or the most up-to-date guidance. The Society, for example recommends 0.4 hectares (approximately 1 acre) of grazing land per horse. However, to protect the openness of the Green Belt, proposals should not result in a proliferation of stables.

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<sup>12</sup> 'Guidelines for the Keeping of Horses: Stable Sizes, Pasture and Fencing' available from [https://www.bhs.org.uk/sitecore/content/mss\\_content/Websites/MainSite/Horse\\_Care/Horse\\_Care\\_Advice/Publications/Download.aspx](https://www.bhs.org.uk/sitecore/content/mss_content/Websites/MainSite/Horse_Care/Horse_Care_Advice/Publications/Download.aspx)

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### **Policy DM15 – Equestrian Facilities**

Applications for equestrian development with essential ancillary facilities will be supported, provided that:

- (i) the proposal is for small-scale equestrian development (fewer than 10 stables) which does not create a proliferation of similar, or other associated, businesses in the same locality;
- (ii) the maximum number of stables per hectare is related to the amount of open space. The requirement will be no more than one stable for each 0.4 hectares of site area;
- (iii) buildings to serve private or commercial livery use are located near to existing settlements and in a sustainable location, unless justification for alternative siting is demonstrated;
- (iv) the proposal utilises redundant agricultural and rural buildings, where possible. Where it can be demonstrated that existing buildings are inappropriate or insufficient for the proposed use, new buildings will be permitted provided that they are the minimum size necessary for their intended purpose and facilities are proposed to be sited in one location/building, if appropriate;
- (v) the proposal is well related to existing or proposed bridleways and will not cause conflicts between equestrians, and have no adverse effect on the road or highway safety of the area;
- (vi) the proposed stabling and other small-scale essential facilities is modest and appropriate in scale and designed to minimise the potential detrimental impact on the openness of the Green Belt, character of the countryside, the different landscape character areas, the best and most versatile agricultural land, the historic environment or important areas of nature conservation interest; and
- (vii) there will not be a detrimental effect on the amenity of the local area by virtue of noise, light, smell or disturbance.

Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.

### **Playing Pitches and Other Leisure and Recreational Activities**

- 3.57 Playing pitches are an important community facility, and as such they should be sited within locations which are accessible to the general population. Their siting should also be considerate to the landscape character area, the historic environment, areas of nature conservation interest, and quality of the agricultural land on which they are proposed. Such facilities are an acceptable form of leisure and recreational development within the Green Belt and wider countryside, and will thus be supported in principle subject to the provisions set out in the Core Strategy.
- 3.58 The current supply and demand for playing pitches within the District is monitored within the Playing Pitch Strategy Supplementary Planning Document (SPD). This SPD also provides recommendations for future provision of these facilities, and as such, the provision within new developments should have regard to these findings. Playing pitches for the purpose of the study, however, only encompasses facilities for football, rugby, cricket and hockey. The Playing Pitch Strategy SPD should be used to identify where there are deficits in the supply of pitches for these sports. However, where



there is more up-to-date evidence and it can be demonstrated that there is a deficit in supply in a particular sport in an area not identified in the SPD, or it can be demonstrated that facilities cannot be shared or other existing facilities cannot be utilised, or it can be demonstrated that the deficit location would not meet the teams/activities needs (for example the pitch should be closer to where the majority of players originate); then diversion from the Playing Pitch Strategy SPD may be considered appropriate.

- 3.59 The Council recognises the importance of other sport and recreational activities, in addition to the provision of playing pitches (for the sports defined above) and equestrian facilities within the District, which can make an important contribution to resident's quality of life. The provision of such facilities is preferable within the South Essex Coastal Towns landscape character area to maximise the benefits for existing and new communities and to reduce the need to travel, thus enhancing their sustainability. However, other areas of the District may be more appropriate locations depending on the level of supply and demand for particular leisure and recreational activities. The Council will keep such supply and demand under review. When proposing other leisure and recreational activities, regard will be had to the Open Space Study evidence base document, which identifies the spatial distribution of key open spaces, leisure and recreational activities within the District.
- 3.60 Leisure and recreational activities are often accompanied by permanent structures, which can impact on the openness of the Green Belt and character and appearance of the countryside. Ancillary facilities will be supported within the Green Belt and wider countryside provided that they are in accordance with the Core Strategy, are small-scale and essential to the functioning of the leisure or recreational activity, and seek to minimise the potential impact on the Green Belt and on nature conservation interests. The facilities should be the minimum size necessary for the functioning of the activity which will be determined on a case by case basis. Design guidance published by Sport England such as 'Design Guidance Notes: Pavilions and Club Houses'<sup>13</sup> should be taken into account. The development of such facilities should not exceed the minimum size as specified within the Sport England guidance, or the most up-to-date guidance available, unless it can be adequately demonstrated that larger facilities are essential. In any case the impact of proposed ancillary facilities on the openness of the Green Belt and character of the countryside would need to be carefully considered. Proposals for the lighting of such facilities should have regard to Policy DM5.

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<sup>13</sup> Sport England guidance document available from: <http://www.sportengland.org/>

### **Policy DM16 – Playing Pitches and Other Leisure and Recreational Activities**

Proposals for football, rugby, cricket or hockey playing pitches will normally be expected to be located within an area where a deficit in supply has been identified in the Playing Pitch Strategy SPD. Proposals for the siting of these playing pitches and other leisure and recreational activities will be permitted provided that:

- (i) they are proposed in an area where a deficit in supply has been identified. Alternative locations where a deficit has not been identified may be acceptable where more up-to-date evidence on supply and demand is available, where it would involve the replacement of a lost playing field or where it can be demonstrated that it is not feasible to share facilities or utilise other existing facilities in the locality, for example school playing fields; or where it can be demonstrated that the deficit location would not be viable to meet the teams/activities needs;
- (ii) they are well related to a defined residential settlement. Regard must be had to the potential impact on the best and most versatile agricultural land, and the landscape character area in which the proposed pitches reside. Such leisure and recreational activities may be considered more appropriate in the South Essex Coastal Towns landscape character area, however, their location should be determined by demand, where appropriate;
- (iii) they are accessible via a variety of alternative transport options such as cycle and bus routes, as well as ensuring opportunities for walking. Provision for cycling routes alongside footpaths and roads will need to be considered; and
- (iv) the proposal would not have an undue impact on the openness of the Green Belt, character of the countryside, the historic environment, generate undue levels of noise, be detrimental to residential amenity, have an undue impact on nature conservation interests or have an adverse impact on the visual amenities of the area.

Where additional permanent facilities associated with the provision of playing pitches will be required, they will be permitted provided that:

- (a) they are small-scale and it can be demonstrated that such facilities are essential for the functioning of the activity;
- (b) they are suitably located so as to minimise the impact on amenity for neighbouring properties; and
- (c) ancillary facilities are modest in size, bulk and height to ensure minimal impact on the Green Belt.

Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.

Planning permission for a change of use to playing pitches and other leisure and recreational activities will be subject to conditions restricting the siting of containers and/or portable buildings.

## **Residential Uses in the Green Belt**

### **Extensions to Dwellings in the Green Belt**

- 3.61 There are many dwellings in the Green Belt, for a variety of historical reasons. It is entirely reasonable for those living within the Green Belt to be able to extend their homes to meet changing circumstances. However, it is equally reasonable that the scale of such extensions be managed to ensure they do not undermine the objectives of the Green Belt.
- 3.62 The NPPF states that the limited extension or alteration of existing dwellings within the Green Belt is not inappropriate provided that it does not result in disproportionate additions over and above the size of the original building. In this instance, this is determined based on the footprint of the original building as at 1<sup>st</sup> July 1948 or, when it was first constructed, if this is later. The replacement of a building is permitted, provided that the new building is in the same use and not materially larger than the one it replaces.
- 3.63 Permitted development rights enable some development to be undertaken without the need to obtain planning permission. The permitted development rights introduced in October 2008 (Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008) provide, in some circumstances, greater flexibility for extensions to dwellings in the Green Belt, setting aside the test of what is a 'reasonable' extension for the purposes of the NPPF. Accordingly the Council considers that the previous 35sq.m of additional habitable floorspace as set out in the 2006 Rochford District Replacement Local Plan no longer relates appropriately to the permitted development rights; a revised approach is required.
- 3.64 Given that the NPPF states that extensions or alterations to dwellings in the Green Belt should not result in disproportionate additions over and above the original size of the dwelling, a policy which allows additions proportional to the original external floor area of dwellings is considered more appropriate. Proposed extensions to dwellings in the Green Belt that would result in a greater than 25% increase in the external floor area above that of the original building are considered disproportionate. Proposals for extensions to dwellings in the Green Belt should be designed to avoid impact on the character and appearance of the Green Belt through its scale, mass and orientation, as any increase in the volume of a dwelling will inevitably, by its very presence, impact upon the openness of the Green Belt.

### **Policy DM17 – Extensions to Dwellings in the Green Belt**

Applications for extensions to dwellings in the Green Belt will be considered favourably provided that the proposal would result in no more than a 25% increase in internal floorspace of the original dwelling, and provided that:

- (i) the proposal does not involve a material increase in the overall height of the dwelling; and
- (ii) the proposal has been designed so as to avoid a negative impact on the character and appearance of the Green Belt through its scale, mass and orientation.

Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.

Any grant of planning permission will be conditioned to remove permitted development rights which would allow the dwelling to be extended in order to control their scale, appearance and impact.

### **Agricultural, Forestry and Other Occupational Dwellings**

- 3.65 The provision of new dwellings in the Green Belt and wider countryside, where it can be demonstrated that the existence of on-site accommodation is crucial to the success of an agricultural or forestry business, is considered appropriate. The NPPF also allows the construction of new buildings for the purposes of agriculture and forestry in the Green Belt.
- 3.66 However, given the need to balance rural activities with protecting the character of the countryside and openness of the Green Belt, it is important to establish whether there is a functional need for someone to live on the site, whether the enterprise is, or will become financially viable, and whether such viability is likely to be sustainable in the long term. Applications for agricultural or forestry uses which may give rise to the need for a permanent dwelling to be situated on the site should be accompanied by full business plans and/or appraisals carried out by suitably qualified people (e.g. agricultural consultants) and, in respect of applications for dwellings, fully audited accounts for the three years preceding the application. Applicants will be expected to be able to demonstrate that the enterprise provides sufficient income for investment in the business (for example money for buildings, machinery, livestock, etc.) in line with the business plan, in addition to income for the construction of the house, personal/family and other needs.
- 3.67 Before permission can be granted for a permanent dwelling, it is imperative for an applicant to demonstrate that their business is economically viable, and has every prospect of remaining so in the longer term. Therefore, where a new business is proposed, an application should first be made for the stationing of a mobile home, or another type of temporary accommodation. Permission for a temporary mobile home will usually be granted for a period of three years, providing it meets the criteria set out in the policy, to give the applicant sufficient time to establish their business, and so meet these objectives. If it can be demonstrated that the business is successful, consideration can then be given to the provision of a permanent dwelling. Permission for the siting of a mobile home will not, however, be granted for a period exceeding three years, nor will permissions normally be renewed if, at the end of the temporary period, the business is still not viable.

- 3.68 Careful consideration should be given to the siting of new dwellings to ensure that they meet the identified functional need, but are also well-related to existing buildings and the surrounding natural landscape. Such consideration should also extend to the siting of temporary mobile homes, as it will not normally be appropriate to grant permission for a mobile home in a location where a permanent dwelling would not be permitted. Planting schemes will be required to further reduce the visual impact of dwellings in the landscape.
- 3.69 The size of new dwellings should be proportionate to the functioning of the business, and as such, it should be determined by the needs of the business rather than those of the owner or occupier. Given the District's predominant Green Belt designation, and the Council's previous agricultural dwelling policy and Green Belt extensions policy set out in the 2006 Rochford District Replacement Local Plan, it is considered reasonable to apply approach to new agricultural, forestry and other occupational dwellings.
- 3.70 In the 2006 Replacement Local Plan, new agricultural dwellings were permitted a total floorspace of 140sq.m plus 35sq.m Green Belt extension, which permits agricultural dwellings to be extended by the same amount as other dwellings in the Green Belt. The Council's 'one size fits all' approach to extensions to dwellings in the Green Belt is still considered appropriate to ensure that dwellings within the Green Belt and wider countryside are reasonably sized and to protect the openness of the Green Belt, as well as the character of the countryside. Policy DM17 advocates a 25% increase in floorspace of the original dwelling be permitted. Therefore new agricultural or forestry dwellings will be permitted a maximum floor area of 175sq.m (140sq.m plus 35sq.m) which coincides with the Council's previous policy in the 2006 Replacement Local Plan (as 35sq.m. is equal to 25% of 140sq.m.). Planning permission will be conditioned withdrawing permitted development rights from the new dwelling to restrict further extension, and to further limit undue impact on the openness of the Green Belt and character of the countryside. Greater floorspace will be permitted only in exceptional circumstances where it can be sufficiently demonstrated to the Council that the functional need of the business truly requires a larger dwelling.
- 3.71 Planning conditions will be imposed to limit the occupation of all new dwellings to persons employed, or last employed, in agriculture in the locality. This will ensure that dwellings are kept available to meet the needs of other agricultural businesses in the area as a whole if, for whatever reason, a dwelling is no longer required to meet the needs of the original business. That being the case, applications for the removal of agricultural occupancy conditions will not, therefore, be permitted except in the most exceptional circumstances.

**Policy DM18 – Agricultural, Forestry and Other Occupational Dwellings**

Within the Green Belt and wider countryside, applications for permanent dwellings for agricultural and forestry workers will be considered favourably if it can be adequately demonstrated that:

- (i) it is essential for the proper functioning of the enterprise for at least one person to be present on the holding at most times of the day and night;
- (ii) the functional need relates to a full-time agricultural/horticultural worker;
- (iii) the unit and the agricultural enterprise in question, have been established for at least three years, have been profitable for at least one of them, are currently financially sound and have every prospect of remaining so in the long term;
- (iv) the functional need could not be fulfilled by another existing dwelling on the unit, or any other accommodation in the area as a whole that is suitable for, and available to, the worker(s) concerned;
- (v) no dwelling or other building suitable for conversion to a dwelling has recently (generally considered to be within the past two years) been sold or let by the applicant that would have otherwise met the functional need; and
- (vi) the size of the dwelling is commensurate with the established functional requirement of the unit (dwellings will normally be expected to be bungalows or chalets and should not, in any case, accommodate in excess of 175sq.m of floorspace).

Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.

Planning permission for new farm dwellings will be subject to conditions, in particular to restrict their occupation to persons solely or mainly employed, or last employed, in agriculture in the locality and remove permitted development rights in order to control their scale, appearance and impact on the openness of the Green Belt and character of the countryside.



### **Policy DM19 – Temporary Agricultural Dwellings**

Applications for the stationing of mobile homes for agricultural workers in the Green Belt and wider countryside will be permitted provided it can be demonstrated that:

- (i) it is essential for the proper functioning of the enterprise for at least one person to be present on the holding at most times of the day and night;
- (ii) the functional need relates to a full-time agricultural/horticultural worker;
- (iii) there is clear evidence of a firm intention and ability to develop the enterprise concerned;
- (iv) there is clear evidence that the proposed enterprise has been planned on a sound financial basis;
- (v) no dwelling or other existing building suitable for conversion to a dwelling has recently (generally considered to be within the past two years) been sold or let by the applicant that would have otherwise met the functional need;
- (vi) the functional need could not be fulfilled by another dwelling on the unit, or any other accommodation in the area as a whole that is suitable for, and available to, the worker(s) concerned; and
- (vii) any mobile home will be located outside Flood Zone 3, and will only be located in Flood Zone 2 where it is shown to pass the Sequential and Exception Tests and is supported by a site-specific Flood Risk Assessment.

Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.

Permissions for mobile homes will be subject to conditions, in particular to restrict their occupation to persons solely or mainly employed, or last employed, in agriculture in the locality and require their removal from the holding after a maximum period of three years.

### **Basements in the Green Belt**

- 3.72 The construction of dwellings in the Green Belt with basements would not generally result in overly intrusive, bulky or high dwellings, or impact on the openness of the Green Belt, in terms of the physical presence. However, such alterations to a dwelling can pose problems of residential intensification, by introducing further residential activity to the Green Belt.
- 3.73 Given the nature of basements where natural lighting would be unavailable, it is likely that basements would be used for ancillary uses such as storage rather than for living accommodation.
- 3.74 Single storey basements will be permitted for new and replacement dwellings in the Green Belt, in addition to the 25% increase in floorspace for above-ground extensions permitted within Policy DM17. However, such structures must not exceed the footprint of the original dwelling (based on the footprint of the original building as at 1<sup>st</sup> July 1948 or, when it was first constructed, if this is later). The footprint can include the 25% above-ground extension allowance for replacement dwellings in the Green Belt.
- 3.75 In addition where a basement is accepted, permitted development rights for extensions to dwellings in the Green Belt will be removed to prevent unreasonably



sized dwellings (by controlling their scale and appearance) and to prevent any potential negative impact on the openness of the Green Belt.

### **Policy DM20 – Basements in the Green Belt**

Proposals for the development of basements will be permitted provided that:

- (i) the proposal does not exceed the footprint of the original dwelling (including the 25% above ground extension allowance for replacement dwellings in the Green Belt); and
- (ii) the proposal does not give rise to the formation of a self-contained unit of accommodation such as a 'granny flat'.

Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.

### **The Replacement or Rebuild of Existing Dwellings in the Green Belt**

- 3.76 The replacement or rebuild of existing dwellings in the Green Belt will be permitted with an additional extension no greater than 25% floorspace over that of the original dwelling to ensure consistency between the extension policies in this chapter. It will be necessary to impose a planning condition withdrawing permitted development rights for extensions in appropriate circumstances. This includes the conversion of roof and garage space to habitable rooms in order to ensure that alterations cannot be made to the new dwelling without the consent of the Local Planning Authority.
- 3.77 The Council will favour the utilisation of low pitched roofs, which ensures that a roof area cannot be converted into habitable accommodation thus rendering the roof space unusable for such purposes. The use of a low pitch roof has the additional benefit that the overall visual impact of the dwelling is reduced thus reducing the impact on the Green Belt. Indeed, the visual impact of a dwelling may be reduced further still if a hipped roof is used instead of a gabled roof. However, the appropriateness of requiring the low pitch roof design in order to control the scale and floor area of the dwelling in question, in addition to providing visual benefits, will be considered for replacement dwelling applications and applicants will be advised accordingly. A low pitch roof design is considered, for example, to be much less satisfactory in heritage design terms and so in certain circumstances a high pitch roof may be acceptable.
- 3.78 Permitting the replacement or rebuild of existing dwellings offers the opportunity to achieve an improvement in the appearance of many dwellings in the Green Belt. The type of materials, design, location within the plot and landscaping of the site are all matters which will be examined in great detail to ensure that the completion of the dwelling is to a very high standard.
- 3.79 As a consequence of the demand for housing, the majority of dwellings in the Green Belt have been maintained in a reasonable condition. However, a number of former dwellings in the Green Belt are derelict or abandoned. In this context, derelict refers to properties that are in an advanced state of disrepair, with insufficient structure to be considered a dwelling and/or are not fit for habitation without treatment, e.g. they have unsound roofs. Derelict properties are those which would require works to make them

habitable (in particular, but not exclusively, the rebuilding of the property), and any such works are so significant, such as works to the structure of the building which would require planning permission or building regulation consent. In considering whether or not a dwelling has been abandoned it is necessary to consider how long ago the use ceased; whether there has been an intervening use; and evidence as to the owner's intentions regarding the resumption of the use. Derelict or abandoned dwellings can no longer be considered part of the housing stock and, as such, their development for housing in the Green Belt would be inappropriate.

**Policy DM21 – The Replacement or Rebuild of Existing Dwellings in the Green Belt**

The replacement or rebuild of existing dwellings in the Green Belt will be permitted, taking into consideration:

- (i) the total size of the dwelling should result in no more than a 25% increase in floorspace of the original dwelling;
- (ii) the condition of the original dwelling (derelict or abandoned properties are not considered part of the housing stock, and therefore permission will not be granted for their redevelopment for housing);
- (iii) the visual mass and bulk of the new dwelling should not be significantly larger than that of the existing dwelling (taking into consideration any additional mass allowed for in respect of criterion (i) above). The overall height of the replacement dwelling should not exceed that of the existing dwelling, unless a modest increase in height can be justified on design or visual amenity grounds. Where the existing dwelling is a bungalow it should be replaced by a bungalow; and
- (iv) the proposed siting of the replacement dwelling. A replacement dwelling should be sited in the same location within the plot as the original dwelling, unless an alternative siting is proposed where it can be demonstrated that it would be a more appropriate siting in the Green Belt in terms of the impact on openness or amenity.

Where resiting is agreed, arrangements must be secured to ensure the demolition of the replaced dwelling and its outbuildings. Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.

Planning permission for a replacement or rebuild of an existing dwelling will be conditioned withdrawing further permitted development rights relating to the extension of the dwelling or provision of outbuildings within the curtilage of the dwelling.

### **Extension of Domestic Gardens in the Green Belt**

- 3.80 A domestic garden may be categorised as amenity greenspace, generally found within the residential area, and as such, it can be defined as a private or semi-private area of open space normally attached to a dwelling(s).
- 3.81 Garden extensions can be harmful to the visual appearance and openness of the Green Belt, particularly given the permitted development rules allowing the erection of additional domestic buildings, structures and other domestic paraphernalia. Although garden extensions, where exceptionally permitted, would become part of the curtilage of the dwelling, the construction of additional buildings or development through the exercise of permitted development rights, which would impact on the openness of the Green Belt, will be restricted. The development of fences can also impact on openness, and would only be appropriate where, for example the proposed extension would bring the garden area inline with neighbouring dwellings and where this form of boundary treatment already exists.
- 3.82 Applications to extend domestic gardens beyond the current designation of the designated residential area will be considered and permitted only where the impact on the surrounding environment, or visual amenity (the value, attractiveness or desirability of a particular view) for neighbours or the public is minimal. The size of the proposed garden extension will also be taken into consideration. The proposed extension should not be out of proportion with the size of the existing garden, for example it should not be more than double the size of the existing garden area.
- 3.83 Proposals for extensions to domestic gardens in the Green Belt should not impinge on the openness of the Green Belt through the erection of fences, additional buildings and other built structures, encroach on other areas of open space, consume valuable agricultural land (particularly that which is Grade 1 or 2), or cause unnecessary disturbance to areas which are of nature conservation importance or the historic environment. The design of fences or boundary markers should not impact on the openness of the Green Belt.

### **Policy DM22 – Extension of Domestic Gardens in the Green Belt**

Extensions to domestic gardens onto land within the Green Belt will only be permitted provided that:

- (i) the proposal includes appropriate boundary treatment and would ensure a defensible and robust Green Belt boundary, for example where the extension would infill the designated residential area inline with other gardens adjacent to the dwelling;
- (ii) the size of the proposed garden extension is not out of proportion with the size of the existing garden;
- (iii) the proposal would not impact on the openness or undeveloped character of the Green Belt through the erection of fences, additional buildings and other built structures;
- (iv) the proposal would not encroach on high quality agricultural land (particularly Grade 1 or 2);
- (v) the proposal would not adversely impact on other areas of open space; and
- (vi) the proposal would not adversely impact on the conservation value or protection of natural areas of local wildlife value, or sites of national and international importance, or the historic environment.

Planning permission for a garden extension into the Green Belt will be conditioned withdrawing permitted development rights relating to the provision of buildings and other structures within the curtilage of the dwelling.

### **Conservation Areas and the Green Belt**

- 3.84 It is important to protect and enhance the character of Conservation Areas. Where a Conservation Area is situated within the Green Belt there is the potential for this objective to conflict with Green Belt objectives. A balance needs to be struck which allows for enhancements to the Conservation Area, whilst maintaining the openness of the Green Belt. As such, some redevelopment will be permitted in Conservation Areas within the Green Belt, provided this enhances the character and appearance of the Conservation Area.
- 3.85 The Council has produced Conservation Area Appraisal and Management Plans for the District's ten Conservation Areas and any development within the Conservation Areas that lie in the Green Belt will be expected to contribute towards the recommendations within these, whilst seeking to minimise any impact on the openness of the Green Belt.
- 3.86 Replacement buildings should only be permitted where the existing structure is unsound, or the existing structure detracts from the character and appearance of the Conservation Area. Where a replacement is proposed, the building should be not be materially larger than the existing building, and should be consistent with the character and appearance of surrounding buildings in the Conservation Area.
- 3.87 In the case of employment operations, alternative uses to the existing use could have a greater impact on the openness of the Green Belt or character of the Conservation Area through introducing additional activity or traffic movements for example.

Redevelopment should therefore retain existing uses, where appropriate, or propose alternative employment uses if the new use would complement the surrounding land uses and have a positive impact on the appearance and value of the Conservation Area.

**Policy DM23 – Conservation Areas and the Green Belt**

Redevelopment will be considered acceptable within Conservation Areas situated in the Green Belt, provided that:

- (i) it will make a positive contribution to the character and appearance of the Conservation Area and will contribute to the recommendations of the relevant Conservation Area Appraisal and Management Plan;
- (ii) the proposal would not adversely impact areas of biodiversity and geodiversity importance; and
- (iii) the proposal does not undermine the purposes of including the land within the Green Belt and is such that the impact on the openness of the Green Belt has been minimised.

Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.

## **4 Environmental Issues**

### **Vision**

#### **Short Term**

- New homes are being developed in sustainable locations, all of which meet at least Level 3 of the Code for Sustainable Homes.
- Initiatives to reduce carbon emissions from new and existing developments are being encouraged.
- Local, national and international sites of nature conservation importance are protected.

#### **Medium Term**

- Local, national and international sites of nature conservation importance are being increasingly protected and enhanced to improve their biodiversity and wildlife value.
- Conditions have been created which enables wildlife to thrive in the Roach Valley. The area's size and layout allow for people and wildlife to utilise the space with minimum conflict.
- The Coastal Protection Belt continues to be protected from unnecessary development and other potentially detrimental impacts.
- Later phases of sustainable extensions to the residential envelope are being planned and have begun to be implemented. These strategically located and planned developments are predominantly situated within areas least at risk from flooding.
- New residential developments are carbon-neutral, meeting Code level 6 of the Code for Sustainable Homes.
- New non-residential developments are of a sustainable construction, meeting the BREEAM rating of 'Very Good' as a minimum. The District's Eco-Enterprise Centre is a flagship building meeting the BREEAM rating of 'Excellent' and providing a model for other developments to utilise sustainable, carbon-neutral construction.

#### **Long Term**

- The protection of Sites of Special Scientific Interest has resulted in improvements to the percentage of which, by area, are in 'favourable' or better condition.
- The proportion of the District's energy supply from renewable and low carbon sources has been increased.
- Existing dwellings incorporate renewable energy technologies to reduce their carbon emissions and energy costs.

- New residential and non-residential developments, as appropriate, obtain a proportion of their energy needs from renewable or low carbon sources produced on-site.
- New sustainable dwellings that meet the needs of local people of all social groups are in place and integrated into communities.

### Objectives

1. Protect and enhance sites of local, national and international importance and protect the District's historical and archaeological sites.
2. Ensure development is directed away from the Coastal Protection Belt.
3. Ensure development is away from the areas most at risk from flooding, or where this is unavoidable; ensure that appropriate flood mitigation measures are implemented before development ensues.
4. Work with the Environment Agency to maintain the District's flood defences.
5. Reduce the impact of new development on flood risk.
6. Increase air quality and decrease the negative impact on the District's residents.
7. Encourage the growth of renewable energy projects and the integration of on-site renewable or low carbon energy technologies for new developments, as appropriate.
8. Ensure new developments are sustainable in terms of their impact on the environment and resources.
9. Encourage the remediation of contaminated land to fully utilise the District's brownfield sites.

### Introduction

- 4.1 Many of the environmental issues facing the District are detailed within the Core Strategy, as these are considered to be of critical importance to the future sustainable development of the District. The Core Strategy explores the wide range of environmental challenges and opportunities faced within the District primarily through the protection and enhancement of the natural environment and reducing the environmental impact of new development.
- 4.2 The Core Strategy goes a long way to delivering the environmental objectives of the District, and the Council's vision in this regard. The Core Strategy covers the following key environmental issues, including:
  - Local Wildlife Sites (LoWSs);
  - Sites of Special Scientific Interest (SSSIs);
  - The Crouch and Roach estuaries;



- Special Protection Areas (SPAs);
- Special Areas of Conservation (SAC);
- Ramsar Sites (Wetlands of International Importance);
- Historical and archaeological sites;
- The Coastal Protection Belt;
- Flood risk;
- Air Quality Management Areas;
- Renewable energy (including large and small scale renewable energy projects and on-site renewable and low carbon energy generation);
- Code for Sustainable Homes;
- BREEAM (Building Research Establishment Environmental Assessment Method); and
- Contaminated land.

- 4.3 The Council is committed to improving the biodiversity and wildlife value of the District and to protect and enhance, where appropriate, local, national and international sites of nature conservation importance, as well as the Coastal Protection Belt and the Greater Thames Marshes Nature Improvement Area (which encompasses much of the eastern part of the District). The importance of protecting local historical and archaeological sites is also recognised within the Core Strategy.
- 4.4 Some areas, particularly towards the less populated, rural east of the District are vulnerable to flooding. Flooding is therefore a key environmental issue which is addressed within the Core Strategy. Development will be directed away from areas most at risk of flooding (Flood Zone 2 and 3), as far as practicable, and flood risk will be appraised, managed and reduced in accordance with the NPPF.
- 4.5 The Core Strategy also seeks to reduce the impact of new development on the District, for example through requiring the inclusion of sustainable drainage systems (SUDS) to reduce flood risk, the designation of Air Quality Management Areas (AQMAs), as appropriate, and encouraging the use of renewable energy technologies. Appropriate sustainable construction standards are required to ensure that schemes are deliverable through compliance with the Code for Sustainable Homes standard for new residential development and BREEAM assessment criteria for new non-residential development.

- 4.6 The remediation of contaminated land is important to ensure the deliverability and efficient and effective use of previously developed land in the District to meet government guidance and objectives. The Core Strategy therefore encourages the reuse of all brownfield sites including the remediation of contaminated land and the mitigation of potential risks to ensure the appropriate and efficient use of available land within the District.
- 4.7 This chapter covers more specific issues concerning the protection and enhancement of the local environment relating to the Crouch and Roach estuaries, trees, woodlands and other important landscape features and air quality.

### **Uses within the Natural Environment**

#### **Houseboats**

- 4.8 For the purposes of this Plan, a “houseboat” is a boat which is not primarily used for navigation, and is kept on a river or its estuaries, creeks and tributaries, or other natural or man-made waterways such as lakes, long term for residential use. Houseboats require planning permission.
- 4.9 The Rivers Crouch and Roach and their estuaries, creeks and tributaries are ecologically important environs which encompass some of the most sensitive habitats within Rochford District. The national and international importance of those is detailed within the Core Strategy. They are therefore significant habitats for wildlife and are a valuable environment of ecological significance, which the Council will protect from any undue disturbance or pollution. Further information on the constraints surrounding the Rivers can be found in the Council's Strategic Environmental Assessment Baseline Information Profile. The presence of houseboats has the potential to have a negative impact on these sensitive environments, through disturbance.
- 4.10 Houseboats which have permanent moorings are considered to be a form of residential development within the District, because the occupation of such dwellings would require the implementation of infrastructure necessary for the continuance of occupation, not only that which is associated with traditional permanent housing, including pedestrian and vehicle access roads, car parks and toilets, but also fuel stores, jetties and access structures. Such development would not only impact on the wildlife and the nature conservation importance of the Rivers, but also undermine the Council's housing strategy, because the Council promotes the development of residential dwellings within sustainable locations with good access to local services and community facilities. Such development would also conflict with the Council's Green Belt policy, and is unlikely to be considered appropriate.
- 4.11 The rivers in the District are used for both commercial and leisure activities. It is important that the right of navigation on the rivers for both leisure and commercial users is protected. Whilst this is not directly a matter for the Local Planning Authority, it is nevertheless important that development (including houseboats) does not impede the safe and efficient navigation of the rivers. The Local Planning Authority will consult the Crouch Harbour Authority on applications for houseboats. Applicants for houseboats should be mindful that, in addition to planning permission, all vessels used for residential purposes within the harbour (which includes marinas, boatyards,

creeks, mud berths etc.) are required by Crouch Harbour Act 1974 to be licensed by Crouch Harbour Authority. The Crouch Harbour Authority has the power to remove and/or destroy any vessel being used in contravention to this requirement. Applicants should also be aware that Crouch Harbour Authority byelaws prohibit the obstruction of the Fairway<sup>14</sup>.

- 4.12 Disused houseboats, where a past residential use has been abandoned, have the potential to be of significant detriment to the visual amenity of the locality. Where planning permission is granted for the mooring of houseboats, the Council will require the applicant to enter into a legal agreement for the removal and disposal of any vessel so moored if it subsequently sinks, or becomes unfit for habitation, derelict or is otherwise abandoned.

### Policy DM24 – Houseboats

Permanent moorings of houseboats are not normally considered to be appropriate within the Rivers Crouch and Roach and their estuaries, creeks and tributaries, or other natural or man-made waterways such as lakes, but will be considered favourably if it can be demonstrated that they will not have a negative impact on the:

- (i) Conservation or wildlife value of the rivers which fall within a designated Ramsar site; Special Areas of Conservation; Special Protection Areas or Sites of Special Scientific Interest, Marine Conservation Zones, or other nature conservation interests;
- (ii) Coastal Protection Belt;
- (iii) Openness of the Green Belt;
- (iv) Conservation Areas and the wider historic environment;
- (v) Visual amenity of the area;
- (vi) Water and air quality; and
- (vii) Other users of the estuaries, or other natural or man-made waterways.

Permanent moorings and associated infrastructure, where permitted, should not cause disturbance or pollution to the surrounding environment, and should not adversely impact on the appearance of the local area, the objectives of the Green Belt, or the commercial or leisure use of the rivers and surroundings. They should only be permitted where the Local Planning Authority is satisfied that the development has a tolerable level of safety for occupants in a flood event.

Where planning permission is granted for the mooring of houseboats, the Council will require the applicant to enter into a legal agreement for the removal and disposal of any vessel so moored if it subsequently sinks, or becomes unfit for habitation, derelict or is otherwise abandoned.

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<sup>14</sup> The Fairway is the channels shown on the Admiralty Chart of the area in force for the time being as being accessible to vessels of maximum draft able to navigate safely between the Horse Shoal buoy in the East and No. 15 Fairway buoy in the West of the River Crouch and between No.1 buoy in the North East and No.3 buoy in the South West of the River Roach.

## **Nature Conservation**

### **Trees and Woodlands**

- 4.13 Trees (both individual and groups including linear tree belts and plantations) and woodlands provide a wide range of economic, social and environmental benefits<sup>15</sup>. There are 14 areas of Ancient Woodland in the District, predominantly clustered around the settlement of Hockley. Ancient Woodland in England, as set out in the 'Standing Advice for Ancient Woodland'<sup>16</sup> by Natural England, is an area of woodland that has been wooded continuously since at least 1600 AD. However, continuously wooded in this context does not require there to have been a continuous physical cover of trees and shrubs across the entirety of a site. Open space, both temporary and permanent, is an important component of woodlands. Hockley Woods is a large expanse of Ancient Woodland located within the Upper Roach Valley and is an important ecological, as well as recreational, resource. The location of Ancient Woodland in the District, as well as in neighbouring local authority areas in proximity to the District's boundary, is set out in the Strategic Environmental Assessment Baseline Information Profile. There are also numerous pockets of other woodland throughout the District which are of local importance, many of which are designated as Local Wildlife Sites or areas of public open space. Some individual or groups of trees are protected through Tree Preservation Orders or TPOs<sup>17</sup>.
- 4.14 Development which would result in the loss or deterioration of groups and/or individual trees of local importance should be avoided (even if they are not afforded a nature conservation designation). Where this is unavoidable, appropriate mitigation measures to offset any detrimental impact will be sought through replacing those lost or damaged of equivalent value. Aged or veteran trees in particular should be conserved, although the conservation of individual trees (whether younger or not) should be determined on their individual merits.
- 4.15 The loss or deterioration of Ancient Woodland and/or other woodlands as a result of development should be avoided (even if areas of woodland are not afforded a nature conservation designation). The conversion of woodland to other land uses will be resisted unless there are overriding public and ecological benefits. Woodland unavoidably lost to development or damaged should be replaced with new woodland of at least equivalent area and composition, preferably in the same landscape character area.

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<sup>15</sup> Realising the benefits of trees, woods and forests in the East of England (A Woodlandforlife Publication) available from [http://www.woodlandforlife.net/PDFs/WFL\\_RealisingtheBenefits.pdf](http://www.woodlandforlife.net/PDFs/WFL_RealisingtheBenefits.pdf)

<sup>16</sup> Standing Advice for Ancient Woodland (Issued 23 February 2011) available from [http://www.naturalengland.org.uk/Images/aw\\_standing\\_advice\\_tcm6-25315.pdf](http://www.naturalengland.org.uk/Images/aw_standing_advice_tcm6-25315.pdf)

<sup>17</sup> Information on Tree Preservation Orders available from [http://www.rochford.gov.uk/environment/wildlife\\_and\\_trees/tree\\_preservation.aspx](http://www.rochford.gov.uk/environment/wildlife_and_trees/tree_preservation.aspx)

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- 4.16 Woodland cover in the District should be increased through protecting and achieving better management of existing woodland, and promoting new planting where this is consistent with landscape character. The different landscape characters and their differing habitats, as defined within the Green Belt chapter of this Plan, and the findings of the Rochford District Historic Environment Characterisation Project (2006) should be taken into consideration. The biodiversity targets set out in the most up-to-date local biodiversity strategy (the Rochford Biodiversity Action Plan or BAP) should also be considered.

### **Policy DM25 – Trees and Woodlands**

Development should seek to conserve and enhance existing trees and woodlands, particularly Ancient Woodland. Development which would adversely affect, directly or indirectly, existing trees and/or woodlands will only be permitted if it can be proven that the reasons for the development outweigh the need to retain the feature and that mitigating measures can be provided for, which would reinstate the nature conservation value of the features.

Where development would result in the unavoidable loss or deterioration of existing trees and/or woodlands, then appropriate mitigation measures should be implemented to offset any detrimental impact through the replacement of equivalent value and/or area as appropriate. Consideration should be given to the impact on the landscape character area and the findings of the Rochford District Historic Environment Characterisation Project (2006) when considering the potential loss of trees and/or woodland, and the replacement of these.

Where existing trees and/or woodlands of ecological or landscape importance should be retained, any planning permission will be conditioned to ensure the retention and continued maintenance/management of these features. On-site environmental enhancements including opportunities to create/enhance/restore habitats will also be sought.

New woodland creation should be sought, where appropriate. In particular this should be encouraged within:

- (i) schemes for the restoration of derelict or contaminated land and sites formerly used for mineral-extraction or industry;
- (ii) green infrastructure projects, particularly in areas where sustainable development is promoted;
- (iii) planting schemes along transport corridors; and
- (iv) schemes to expand and link areas of native woodland taking into account the most up-to-date Rochford Biodiversity Action Plan targets.

Conditions will also be attached to planning permissions to encourage the proper management of these important trees and woodlands, where appropriate. In addition to, or instead of, the completion of a legal agreement will be required to secure the provision of replacement trees and woodlands of equivalent value and/or area as appropriate, and to ensure the future management of these features.

## **Other Important Landscape Features**

- 4.17 Existing landscape features such as ponds, hedgerows and tree belts have a vital role to play both in supporting local biodiversity and contributing to the quality and appearance of the local environment. These local landscape features may not have protection offered by national and international nature conservation designations as set out in Core Strategy Policy ENV1, but merit protection through the planning process. Some important hedgerows, however, are protected by the Hedgerow Regulations<sup>18</sup>.
- 4.18 The Council will require developers to integrate existing features such as these into development schemes and to provide replacement features, using appropriate native species, in cases where the removal of existing features proves unavoidable. Developers must have regard to the different landscape characters and their differing habitats as defined within the Green Belt chapter of this Plan and the findings of the Rochford District Historic Environment Characterisation Project (2006).
- 4.19 On-site environmental enhancements including opportunities to create/enhance/restore habitats will be sought to improve the ecological value of the development site.

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<sup>18</sup> Information on the Hedgerow Regulations available from [http://www.rochford.gov.uk/environment/wildlife\\_and\\_trees/hedgerow\\_regulations.aspx](http://www.rochford.gov.uk/environment/wildlife_and_trees/hedgerow_regulations.aspx)

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### **Policy DM26 – Other Important Landscape Features**

When considering proposals for development, it must be shown that consideration has been given to the landscape character of the area and the findings of the Rochford District Historic Environment Characterisation Project (2006).

The Council will protect the following landscape features when considering proposals, where they are of importance for fauna and flora, from loss or damage:

- (i) Hedgerows;
- (ii) Semi-natural grasslands;
- (iii) Marshes;
- (iv) Watercourses;
- (v) Reservoirs;
- (vi) Lakes;
- (vii) Ponds; and
- (viii) Networks or patterns of other locally important habitats.

Development which would adversely affect, directly or indirectly, the landscape features listed above will only be permitted if it can be proven that the reasons for the development outweigh the need to retain the feature and that mitigating measures can be provided, which would reinstate the nature conservation value of the features.

Where a particular landscape feature is of ecological or landscape importance and should be retained, planning permission will be conditioned to ensure the retention and continued maintenance/management, where appropriate, of this landscape feature. On-site environmental enhancements including opportunities to create/enhance/restore habitats, and to contribute to Water Framework Directive objectives, will also be sought.

Conditions will be attached to planning permissions to encourage the proper management of these important landscape features, where appropriate. In addition to, or instead of, the completion of a legal agreement will be required to secure the provision of a replacement landscape feature of equivalent value, and to ensure the future management of this feature.

### **Species and Habitat Protection**

- 4.20 The Rochford Core Strategy seeks to steer development away from areas of ecological interest and wildlife habitats. However, individual sites within wider areas not specifically designated as being of ecological importance can still be important wildlife habitats in their own right. Brownfield, as well as greenfield sites, have the potential to be rich in biodiversity and home to wildlife.
- 4.21 Certain species of plants and animals, including bats, badgers, the common lizard, great crested newt and slow worm, are statutorily protected by national and international legislation. The presence of a protected species is a material consideration in the determination of planning applications. Natural England is the authority responsible for providing advice on protected species and for licensing survey work, species management and translocation schemes. Important habitats, such as Sites of special Scientific Interest (SSSIs) and Ramsar sites are also protected through legislation, and are given due consideration in the planning process.

- 4.22 However, priority species and habitats identified under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 should also be taken into consideration when making decisions to ensure that biodiversity is conserved where possible. The Section 41 list includes 56 habitats and 943 species of principal importance which can be found in England (this list is based on the 2007 UK Biodiversity Action Plan list of priority species and habitats). These species and habitats are identified as conservation priorities within the UK Post-2010 Biodiversity Framework.
- 4.23 In addition there are Local Biodiversity Action Plans, which address the needs of the UK priority habitats and species in the local area, together with a range of other plans for habitats and species that are of local importance or interest. There are Local Biodiversity Action Plans for Rochford District and Essex County that are relevant to development in the District, and should be had regard to in considering planning proposals.
- 4.24 Nature conservation bodies, including Natural England and the Essex Wildlife Trust, should be consulted, where appropriate, to obtain detailed advice and guidance on priority species and habitats.
- 4.25 Where it is evident that a proposal could affect a protected species or habitat, the Local Planning Authority will require that a satisfactory ecological survey of the site, as agreed by Natural England, be carried out to allow proper consideration of the proposal. Any permission granted will be subject to conditions and/or a legal agreement setting out measures required to mitigate the impact of the proposed development.

#### **Policy DM27 – Species and Habitat Protection**

Proposals should not cause harm to priority species and habitats identified under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Development will only be permitted where it can be demonstrated that the justification for the proposal clearly outweighs the need to safeguard the nature conservation value of the priority habitat, and/or the priority species or its habitat. In such cases the Local Planning Authority will impose conditions and/or seek the completion of a legal agreement in order to:

- (i) secure the protection of individual members of the priority species and/or habitats;
- (ii) minimise the disturbance to the priority species and/or habitats; and
- (iii) provide adequate alternative habitats to sustain at least the current levels of population for protected species and/or provide a compensatory habitat to offset potential loss or disturbance of a priority habitat.

In addition to the UK Biodiversity Action Plan, proposals for development should have regard to Local Biodiversity Action Plans, including those produced at District and County level.

## **Sustainable Drainage Systems**

- 4.26 Flooding can have a significant impact on communities, through risk of damage to properties and loss of human life. The strategic approach to development and flood risk in the District is set out in the Core Strategy; Policy ENV3 (Flood Risk) and Policy ENV4 (Sustainable Drainage Systems).
- 4.27 Any proposal that will increase the flood risk will be required to be accompanied by a flood risk assessment to consider the level of risk posed and the intended mitigation and management measures. The Local Planning Authority will also seek to ensure that development does not adversely affect the water catchments of existing watercourses.
- 4.28 One potential cause of flooding is surface water flooding, which occurs when the local drainage system is unable to cope with the amount of rainfall.
- 4.29 Surface water run-off from new development can lead to an increased risk of flooding, however, Sustainable Drainage Systems (SUDs) offer an alternative approach to drainage within developed areas. The Core Strategy states that SUDs will be required to be incorporated into all residential schemes of more than 10 units. However, there may still be occasions where smaller developments have the potential to give rise to concerns in respect of surface water flooding, particularly in areas that have been identified as being susceptible to such flooding, including through Surface Water Management Plans. Other instances where there may be a perceived risk of surface water flooding include where historical instances of such flooding have been documented.
- 4.30 The Local Planning Authority or Essex County Council (the SUDS Approval Body or SAB from April 2014) is the authority responsible for the determination of planning applications for SUDS. This means that all new development which has surface water drainage implications will potentially require SAB approval and need to conform to National and Local Standards. Essex County Council will be strongly promoting the management of rainfall at the surface and therefore the use of above ground SUDS features (e.g. swales, filter strips, basins, ponds and wetlands etc.) will be required rather than pipes, soakaways and underground storage structures, as these bring more benefits to the community in their amenity and biodiversity value as well as being easier and more economical to maintain and need not be more expensive to install. Also, SUDS proposals which provide for limiting surface water runoff rates from the site to existing greenfield rates will be expected.
- 4.31 SUDs can help to reduce flooding by controlling surface water run-off as close to the source as possible, before the water enters the watercourse. Such systems can also protect water resources and improve wildlife interests of developments.
- 4.32 There are a number of sustainable drainage options available, such as green roofs, rainwater use, and permeable surfaces, although the suitability of each technique would depend on a number of factors including site size and geology.
- 4.33 Such measures should be employed at all available opportunities and incorporated into development schemes of 10 units or fewer, unless it can be demonstrated that this would be unviable (in addition it should be noted that Core Strategy Policy ENV4 requires developments of 10 units or more to incorporate SUDS). In any event, the

Environment Agency, the Local Planning Authority and the local Highway Authority should be consulted at the earliest possible stage.

### **Policy DM28 –Sustainable Drainage Systems (SUDs)**

In cases where there is a perceived risk of flooding from surface water run-off arising from the development of 10 residential units or fewer, the Local Planning Authority will require the submission of a flood risk assessment in order to properly consider the proposal.

The assessment must include details of SUDs to be incorporated in the development to ensure that any risk of flooding is not increased by surface water runoff arising from the site.

Any SUDs identified as being needed, will be required to be incorporated into developments.

## **Environmental Protection**

### **Air Quality**

- 4.34 Air pollution can have wide-ranging impacts upon human health and the natural environment. It is the responsibility of the Local Authority to monitor local air quality and, where air of poor quality is found, to designate an Air Quality Management Area (AQMA) and develop an action plan to improve it. Further information can be found in 'Air Quality and Climate Change: Integrating Policy Within Local Authorities'<sup>19</sup> produced by Environmental Protection UK.
- 4.35 Air quality, specifically with regard to nitrogen dioxide (NO<sub>2</sub>), is monitored at 11 roadside locations across the district including Rochford and Rayleigh town centres. Particulate matter (PM<sub>10</sub>) is also being monitored at Rawreth Industrial Estate because of the AQMA that has been designated there. In some instances the levels recorded have the potential to exceed national air quality targets. Where this is the case the need to designate an AQMA is then considered.
- 4.36 New development, as proposed in the Core Strategy, if not managed appropriately has the potential to have an adverse impact on air quality through increased transport movements and congestion at potentially significant road junctions. A potentially significant road junction is a junction identified by the Environmental Health team as being such, based on air quality monitoring. In isolation a development may not have a significant impact on local air quality 'hot spots' but in conjunction with a neighbouring development, there may be a cumulative negative effect on air quality levels. Whilst an earlier development may decrease air quality but within acceptable levels, a later development may decrease air quality beyond this acceptable level. It is therefore appropriate that the cumulative and proportional impact of any development on local air quality should be considered in the determination of planning applications.

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<sup>19</sup> 'Air Quality and Climate Change: Integrating Policy Within Local Authorities' available from [http://www.environmental-protection.org.uk/assets/library/documents/Air\\_Quality\\_Climate\\_Change\\_Report.pdf](http://www.environmental-protection.org.uk/assets/library/documents/Air_Quality_Climate_Change_Report.pdf)

- 4.37 Air quality assessments will be required to accompany all planning applications for major development<sup>20</sup> to assess the cumulative impact on local air quality. The guidance produced by Environmental Protection UK in 'Development Control: Planning for Air Quality (2010 Update)'<sup>21</sup>, or the most up to date guidance, should be referred to in the development of air quality assessments. Planning obligations should be sought to either mitigate the impact of development on local air quality or support the future monitoring of potentially significant road junctions, as appropriate. The approach taken should be proportional with the scale of the development and should be determined in consultation with the Council's Environmental Health team.

### **Policy DM29 – Air Quality**

Alongside the provision of transport assessments, major developments will be required to submit an air quality assessment with their planning application to determine the potential cumulative impact of additional transport movements on potentially significant road junctions. This assessment should be produced having regard to the guidance developed by Environmental Protection UK.

Planning permission may be conditioned to contribute proportionately to offset the impact of the development on local air quality (either through mitigation or supporting future air quality monitoring). This should be determined in consultation with the Council's Environmental Health team.

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<sup>20</sup> A development is considered major if 10 or more dwellings are proposed or the site area is 0.5 hectares or more.

<sup>21</sup> 'Development Control: Planning for Air Quality (2010 Update)' available from [http://www.environmental-protection.org.uk/assets/library/documents/Air\\_Quality\\_Guidance\\_2010\\_\(final2\).pdf](http://www.environmental-protection.org.uk/assets/library/documents/Air_Quality_Guidance_2010_(final2).pdf)

## **5 Transport**

### **Vision**

#### **Short Term**

- Transport schemes have been initiated to help reduce congestion on the District's roads, such as online road improvements and the implementation of travel plans.
- Improvements have led to a more frequent, reliable and comprehensive public transport system with better linkages between bus and rail.
- Work will be undertaken with the County Council as highway authority to look at potential solutions to congestion issues across the District to ensure the highway infrastructure becomes 'fit for purpose'.
- The Rochford District Council Transport Strategy Supplementary Planning Document has been adopted and will help to ease transport issues across the District.

#### **Medium Term**

- A walking cycling and bridleway network has been implemented across the District. There is improved public access to the District's rivers.
- Residential development will have considered community facilities provision and access to these will be easy and sustainable.
- Appropriate infrastructure will have been put into place to secure access to the wharfage at Baltic Wharf, thus helping to secure its future as an employment area.
- A high quality bus service has been implemented giving people a genuine sustainable alternative to the private car.

#### **Long Term**

- Developer contributions have ensured that new developments are well integrated with public transport. Cycle and pedestrian networks have been developed linking important areas.
- New employment parks are accompanied by travel plans and are accessible to workers by a range of transport options.
- Road infrastructure through the District will have been secure and improved with easier access to the A127 and A130.
- Wallasea Island will be accessible by secure and improved road access.
- The employment park in the west of the District will have easy access on to the main transport networks.



### Objectives

1. Deliver developments that will reduce reliance on the private car, and that are well related to the public transport network.
2. Deliver online improvements on the east to west road networks in partnership with the Highways Authority, Essex County Council.
3. Identify and assess locations in the District that currently suffer from poor highway connectivity and congestion, and work with the Highways Authority to identify solutions.
4. Work alongside Essex County Council and other Thames Gateway authorities to support the implementation of the South Essex Rapid Transit system, in particular ensuring that SERT connects the residential areas with the employment areas within Rochford District.
5. Ensure that all new developments including residential, employment, education and leisure, implement travel plans to reduce the reliance on the private car.
6. Work with Essex County Council and other organisations, such as Sustrans, to ensure that a safe, accessible and convenient network of cycle and pedestrian routes is implemented across the District.
7. Aid the delivery of greenways identified in the Thames Gateway Green Grid Strategy, alongside Essex County Council and neighbouring authorities.
8. Ensure appropriate car parking provisions accompanies development at a level which strikes a balance between meeting the needs of motorists, ensuring that parking does not take up excessive amounts of developable land, and encouraging alternatives to car use.

### Introduction

- 5.1 The District is predominantly rural with poor accessibility, particularly to the east, which, coupled with a lack of public transport provision, has resulted in high levels of private vehicle ownership, and associated congestion and pollution. Reducing dependency on private vehicles is an aspiration for future sustainability, through planning and promoting alternative forms of transport to the car, such as public transport, walking and cycling.
- 5.2 Essex County Council, the local highway authority, has produced development management policies<sup>22</sup> for highways and other transport related aspects of development. The County Council, as a statutory consultee, is consulted on all planning applications and would have regard to their development management policies in any response. That being the case, it is advisable that regard is had to these policies in the development of proposals.

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<sup>22</sup> Essex County Council's Development Management Policies available from <http://www.essex.gov.uk/Environment%20Planning/Planning/Transport-planning/Information-for-developers/Documents/Development%20Management%20Policies%20Feb%202011.pdf>

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- 5.3 The Core Strategy considers a variety of important transport issues across the District, relating to:
- improvements to the current highways network, where appropriate;
  - ensuring new developments are suitably located in proximity to public transport;
  - supporting the development of South Essex Rapid Transit System (SERT);
  - requiring the provision of travel plans for both residential and non-residential development;
  - working with other organisations to provide additional walking and cycling opportunities throughout the District;
  - supporting the delivery of greenways, along with partners, as part of the Green Grid Strategy; and
  - stipulating the general approach to parking standards within the District.
- 5.4 This chapter elaborates on the implementation of appropriate parking standards and seeks to require improvements to traffic management alongside development.

### Transport Issues

#### Parking Standards

- 5.5 The Council will apply maximum car parking standards for key trip destinations to discourage private vehicle use for these destinations, ease congestion and encourage the use of more sustainable transport modes. Such development will still be required to include adequate parking provision. Seeking to restrict the numbers of parking spaces at trip origins does not limit car use, particularly within a rural area such as Rochford District where levels of car usage are relatively high. As such, minimum parking standards will be applied to residential development, including visitor parking, to ensure that sufficient parking spaces are provided within new developments. However the minimum parking standards may be relaxed for residential development proposed within an urban area (including town centre locations) with good links to public transport.
- 5.6 It is important to have regard to countywide standards to ensure the consistency between approaches and the viability of developments throughout the area. The Council adopted 'Parking Standards Design and Good Practice' as a Supplementary Planning Document in December 2010, replacing the previous supplementary advice and guidance. This document was prepared by a working group of representatives from Essex County Council and District Councils and conforms to the approach the Council want to apply throughout the District, as outlined in the Core Strategy. Aside from guidance relating to private cars, this document also contains guidance for 'Blue Badge' users, cyclists, motorcyclists and commercial vehicles.

### **Policy DM30 – Parking Standards**

The parking standards contained within 'Parking Standards Design and Good Practice Supplementary Planning Document (Adopted December 2010)', or successor document, will be applied for all new developments. This document applies minimum parking standards for residential development (although this may be relaxed in residential areas near town centres and train stations), and appropriate maximum parking standard for trip destinations.

### **Traffic Management**

- 5.7 New development may have an impact on the District's highways network, and where this is the case effective traffic management is essential to create thriving sustainable communities, to improve road safety and reduce air pollution, noise, severance and visual impacts caused by transport and transport infrastructure. This is important in both the highly populated west of the District, and the sparsely populated, comparatively inaccessible east. Developers must have regard to the management and mitigation of additional traffic generation which may be a consequence of development. Opportunities will be sought to reduce the impact of traffic in sensitive areas including those which suffer from through traffic. Proposals should also take into consideration the potential impact on the natural, built and historic environment.
- 5.8 Proposed major developments<sup>23</sup> should be accompanied by a Transport Impact Assessment (including appropriate mitigation measures) as set out in the Core Strategy. The guidance produced by the Department for Transport (2007)<sup>24</sup> 'Guidance on Transport Assessment' should be taken into consideration in the development of these assessments. The guidance produced by the Department for Transport (2011) 'Design Manual for Roads and Bridges'<sup>25</sup> should also be taken into account in the design of traffic management measures.

### **Policy DM31 – Traffic Management**

Any new major developments must include appropriate traffic management measures to facilitate the safe and efficient movement of people and goods by all modes whilst protecting and enhancing the quality of life within communities, facilitating the appropriate use of different types of road and environment, and achieving a clear, consistent and understandable road, cycle and pedestrian network. These measures will comprise, amongst others, reducing the impact of motorised traffic, traffic calming measures, measures to assist public transport (for example bus gates or lanes), cycling, walking and horse riders, congestion relief, and other speed and demand management measures.

Potential impact on the natural, built and historic environment should also be taken into consideration.

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<sup>23</sup> A development is considered major if 10 or more dwellings are proposed or the site area is 0.5 hectares or more.

<sup>24</sup> Department for Transport (2007) 'Guidance on Transport Assessment' available from <http://www2.dft.gov.uk/pgr/regional/transportassessments/>

<sup>25</sup> Department for Transport (2011) 'Design Manual for Roads and Bridges' available from <http://www.dft.gov.uk/ha/standards/dmrb/index.htm>

## **6 Economic Development**

### **Vision**

#### **Short Term**

- The Council are using the findings of the Employment Land Study to ascertain future employment provision to meet the District's needs, and to assist in identifying alternative locations for old and poorly located employment sites which are no longer fit-for-purpose.
- The long term future of the wharfage at Baltic Wharf as an employment area has been secured.
- Area Action Plans for Rochford, Rayleigh and Hockley have been finalised and the first phase of enhancement opportunities are being implemented.
- The potential of London Southend Airport and its environs is beginning to take shape through the provision of a Joint Area Action Plan in partnership with Southend Borough Council.
- The Joint Area Action Plan seeks to realise the airport's potential as a driver for the sub-regional economy, providing significant employment opportunities and ensuring the quality of life for its residents and workers.

#### **Medium Term**

- Sustainable, well used and strategically located industrial estates are being protected and enhanced, where appropriate.
- New businesses are being supported at the most vulnerable points in their lifecycle through the development of an Eco-Enterprise Centre.
- The Eco-Enterprise Centre is a flagship, eco-friendly building creating an inward investment draw which is bringing new businesses into the area.
- Appropriate uses within the District's commercial centres are being supported.
- London Southend Airport and its environs has become a driver for the sub-regional economy, providing a range of aviation and non aviation-related employment opportunities for the local population.
- A skills training academy within the vicinity of London Southend Airport and its environs has been established to provide high-skilled training in aviation-related industries.
- The Joint Area Action Plan supports and regulates the operations of London Southend Airport taking into consideration environmental and social effects, and residential amenity.
- A new airport terminal building at London Southend Airport has been completed and is operational following the implementation of an agreed surface access strategy.

- A new employment park in the west of the District with good links to the main access networks has been developed which caters for a range of employment types in a flexible manner that adapts to changes in the economy.

### **Long Term**

- Old, poorly located, “bad neighbour” industrial estates have been relocated to fit-for-purpose sites in sustainable locations which meet the needs of businesses and benefits residential amenity.
- The new employment park is accompanied by a travel plan and is accessible to workers by a range of transport options.
- At least 3000 jobs have been provided by 2021, and additional employment which meets local need continues to be generated.

### **Objectives**

1. Ensure the growth of local employment opportunities and deliver an additional net 3000 local jobs by 2021.
2. Enhance the local skills base in the District through providing additional training and support.
3. Implement the London Southend Airport and Environs Joint Area Action Plan to realise the potential of this local resource.
4. Ensure the delivery of an Eco-Enterprise Centre which will provide valuable support for new businesses within the District.
5. Support the continued functioning and growth of small and medium sized businesses, and encourage flexible practices such as home-working to enhance the range of local employment opportunities in the District.
6. Implement Area Action Plans for the commercial centres of Rayleigh, Rochford and Hockley to enhance their attractiveness and increase spending retention within the District.
7. Support projects within the District such as Cherry Orchard Jubilee County Park and aid the delivery of priorities in the Economic Development Strategy.
8. Ensure the protection of existing employment land in sustainable locations, and reallocate “bad neighbour” industrial estates for more appropriate uses, such as residential, to meet the District’s housing needs.
9. Allocate the minimum amount of Green Belt necessary for additional employment land, as appropriate, and fully utilise the office space potential of Rayleigh and Hockley centres.

### **Introduction**

- 6.1 The overarching approach to economic development in the District is detailed within the Core Strategy. There are four key strategic economic issues identified seeking to enhance the growth, adaptability and flexibility of the local economy. These are employment growth, London Southend Airport, existing employment land and future employment allocations.
- 6.2 The Core Strategy identifies several important areas which can encourage the growth of local employment opportunities including the development of the Wallasea Island Wild Coast Project, the enhancement of the District's commercial centres and the development and growth of home-working. The Core Strategy also supports the Economic Development Strategy.
- 6.3 London Southend Airport is recognised as an important employment generator in the District with the potential to become a catalyst for economic growth and employment generation in the sub-region. It is recognised that the development of this local facility needs to be weighed against any detrimental impacts on the local environment and residential amenity. As such, specific policies regarding London Southend Airport and its surrounding area will be determined through the Joint Area Action Plan (or JAAP) produced in conjunction with Southend-on-Sea Borough Council.
- 6.4 The Core Strategy also seeks to protect important employment land and reallocate "bad neighbour" employment land, having regard to the Employment Land Study. Where new allocations for employment land are proposed to meet local employment and economic needs, the sites will be expected to be of high quality and to incorporate appropriate environmental controls.
- 6.5 This chapter elaborates on the appropriate use of employment land and the encouragement of home working in the District.

### **Employment Land**

- 6.6 There are numerous areas in the District designated as employment land and the strategic approach to the future of new and existing employment land is set out in the Core Strategy. The allocation of new employment land and the reallocation of existing employment land will be set out in the Allocations Document and the Area Action Plans, as appropriate.
- 6.7 It is important to maintain the viability and vibrancy of employment land within the District. Appropriate uses on designated employment land should be within classes B1 (Business) and B2 (General Industrial) as defined by the Town and Country Planning (Use Classes) Order 1987 and as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2006. B1 and B2 uses generally create higher job densities than B8 (Storage and Distribution) uses. These two classes are preferred over B8 uses as there is a limited supply of developable land, as identified in the Employment Land Study, and it is important to ensure an efficient and effective use of land within the District. Employment land should also be designed to ensure that it is high quality, safe and inclusive and any associated infrastructure should be appropriately phased. Potential noise and light pollution should be adequately mitigated against. In terms of light pollution in particular, the criteria set out in Policy DM5 should be considered.



- 6.8 However, the Council recognise the necessity of maintaining a flexible approach to employment uses to reflect the current economic and employment situation and ensure that employment land remains vibrant with minimal vacancies. Alternative use classes will be permitted if they are an appropriate use which does not undermine existing employment uses and positively contributes to the viability of the employment land, and are compatible with existing employment uses in terms of, for example, health and safety considerations.

### **Policy DM32 – Employment Land**

New employment development will be expected to be predominantly B1 (Business) and/or B2 (General Industrial) employment uses. Alternative uses will be considered having regard to:

- (i) the number of jobs likely to be provided;
- (ii) the viability of retaining B1 and B2 uses;
- (iii) the compatibility with existing uses;
- (iv) the impact on the vitality and vibrancy of the District's town centres;
- (v) the proportion of alternative uses present; and
- (vi) wider sustainability issues (such as available transport methods),

Employment development should be of a high quality, incorporate safe and inclusive design and any associated infrastructure should be appropriately phased. Potential noise and light pollution generated by proposed uses should be adequately mitigated against.

Retail use is not normally permitted on employment land. However where the proposal passes our sequential approach to the location of retail development, then permission may be granted for businesses selling bulky goods.

### **Working from Home**

- 6.9 Advancements in technology mean that there is more scope for residents to work from home. This can enable people to become economically active who may otherwise be denied the opportunity. However, whilst there are economic and social benefits to working from home it is important to ensure that proposals do not have a detrimental impact upon the character or amenity of the surrounding residential area.
- 6.10 Some forms of home working do not require planning consent, but permission will be required where there is material change from the main residential use. Whilst mixed use properties may be acceptable in some instances, the main issue in considering the acceptability of a proposal will be to assess the impact on the character and appearance of the area.
- 6.11 It is not, however, appropriate to restrict businesses proposed in a dwelling to class B1 (Business) uses as it is recognised that other uses may be compatible with the dominant residential use. The appropriateness of the proposed use of a dwelling should be determined on a case-by-case basis taking into consideration suitable criteria to ensure the uses would not have an undue impact on the neighbours, for example in terms of amenity, traffic, etc.

**Policy DM33 – Working From Home**

Proposals for uses operating businesses from dwellings, which require planning permission, will be supported provided that the use:

- (i) remains linked to the residential use, and residential remains the primary use;
- (ii) will not result in a residential dwelling that fails to meet the floorspace standards set out in Policy DM4;
- (iii) will not have a significant adverse effect on residential amenity;
- (iv) will not have a detrimental effect upon the visual character of the surrounding residential area; and
- (v) will not create on street parking or unacceptable highway problems.

## **7 Retail and Town Centres**

### **Vision**

#### **Short Term**

- Area Action Plans for Rochford, Rayleigh and Hockley town centres have been produced and adopted. The plans provide a clear framework, developed having regard to the results of community involvement, to guide the regeneration of these centres.

#### **Medium/Long term**

- The District's town centres are vibrant places containing a range of shops, services and facilities that meet local demand.
- The vast majority of new retail development has been directed to Rochford, Rayleigh and Hockley. Some additional retail has been provided within the District's smaller settlements and within residential areas outside of the designated centres which provides convenient, accessible top-up shopping for local communities and reduces the need to travel.
- The leakage of retail expenditure outside of the District has been significantly reduced, with visitors attracted to the District's town centres not simply due to the provision of retail, but because of the range of activities and the quality of the environment.

### **Objectives**

1. Direct retail development to the District's town centres of Rochford, Rayleigh and Hockley.
2. Enhance the centres of Rochford, Rayleigh and Hockley ensuring they are vital and vibrant places containing a range of uses and activities for all.
3. Reduce the leakage of retail expenditure out of the District.
4. Ensure that village and neighbourhood shops provide a service for local communities, particularly for those with limited access to transport.
5. Improve the public realm of the town centres, villages and neighbourhood centres by implementing landscape and access schemes which include street trees to provide urban greening.

### **Introduction**

- 7.1 Creating the appropriate retail mix in the District's commercial centres to enhance the retail offer and increase spending retention, whilst ensuring the needs of all local communities are met, is a challenge. The Core Strategy details the Council's overarching approach to retail enhancement within town, village and neighbourhood centres. In particular it focuses on the current performance of the District's three main town centres and the potential opportunities that they present. Rayleigh, Hockley and

Rochford are important local commercial centres with distinct characteristics and different retail offers, which would significantly benefit from some enhancements. The Core Strategy identifies the general outcomes which should be delivered within these three areas through Area Action Plans.

- 7.2 In addition to retail, it is important that town centres contain a variety of uses, such as leisure, residential and community development, in order to ensure that they are vital and vibrant spaces. Whilst it is important for town centres to contain a core of attractive retail uses, it is recognised that town centres are dynamic environments and their management should reflect changing local circumstances, for example changes in consumer demand and the local economy.
- 7.3 This chapter considers the management of retail development within the District, with regard to the mix of appropriate uses, meeting the needs of local communities and respecting the character of the built environment. Thriving and sustainable town centres are important within the District to retain local expenditure and prevent leakages into other neighbouring town centres, thus, it is crucial that they have at their core a predominance of attractive retail uses. The Council seeks to support the continued vitality of the District's commercial centres through the development and implementation of Area Action Plans.
- 7.4 Development of the commercial centres, however, must respect the character of the locality and the local businesses currently operating there, and the siting of advertisements must have regard to the appearance and desirability to preserve and enhance Conservation Areas, Listed Buildings and locally listed buildings, as appropriate.

### **Town Centres**

#### **Town Centre Shopping Frontages**

- 7.5 The Council are currently preparing Area Action Plans for each of the District's town centres. These Plans will be site specific and contain detailed policies to ensure the balance of appropriate uses and direct positive enhancements for each commercial centre, including specifying the suitable mix of retail and non-retail uses and enhancing accessibility to ensure vibrancy and vitality. However, whilst the town centre Area Action Plans will have specific planning policies it is necessary to have an overarching policy which ensures the appropriate mix of retail and non-retail uses within each of the town centres.
- 7.6 It is considered necessary to retain and encourage a balanced mix of uses within the District's town centres to cater for a variety of user needs. Whilst the Council want to retain the dominance of A1 uses (retail) with some A2 uses (financial and professional services) within core shopping frontage areas, the Council also want to encourage other complementary uses to ensure a greater combination of uses and enhance the local appeal of these retail centres. To ensure the right balance between retail and non-retail uses is achieved regard must be had to shifts in consumer preferences and market changes.

- 7.7 If a unit within a town centre is vacant for a length of time and cannot be used for retail purposes, either through a lack of demand for that retail use or economic viability reasons, then an alternative use may be appropriate. Other complementary uses may include A3 uses (restaurants and cafes) which will enhance the day and evening economy within town centres and better use of the public realm.
- 7.8 Whilst encouraging appropriate non-retail uses within the District, such as banks, building societies and restaurants, the Council will endeavour to ensure that the effect of dead frontage is minimised by requiring that such premises continue to use shop windows for display purposes. Where a non-retail use is proposed (such as A2, A3, A4, A5, sui generis or B1 uses) for ground floor locations in primary shopping frontages, the Council will have regard to the appropriateness of the use and the uses already present in the frontage. The proposal should not lead to or add to a concentration of non-retail uses in an individual frontage or parade. As a guide there should not be a cluster of any more than two immediately adjacent non-retail uses of the same Use Class. More than two Sui Generis uses adjacent to one another may not necessarily be considered a cluster, provided they are distinct and different uses.
- 7.9 Non-retail uses should not result in the loss of any independent means of accessing the upper floors of the building, and so preventing their beneficial use as self-contained living accommodation, or for other appropriate purposes.
- 7.10 In considering the appropriate mix of retail and non-retail development, the Council will have regard to evidence provided by the most up-to-date Retail and Leisure Study for the District available. Where an up-to-date Retail and Leisure Study is not available, then generally 75% retail development should be maintained.

### **Policy DM34 – Town Centre Shopping Frontages**

The frontages within Rayleigh, Hockley and Rochford's Primary Shopping Areas will comprise predominantly A1 retail use.

The change of use of shopping frontages for non-retail purposes (in particular A3 use which includes restaurants and cafes), which make a positive contribution to the vibrancy and vitality of the town centres will be permitted providing that the proposal would:

- (i) not have a detrimental impact on, or undermine, the predominance of A1 uses, both within the town centre as a whole and within the primary shopping frontage;
- (ii) not create a cluster of similar non-A1 uses of the same use class within a locality that undermines the retail character of the town centre; and
- (iii) entail the provision of a non-A1 use which is considered to positively contribute to the overall offer and encourage people into the town centre.

### **Upper Floor Locations in Town Centres**

- 7.11 Town centres are important focal points for the local community which can provide both commercial and residential functions. Commercial premises in town centres with vacant units above present an ideal opportunity to increase the numbers of people living within sustainable locations, contributing towards the District's housing

requirements. The conversion of upper floors in town centre locations, however, should have regard to potential additional leisure or retail uses which could be suitably located within the unit. Where such uses are not appropriate or it can be satisfactorily demonstrated that there is a lack of demand within the local area then residential conversion should be permitted. A change of use should not result in a net loss of leisure or retail use within the town centre. A net loss would occur where a change of use is proposed and the loss of leisure or retail use is not planned to be compensated for elsewhere in the town centre.

- 7.12 Encouraging the use of units above shops for residential purposes, where appropriate, has the benefit of providing additional housing in appropriate locations, increases natural surveillance, contributes to regeneration, and promotes sustainable utilisation of town centres which reduces the pressure on greenfield sites, whilst satisfying the demand for such locations. It is important, however, to ensure that the use of upper floors of commercial buildings in town centres for residential accommodation is within a suitable location with adequate access and servicing and does not negatively impact on the surrounding uses. Regard should be had to the air quality within town centre locations when proposing residential development, in particular to the designation of any Air Quality Management Areas (AQMAs).

#### **Policy DM35 – Upper Floor Locations in Town Centres**

The Council will permit the use of the upper floors of shops and other commercial premises in town centres for residential purposes. Permission will be granted, where appropriate, to ensure that accommodation is self-contained and suitably located with separate access from the street and that such accommodation provides a satisfactory standard of residential convenience and amenity.

Where an Air Quality Management Area (AQMA) is designated, residential conversion of upper floor town centre locations will be restricted until the applicable air quality target is achieved.

#### **Village Shops and Neighbourhood Shopping Areas**

- 7.13 The retention and enhancement of existing village and neighbourhood shops is essential within the District's smaller settlements to ensure that the day-to-day needs of the local population are served. It may be appropriate, however, to change the use of premises to a use that would provide a similar service for local residents, or convert premises for alternative uses, where a lack of demand for the current use has been demonstrated. The proposed new use must be compatible with its location, due to their typically close proximity to residential properties. For example a change of use to A5 (hot food takeaways) may not be considered appropriate if adjacent to residential development.
- 7.14 The Council consider that it is important to retain and enhance small rows of shops in addition to parades of shops which perform the same function within the defined settlements.



- 7.15 The conversion of retail uses within villages and neighbourhood shopping areas to residential is generally not supported, as this would reduce the proportion of units available within such areas which could undermine their vibrancy.
- 7.16 Non-retail uses within villages and neighbourhoods, such as offices, hair dressers, takeaways and pubs, perform an important function in meeting local need, and promoting vitality in local areas. Such uses can complement adjacent retail uses and increase local choice.
- 7.17 Non-retail units should be retained within villages and neighbourhoods, where possible. Conversion of the unit to retail use, if it cannot be let, should be considered. However, proposals for the conversion of non-retail units to residential use within villages and neighbourhoods should not undermine the function and vitality of these areas.

### **Policy DM36 – Village Shops and Neighbourhood Shopping Areas**

The Council will seek to ensure that retail premises in villages and neighbourhood shopping areas outside town centres are retained.

The change of use of the ground floor of existing retail premises to non-retail use outside town centres will be permitted providing that the following conditions are met:

- (i) the loss of the retail unit is justified because the unit is vacant or that an A1 retail use is not financially viable. In either case, applicants should be able to demonstrate that all reasonable attempts have been made to sell or let the premises for retail use, but without success;
- (ii) the proposed use would serve the day-to-day needs of local residents;
- (iii) the proposed use would not reduce the quality of life of residents living in the immediate vicinity of the premises, as a result of noise, on-street parking, disturbance, cooking smells, litter or other factors;
- (iv) the proposal would not result in the removal of any independent means of accessing the upper floor(s) of the premises or otherwise prevent an effective use being made of the upper floor(s); and
- (v) where the proposal relates to premises with an existing shopfront, the shop window would continue to be used for display purposes.

The conversion of retail uses to residential is generally not supported.

The change of use of existing non-retail units within villages and neighbourhood shopping areas (such as offices, hair dressers, takeaways and pubs), to residential use may be considered favourably if it can be demonstrated that the loss of the existing use is justified because the unit is vacant, or the use is not financially viable. Proposals to change non-retail units in the Green Belt to residential use will be permitted provided that the proposal:

- (i) is well related to a defined residential settlement;
- (ii) is well related to local services and facilities;
- (iii) has good connections to the strategic road network;
- (iv) would promote sustainable transport modes;
- (v) would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment;
- (vi) is located within the South Essex Coastal Towns landscape character area.

## **Advertisements in the District**

### **Advertisements**

- 7.18 Advertising is necessary for the promotion and functioning of the District's commercial activities, but a balance needs to be struck to ensure that this is not detrimental to the accessibility, appearance or value of a particular streetscape or building(s).
- 7.19 Inappropriate signage which is poorly located, designed or excessively illuminated within the context of the surrounding area can detract from the visual amenity, character and quality of the local environment and may present, particularly with inappropriate illumination, a road safety hazard. A proliferation of signage on one building or along one street can create a cluttered street scene which can cause distractions and confusion for the general public. Furthermore some forms of advertising, such as advertising boards, when clustered can cause uncontrolled clutter in the public realm (i.e. along pavements) and can have the potential to restrict and obstruct access, and provide obstacles for people who are blind or partially sighted. The potential for proposed advertising to create access issues will therefore be carefully considered.
- 7.20 The siting, design, scale, proportion, colour and materials of advertisements should therefore have regard to the character of, and impact on, the street scene, individual building(s) or the wider area, and should make a positive contribution to the overall appearance of the street scene. In terms of illumination and the potential to cause light pollution, the different environmental zones identified and the guidance contained within 'Outdoor advertisements and signs: a guide for advertisers'<sup>26</sup>, or the most up-to-date guidance available, should be taken into consideration.

### **Policy DM37 – Advertisements**

The design and siting of advertisements throughout the District must have regard to the access and visual impact of the building(s) on which they will be displayed and the character of the surrounding area. Advertisements will be permitted, provided that they:

- (i) do not add to visual clutter or detract from the visual amenity of the area;
- (ii) are appropriately designed and sited within the context of the area and well related to the building(s) to which they are attached;
- (iii) have had regard to the use of appropriate materials;
- (iv) do not generate an excess of signage which creates a cluttered street scene;
- (v) are of an appropriate size in relation to the building(s) or other advertisements within the area;
- (vi) are suitably illuminated without adding to light pollution or whose intensity does not affect visual amenity or road safety; and
- (vii) respect the architectural features of locally listed buildings.

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<sup>26</sup> Outdoor advertisements and signs: a guide for advertisers available from <http://www.communities.gov.uk/documents/planningandbuilding/pdf/326679.pdf>

### **Advertisements affecting Conservation Areas and Listed Buildings**

- 7.21 Conservation Areas tend to relate to town and village centres, whose appearance is worthy of retention<sup>27</sup>. Several of Rochford District's designated Conservation Areas are valuable commercial centres, where significant commercial activities take place. These areas are, however, more sensitive to the presence, and in particular, the style of advertising employed. Many Conservation Areas encompass Listed Buildings whose character it is important to preserve and enhance as appropriate.
- 7.22 Advertisements will be kept to a minimum within Conservation Areas to ensure that they do not detract from the overall appearance of the Conservation Area and character of individual buildings. Advertisements proposed to be sited on Listed Buildings should have a positive impact on the character and appearance of the building and the wider area.
- 7.23 The appropriateness of advertisements such as illuminated signs, lettering and coloured fascias, window stickers and window displays in Conservation Areas, and on or near Listed Buildings, or within the overall context of the street scene where it may create visual clutter, will be carefully assessed. Other external items which can impact on the character of Listed Buildings and buildings in Conservation Areas such as external roller shutters or illuminated signs are unlikely to be acceptable.
- 7.24 Furthermore some forms of advertising, such as advertising boards, when clustered can cause uncontrolled clutter in the public realm (i.e. along pavements) and can have the potential to restrict and obstruct access, and provide obstacles for people who are blind or partially sighted. The potential for proposed advertising to create access issues will therefore be carefully considered.

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<sup>27</sup> Conservation Areas in Rochford District available from [http://www.rochford.gov.uk/planning\\_and\\_building\\_control/environment/conservation\\_areas.aspx](http://www.rochford.gov.uk/planning_and_building_control/environment/conservation_areas.aspx)

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**Policy DM38 – Advertisements affecting Conservation Areas and Listed Buildings**

Advertisements will be permitted on Listed Buildings, in appropriate circumstances, where it can be demonstrated that adverse harm to the character or structure of the building would not result. Where permitted on Listed Buildings and in Conservation Areas, advertisements should adhere to Policy DM37 as outlined above, and should be sensitive to the character of the area, visually unobtrusive, well designed, well located and should not create access issues. Traditional wooden, painted fascias and hanging signs for example will be preferred to coloured plastic fascias and boxes.

Advertisements will be allowed provided that they respect the character of the building(s) on which they are to be sited and the surrounding area, and do not include:

- (i) prominent lettering, lighting, symbols, material or colour of fascia displays, window stickers, pavements signs and other signage;
- (ii) internally illuminated or other projecting fascia signs;
- (iii) prominent externally illuminated signs;
- (iv) prominent blinds (especially external roller shutters) or window/door canopies.

Advertisements and other external items (especially illuminated signs, where permitted) should be unobtrusive and benefit rather than detract from the value of the Conservation Area and character of the Listed Building, such as spot lighting of hanging signs or other discreet forms of lighting.

The quantity of advertisements within Conservation Areas and on Listed Buildings will be kept to the minimum necessary to identify the building and its function in order to protect the appearance of the area and individual buildings as appropriate.

## **Appendix 1 – Advice on the Design of Waste and Recyclables Storage and Collection Requirements**

### **1 Introduction**

The way that waste is managed and treated is changing. Local Authorities are always striving for high diversion rates away from landfill. Recycling and separating waste is now the norm in most households and this desire to treat waste as a resource is also growing in the commercial sector. Rochford District Council has a strong drive to be sustainable and to improve on its environmental performance.

This guidance aims to assist developers on the incorporation of waste management facilities in to new developments in the district. It will encourage and promote effective and functional waste and recycling storage and collection facilities, and ensure they are incorporated into new developments. It will be used by planning officers and developers to ensure development proposals are adequate in terms of waste management.

The purpose of this advice is to help developers to deliver efficient, adaptable storage facilities for recyclable materials and waste, and to help Development Management officers to assess and improve waste management proposals within development proposals. Storage facilities must meet the needs of today's recyclable material markets, waste collection operations and be flexible enough to meet the demands of the future. It is important that all waste services are provided in a manner that delivers safe and efficient working practices whilst safeguarding the amenity of households, workers and visitors to the District.

### **2 Guidance Related to Specific Types of Development**

This section provides specific guidance for waste and recycling storage and management relating to the following types of development:

- Housing
- Commercial developments
- Schools
- Mixed use developments

Rochford operates a three bin scheme with one 240 litre wheeled container provided to collect dry recyclables, one 180 litre wheeled container for residual waste and a third wheeled container of 140 capacity for green and kitchen waste. In the majority of scenarios, the three wheeled bins are issued to each residential property.

#### **Housing**

When considering a householder application for an extension at pre-application stage, it is important to consider how the property will function in terms of waste management and recycling. For example, it is important to give consideration to how bins will be transported around the property and whether there is sufficient access to get the bins to the waste collection points.

All individual dwellings will be provided with:

- Black wheeled bin of 240 litre capacity for dry recyclables.
- Black with a purple lidded wheeled bin of 180 litre capacity for general waste that can not be recycled.
- Green with a yellow lidded wheeled bin of 140 litre capacity for kitchen and garden waste.

Waste must be correctly separated in line with the latest guidelines which are provided to residents by the Council.

It is important to consider whether there is the option of having a bin storage facility at the side or rear of the property, to reduce the cluttered appearance of streets. They should be located in the forecourt or front garden only if there is no alternative and should be well located in relation to each dwelling/building.

It is also important to consider whether a planned extension would impede on the space used for waste storage. For example, if bins are usually stored at the side of the property, and a side extension is proposed, where would bins then be stored? If a proposed extension would incur relocation of the bins it will be important to consider their storage which will both improve the functioning of the household, and improve the appearance of the street scene.

On collection day, the streets can become cluttered with wheeled bins which are put out onto the pavements outside of houses. Bins on pavements reduce their width and become a hazard to people with mobility difficulties. To improve the appearance and function of the streets on bin days, it would be extremely beneficial to have a designated bin storage area at the front of properties. This type of approach would not be achievable for all types of property, and would be impossible on terraced streets where the properties are built right up to the pavement edge.

### **Waste Containerisation and Storage Locations**

The requirements for waste storage are set out in the Building Regulations 2000 (as amended by SI 2001/335). The requirements are also outlined in BS5906:1980(1987) Code of practice for the storage and on-site treatment of solid waste from buildings.

### **External Waste and Recycling Storage**

All waste and recycling should be contained in the wheeled bins as specified by Rochford District Council and stored in a purpose built refuse store (or other appropriate screened location), or in a bulk containerised system held within the boundary of the site.

### **Communal Storage**

Where composting, recycling and waste containers are to be taken to a collection point (other than the kerbside at the front of the property) by residents or staff, additional method statements must be provided; describing the proposed method of transporting containers to the dedicated collection point, and the access and turning space for refuse collection vehicles.

### **Location of External Bin Stores and Bin Storage Areas**

All developments must provide a dedicated storage area for waste and recycling containers. All enclosures and storage areas should be located or constructed within the property boundary and be visible and easily accessible to users/residents in order to encourage use. Where it is not possible to locate the storage at the side or rear of the property, with access to the kerbside (e.g. terraced properties), storage facility should be located at the front of the property.

Green waste recycling and waste containers should be located such that any potential nuisance from the spillage, odour, noise and visual impact is prevented. Storage areas and enclosures should be sensitively integrated within their surroundings and reflect the building design, materials and architecture of their surroundings. Where possible, bins should be screened from external view by planting, fencing, walls and other appropriate structures.

The location of the external waste storage area must be shown on the site plans, and should allow the containers to be sited within 25m of the collection point (on the kerbside) and 30m of the dwelling.

It should be possible to move containers to the collection point without needing to pass through a building (other than a porch, garage or other covered open space), and the pathway should be well drained, have a maximum gradient of 1 in 12 and preferably no steps.

External storage areas should be away from windows or ventilators and should preferably be in the shade or under cover.

Storage areas should be located so as not to interfere with pedestrian or vehicle access to buildings.

For residents who require help with their bins, for example are elderly or infirm, the Council provides an 'Assisted Collection' service.

### **External Waste Storage Footprint**

The footprint requirement for each residence or premises, should allow adequate space around for each bin required (being at least 200mm between and around each container or 500mm if residents are required to lift the lid of a container).

**Home composting** – Home composting is seen as a key way for households to reduce their "waste" and turn it into compost. Composting is an option for treatment and recycling of garden and other organic waste at source. Home composting areas should be considered in all new housing developments. Consideration should similarly be given towards space for alternatives such as wormeries and food digesters. Easy access would be required from the kitchen or utility room and space should permit the co-location of bins and a composter in all houses with gardens. However, these must be carefully designed as part of the garden and not merely placed in a convenient area, which may be inappropriate. A 2m x 1m area should be provided with adequate drainage considered.



**Internal storage of waste** – It is also useful to consider how waste is stored within a property. When building a kitchen, utility room or garage extension, consider allocating a specific area for recycling purposes, and storage of food waste prior to collection. Not only will this help to organise the waste but it will motivate the household to recycle if there is a specific place for recyclables to go.

**Boundary walls and fences** – When designing boundary walls or fences, detailing the composition of railings and walls to create a permeable front boundary while screening and containing the bins and boxes can reduce the appearance of clutter within the street.

**Detached, semi-detached and terraced houses** – For detached, semi-detached and terraced houses where possible, the wheeled bins should be located on an area of hard standing within the rear curtilage with access to the collection point (which is usually located to the frontage of properties). Where bins cannot be accommodated within the rear curtilage the developer shall provide bin stores. Bin stores should be well designed to ensure they function well and do not create a visual blight within the street. The bin collection point should be easily accessible and designed to help screen the bins as much as possible. Screening can be in the form of walling, fencing or landscaping.

Enclosures should be kept as low as possible, constructed in materials to match the development to which they relate, provided with a watertight roof (sufficient to allow bin lids to be opened fully) and screened with planting where possible. The siting and design of container storage areas should also have regard to the impact of noise and smells from them on the occupiers of neighbouring properties. Enclosures for refuse containers should be located where they can be screened from the street and neighbours: either by structures, buildings or landscaping. To avoid health and safety issues steps and steep slopes should be avoided on the approaches to external bin storage areas and the areas should be adequately lit. Waste storage areas should be kept away from windows and ideally located in shaded areas.

### **Domestic Multi-Occupancy Developments (Apartments, flats etc.)**

In order to encourage and promote awareness of recycling in new developments it is good practice to provide signage in waste storage chambers discouraging the deposit of recyclables in the refuse containers, encouraging and directing use of the recycling wheeled bins provided. It is also good practice for any information packs provided to new residents to include full information on available recycling facilities along with encouragement to use them. Bin sizes are set out in section 10.

The design, location and appearance of bin and recycling storage is vitally important to multi occupancy developments, as poorly designed facilities can lead to an unkempt appearance and facilities that are not functional, leading to litter and hygiene problems. These areas should be designed to be integral to the overall development.

Waste storage areas should be accessible to all users and should not present an unnecessary health and safety risk. The method of transit of waste to a storage point will depend upon the type of development. In developments of flats and apartments typical options will be residents transferring their waste to communal bins, or a facilities management service. The developer should make adequate arrangements for the management and maintenance of all communal waste and storage infrastructure in all developments of flats and apartments.

Communal bin storage areas should be provided with appropriate drainage and on a hard surface to assist cleaning. Bin chambers at apartments and blocks of flats should be sufficiently robust to withstand impact from containers when they are moved by residents or collection operatives. Consideration should be given to appropriate screening of the waste bins and recycling facilities, and regard should be given to potential noise and smells from the use of the bins.

Consideration should also be given to vehicle access and egress to ensure the facilities can be easily serviced and are no more than 10 metres from the closest point of access for a refuse collection vehicle. Vehicle access to the site should not be obstructed by overhanging trees or vegetation.

To assist easy movement of bins, the storage areas should be located in such a way that bin collectors can traverse vehicular dropped crossings.

### Size of Unit and Total Storage Capacity Required for Refuse and Recycling

Size of Unit	Total Storage Capacity
Single room unit	100 litres
Two room unit	150 litres
Three room unit	200 litres
Four room unit	250 litres
Five room unit	300 litres
Six room unit	350 litres

Rooms comprise bedrooms and lounges, but do not include kitchens and bathrooms. At least 40% of storage capacity must be allocated for recycling. In this case facilities must be provided to collect dry recyclables in one container, green and kitchen waste in another and residual waste in the third container.

Internal storage requirements are shown in section 11.

### 3 Size of Waste Collection Vehicles

Waste collection vehicles fitted with rear-mounted compaction units are about the largest vehicles that might require regular access to residential areas. Section 12 provides advice on vehicle size and turning area.

### 4 Commercial Premises

- Offices
- Restaurants and fast food outlets
- Retail
- Hotels

As for all other properties, the general principles for storage and access should be followed. At least half of the waste generated is likely to be recyclable, so separation facilities must be made available in any waste stores.

Non-domestic waste must be collected by a Licensed Waste Carrier who can provide a Waste Transfer Note for the material carried. Such services attract a charge for both collection and disposal.

Information on the composition of waste from commercial premises is not available as each facility will generate a different waste stream, however research has been completed on gross waste production and the storage capacity for each type of development are listed below:

### **Offices**

2,600 litres of waste storage for every 1,000m<sup>2</sup> gross floor space

### **Retail**

5,000 litres of waste storage for every 1,000m<sup>2</sup> gross floor space

### **Restaurants and Fast Food Outlets**

10,000 litres of waste storage for every 1,000m<sup>2</sup> gross floor space

### **Hotels**

7,500 litres of waste storage for every 1000m<sup>2</sup> gross floor space.

Some commercial developments may be required to deal with a high volume of waste. Whether recyclable or not, it is important to consider (at the design stage) how the waste will be managed, sorted, stored and collected. Quite often, bins are stored in unattractive service yards to the side or rear of properties, causing a visual blight. All commercial premises will be expected to store refuse in wheeled bins rather than sacks for reasons of health and safety and manual handling.

## **5 Non Residential Developments (schools, charities etc.)**

Waste from schools is classified as 'domestic waste'. Therefore the Council will wish to implement collections for as broad a range of recyclable materials from these locations as possible. This will be done using the same 'source-separated' principle as is applied at domestic properties. 'Refuse' is materials not currently accepted for recycling.

As for all other properties, the general principles for storage and access should be followed. At least half of the waste generated is likely to be recyclable, so separation facilities must be made available in any waste stores:

- 1,500 litres of waste storage for every 1,000m<sup>2</sup> gross floor space.
- 1,000 litres of recycling storage for every 1,000m<sup>2</sup> gross floor space.

All educational premises will be expected to store refuse in wheeled bins rather than sacks for reasons of health and safety and manual handling.

## **6 Mixed Use (Domestic and Commercial) Developments**

Where mixed developments are proposed, access to commercial waste storage areas should be separated from the access to the domestic waste storage areas. Effort should be made to provide waste separation facilities within developments. This should include such things as paper, card, glass, cans, and plastic bottles recycling collection points in offices and retail units, and facilities for separating food waste in kitchens.

## **7 General Considerations**

Rochford District Council has a statutory obligation to remove domestic recyclables and waste at no charge to residents. Non-domestic waste must be collected by a Licensed Waste Carrier who can provide a Waste Transfer Note for the material carried. Such services attract a charge for both collection and disposal.

Sustainable waste management opportunities will be best secured through good design and layout in both waste and non-waste related proposals. Non-waste related development might incorporate recycling facilities such as bring banks, provide dedicated facilities to enable the collection of recyclable materials, or contribute towards community waste management facilities such as green waste composting sites.

The storage areas for wheeled bins need to:

- Be in a location which can be reached during service hours without interacting with the local community;
- Be at ground level;
- Within 15 metres of the public highway;
- Allow for both recycling and refuse containers; and
- The site and design of commercial bin storage areas should also have regard to the impact of noise and smells from them on the occupiers of neighbouring properties.

Access pathways from the storage area to the collection point (where the vehicle stops) need to:

- Be level, unless the gradient falls away from the storage area in which case the gradient should not be steeper than 1:12;
- Be at least 1.5 metres wide;
- Be free from kerbs and steps;
- Have solid foundations and a smooth continuous impervious surface (but not gravel, cobbles etc.);
- Must be easily accessible to staff;
- Provided with appropriate drainage to assist cleaning;
- Have shallow ramps where they meet roadways; and

- Be no more than 10 metres from the point where the collection vehicle will stop.

The collection vehicle will need to park near the storage area. So access roads need to:

- Have suitable foundations and surfaces to withstand the maximum weight of the vehicle (generally 26t GVW, 11.5t axle loading);
- Have heavy-duty manhole covers, gully gratings etc.;
- Be designed to ensure reasonable convenience for the collection vehicle;
- Be a minimum of 5 metres wide;
- Be arranged for the collection vehicle to continue in a forward direction;
- Offer adequate space for turning; and
- Allow a minimum of 4.1m clearance under any obstruction such as an arch.

If more than four containers are to be emptied, then the collection vehicle should be able to enter the development to avoid the risk of obstructing traffic. Exceptions may be made when the vehicle can be conveniently reversed into the development over a distance not exceeding 12 metres to a point within 10 metres of the storage area. Collection vehicles should not generally be expected to reverse into a development from a busy main road.

## 8 General Guidance on Recycling

Households in the District are provided with recycling facilities, and this is collected alternate weekly for dry recyclables and residual waste and weekly collection of green and kitchen waste. Designers should ensure that containers can be left out for collection without blocking the footway or presenting hazards to users, and the guidance presented throughout the document can be applied to recyclable as well as non recyclable waste storage and collection.

**Important Note:** This guidance does not replace guidance from the Recycling Team, and their advice should always be sought in addition to this document when planning for waste management.

## 9 Legislation

All new developments must meet the requirements of Part H6 of the Building Regulations 2000 (solid waste storage). This states that:





- Adequate means of storing waste shall be required; and
- Adequate means of access should be provided for people in the building to the place of storage and from the place of storage to a collection point for the collection of waste.

The Environmental Protection Act 1990, section 46 (household waste) and section 47 (commercial waste) place various waste management duties on local authorities. Under section 46 a local authority may require:

- Waste of certain types to be stored separately so that they can be recycled;
- Occupiers of dwellings to provide containers of a specified type for the storage of waste;
- Additional containers to be provided for the separate storage of recyclable waste; and
- Locations where containers should be placed for emptying.

### 10 Waste Container Sizes

#### Domestic

Container	Contents	Collection Frequency	Image	Dimensions
Grey lidded wheeled bin	Glass bottles and jars, tins, cans, paper, cardboard, plastic bottles and containers, tetrapaks	Alternate week		240ltr capacity, 580mm wide, 740mm deep, 1100mm tall
Yellow lidded green bin	Kitchen and green waste	Weekly Collection		140ltr capacity, 505mm wide, 555mm deep, 1100mm tall
Purple lidded wheeled bin	All other waste that is not recycled i.e. the residual	Alternate week		180ltr capacity, 505mm wide, 755mm deep, 1100mm tall
Euro/bulk bins (metal or plastic)	Can be used for either recycle or residual	Alternate week or weekly depending on the material to be collected		1100ltr capacity, 1210mm deep, 1100mm wide, 1427mm tall

## **11 Internal Storage**

<b>Size of Dwelling (number of Rooms)</b>	<b>Number of Bedrooms</b>	<b>Storage Space Required M<sup>3</sup></b>
One	1	0.1
Two	1	0.15
Three	1	0.2
Four	1	0.25
Five	2	0.3
Six	3	0.35

## **12 Vehicle Size and Turning Area**

The construction of all access roads for refuse collection vehicles should be in accordance with the Department for Transport's Design Manual for Roads and Bridges. In particular, they should have suitable foundations and surfaces to withstand the maximum payload of the vehicle (currently 26 tonnes). Covers over manholes, gully gratings etc. should also be of the type to withstand such weight.

Roads and parking areas should be laid out to ensure reasonable convenience for the collection vehicles. Individual negotiation will help clarify and provide more guidance.

Any structure under which the refuse vehicle has to operate should provide a minimum clearance of 4.1 metres, with a minimum working area of 3.5 metres width by 4.0 metres length where the emptying of the containers will take place.

Refuse collection vehicles should not be expected to reverse into or from a highway to make a collection. Where collection vehicles do have to enter a development, there must be sufficient on site turning circles or hammerheads to allow safe manoeuvring and exit from the development. The Council's Recycling Team should be consulted in respect of road layout and turning area measurements to ensure kerbside collections of waste and recyclables take place safely.

Roads with inadequate width or turning facilities are inaccessible to collection vehicles, in such cases alternative presentation points on a nearby public highway have to be arranged.

The length of a refuse collection vehicle plus container is generally 9.0 metres; the working length should take account of the size of the container, making the length of the vehicle with the container in emptying position 11 metres. A further 2 metres is required for operatives to stand clear of the bin whilst being lifted.

The emptying position that the vehicle manoeuvres to and operates from should be relatively level and flat for the entire length of vehicle and container. Any slopes or gradients (other than those necessary for surface water drainage) should be avoided.

Ideally the vehicle should pull into a dedicated off road bay, without the necessity of reversing into or out of the bay.



### Access for Refuse Collectors

Refuse is not collected from private drives. All refuse should be presented onto the nearest kerbside, ideally at the front of the building for collection, unless otherwise agreed. Where access paths are to be used to transfer refuse from the storage location to the collection vehicle, they should be relatively level (apart from gradients necessary for surface water drainage). A longitudinal gradient falling away from the storage location at an incline of no more than 1:12 is acceptable.

Access paths should be not less than 1.5 metres wide and be completely free from kerbs and steps. They should be of durable construction with a relatively smooth non-slip surface. Where necessary an appropriate drainage system should be incorporated into the design of the access path to prevent surface water discharging from the path to the public highway. In some cases it will be necessary to provide illumination of the access path.

Drop kerbs should be provided where access paths meet the adopted Highway, and resulting gradients should be kept to a minimum.

**Note:** Where foundations have eroded and trip hazards have formed, the landowner will be responsible for any and all appropriate repairs. Failure to maintain foundations and surfaces to a satisfactory standard may result in collections being halted due to health and safety requirements.

**Bulky/commercial containers** – Collection operatives should not be required to pull/push a bulky container (660 Litre and above) bin more than 15 metres from the agreed waste collection point to the collection vehicle. Any paths should be free from obstructions.

## **Appendix 2 – Extant Local Development Plan Policies**

For clarity, upon adoption of the Development Management Plan, the remaining saved policies in the 2006 Replacement Local Plan will expire.

## Local Development Framework

# Development Management Sustainability Appraisal

Sustainability Appraisal – Non-technical Summary  
(Evidence Base Document)



**LDF  
Evidence Base**

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

## **1 Introduction**

### **Purpose of the Development Management Development Plan Document (DPD)**

- 1.1 Rochford District Council is at the final stage of preparing the Development Management DPD, which will form part of the Council's Local Development Framework (LDF).
- 1.2 The Development Management DPD sits below the Core Strategy in the LDF. The Core Strategy sets out the broad policies to guide the future development of the District, addressing a range of issues including housing, employment, open spaces and community facilities. Broad locations for the allocation of new housing and employment development for example are identified within the Core Strategy.
- 1.3 In turn, the Development Management DPD will set out detailed planning policies for determining planning applications and aid the delivery of development. It will address a number of issues such as the design of housing, employment opportunities in the Green Belt, nature conservation, parking standards and town centre shopping frontages.
- 1.4 The initial stage of the Development Management DPD, called the Discussion and Consultation Document, was published for public consultation in March/April 2010. The purpose of this document was to set out a number of options for the specific issues it seeks to address, for example, it identified a preferred option and three alternative options for the density of new developments.
- 1.5 In January/February 2012 a second, informal, stage in the preparation of the document, called the Preferred Policy Options Document, was published for public consultation. This document built on the previous stage of the Development Management DPD, and set out the preferred policies to be taken to the submission stage.
- 1.6 The final stage of the Development Management DPD, called the Development Management Submission Document, has been prepared taking into account a plethora of evidence base documents (as detailed within the Submission Document). This document sets out detailed policies for determining planning applications to address specific issues such as the design and density of new developments.

### **Purpose of the Sustainability Appraisal**

- 1.7 In accordance with the Planning and Compulsory Purchase Act 2004, the Development Management DPD has been the subject of, and has been produced in conjunction with, a Sustainability Appraisal (SA). European and UK legislation require that the LDF is also subject to a Strategic Environmental Assessment (SEA), a process that considers the effects of development planning on the environment. Government guidance advises that these two processes should be carried out together and outlines a number of stages of SA work that need to be carried out as

the LDF is being prepared. Government guidance, as detailed further below, also states that SA work should not repeat that carried out at a higher level. As such, this SA incorporates the requirements of SEA and does not repeat the SA/SEA work undertaken on the Rochford District Core Strategy. This SA should be read in conjunction with the SA/SEA of the Rochford District Core Strategy, including addendums to such work.

- 1.8 The purpose of the SA is to ensure that wider sustainability issues, encompassing environmental, economic and social implications of options or policies proposed, are taken into consideration throughout the preparation of Development Plan Documents.
- 1.9 This document combines the initial Scoping Report for the SA which has informed the preparation of the full SA Report for each stage of the Development Management DPD. It has been produced in-house to ensure that the SA process is as integrated with the plan making process as possible.
- 1.10 The policies in the informal Preferred Policy Options Document (2012) are similar to those within the Submission Document (2013) and this SA combines the appraisal for both documents, but ultimately provides the draft assessment for the final proposed document.

### **Vision and Objectives**

- 1.11 The SA for the Core Strategy (September 2009) recognises that the Core Strategy includes an overarching Vision and Objectives for the District.

#### ***Spatial Vision:***

*To make Rochford District a place which provides opportunities for the best possible quality of life for all who live, work and visit here.*

#### ***Key Planning Objectives:***

*To support the vision, the Council has four main corporate objectives. These are:*

- *Making a difference to our people*
- *Making a difference to our community*
- *Making a difference to our environment*
- *Making a difference to our local economy*

- 1.12 The Core Strategy is structured around a number of themes that have individual visions and objectives that all contribute to the overall vision for the District. The Core Strategy includes the following themes:

- Housing

- Character of Place
- The Green Belt
- Upper Roach Valley and Wallasea Island
- Environmental Issues
- Community Infrastructure, Leisure and Tourism
- Transport
- Economic Development
- Retail and Town Centres

1.13 The Development Management DPD seeks to deliver key aspects of the Core Strategy in relation to these themes:

- Housing, Character of Place and Residential Amenity
- The Green Belt and Countryside
- Environmental Issues
- Transport
- Economic Development
- Retail and Town Centres

### **Summary of Compliance with the SEA Directive/Regulations**

- 1.14 The SEA Regulations set out certain requirements for reporting the SEA process, and specify that if an integrated appraisal is undertaken (i.e. SEA is subsumed within the SA process, as for the SA of the Rochford LDF), then the sections of the SA Report that meet the requirements set out for reporting the SEA process must be clearly signposted. The requirements for reporting the SEA process are set out in Appendix 1 and within each relevant section of this SA Report, as appropriate. This SA Report should also be read in conjunction with the Core Strategy Submission SA Report.
- 1.15 This SA report has been produced in-house to ensure that the SA process is as integrated with the plan making process as possible. To ensure the preparation of a robust and compliant report, this SA has sought reference from the Discussion and Consultation Document of the Allocations SA document which has undertaken a compliance review by independent consultants, Enfusion.

### **Habitats Regulations Assessment**

- 1.16 A Habitats Regulations Assessment (HRA) must be undertaken to assess the impacts of land-use plans on sites of European importance, in accordance with the European Habitats Directive (92/43/EEC), as set out in the UK amended Habitats Regulations (2007).



The Core Strategy, which sets out the broad policies for the future development of the District, has been subject to a HRA.

- 1.17 A HRA for the Discussion and Consultation Document was prepared December 2011 and recommended that:
- 1.18 “In addition, strengthen the wording in the existing policy would also help to avoid any likely significant effects. It is recommended PolicyDM2 should be amended to include more specific reference of European sites in the policy, for example: “Proposals for residential development must optimise the capacity of the site in a manner that is compatible with the use, intensity, scale and character of the surrounding natural and built environment area, including any European sites, and the size of the site.” This amendment is considered to be minor, and should be applied to the submission draft prior to its submission for Examination.”
- 1.19 The HRA concluded that:
- “Although the assessment found that DM2 in the Development Management DPD had the potential for likely significant in-combination effect on European sites through increased disturbance; the assessment also considered that the mitigation provided by the Local Development Framework i.e. Core Strategy through the provision for new open space and alternative recreational opportunities would be sufficient to avoid likely significant effects as a result of increased disturbance.
- 1.20 The assessment suggests making amendments to the text in order to mitigate the potential likely significant effects outlined above.”
- 1.21 The final policies within the Development Management DPD: Submission Document, in general, do not differ greatly from those proposed in the Discussion and Consultation Document.

## **2 Sustainability Appraisal Methodology**

- 2.1 The SA Report has been produced alongside the Development Management Submission Document, and as such has been undertaken in accordance with the advice set out in the guidance on the preparation of SAs for Development Plan Documents published in 2005<sup>1</sup>. This guidance has since been superseded (in September 2009) by the CLG Plan Making Manual<sup>2</sup>, which continues to refers to guidance on undertaking Strategic Environmental Assessments (SEA) published in

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<sup>1</sup> ‘Sustainability Appraisal of Regional Spatial Strategies and Local Development Documents’ (November 2005) available from: <http://www.communities.gov.uk/archived/publications/planningandbuilding/sustainabilityappraisal>

<sup>2</sup> ‘CLG Plan Making Manual’ available at: <http://www.pas.gov.uk/pas/core/page.do?pageId=109798>

2005<sup>3</sup>. This SA Report will combine the SEA guidance with the advice within the Plan Making Manual.

- 2.2 An overarching LDF Scoping Report generic to all LDF Development Plan Documents has already been prepared. This was produced during the preparation of the Core Strategy Submission Document and as such the overarching SA of the Council's LDF is the Core Strategy Submission SA Report. This was in accordance with government guidance which stated that the SA must be proportionate to the plan in question and it should not repeat the appraisal of higher level policy.
- 2.3 The Council's Core Strategy was submitted to the Planning Inspectorate for examination (to be undertaken by the independent Inspector on behalf of the Secretary of State for Communities and Local Government) on 14 January 2010. The final SA Report for the Core Strategy Submission Document with an integrated Strategic Environmental Assessment (SEA) was produced in 2009. However, following the Forest Heath case (Save Historic Newmarket v. Forest Heath District Council) in March 2011 which provided an additional interpretation on undertaking SEA, the Council requested that the Inspector delay the issuing of a decision on the soundness of the Core Strategy to enable a review of the Core Strategy Submission SA to be undertaken. The Inspector accepted this request, and an addendum to the submitted Core Strategy SA was produced, and consulted upon in June/July 2011. The addendum appraised in further detail the preferred general locations for housing and employment development and the reasonable alternatives. The addendum should be read in conjunction with the Core Strategy Submission SA Report.
- 2.4 The Core Strategy was found sound, subject to changes and the Inspector's Report stated that the SA/SEA work undertaken, including the addendum, was adequate. The Core Strategy was adopted on 13 December 2011.
- 2.5 The SEA Baseline Information Profile for the District, which contains a wealth of environmental, economic and social information, is produced by Essex County Council and updated on a regular basis. This will therefore enable a consistent methodology and approach to all LDF documents, and a wide ranging set of information has been included to ensure the full appraisal of individual documents. The 2009-2010 SEA Baseline Information Profile (which is available in Appendix 8) has been used in the appraisals. The evidence base supporting the development of the Core Strategy has also been drawn upon, as appropriate.
- 2.6 The stages of the SA process are outlined in Table 1 below.

**Table 1 – Stages of the SA Process**

Stage	Task
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<sup>3</sup> 'A Practical Guide to the Strategic Environmental Assessment Directive (2005)' available from: <http://www.communities.gov.uk/documents/planningandbuilding/pdf/practicalguides/ea.pdf>

Stage	Task
Stage A	SA Scoping Process
Stage B	Developing and refining options and assessing effects.
Stage C	Preparing the SA Report.
Stage D	Consulting on the Plan and the SA Report.
Stage E	Monitoring and implementing the Plan.

- 2.7 A number of plans, policies and programmes relevant to the production of the LDF generally have been identified and reviewed in the Core Strategy Submission SA Report. This is available to view in Appendix 6 of this report. To account for changes since the Core Strategy Submission SA Report in September 2009, a list of new or updated key plans and programmes is also available in Appendix 6a.
- 2.8 The 2009-2010 SEA Baseline Information Profile has been used as part of the appraisal process, where appropriate. This document is available in Appendix 8 of this report. The previous SEA Baseline Information Profile documents can be found on the Council's website at **[www.rochford.gov.uk](http://www.rochford.gov.uk)**.
- 2.9 The baseline conditions for the District, described in the Core Strategy Submission SA Report, are set out within Appendix 7.
- 2.10 The Core Strategy Submission SA Report identifies the sustainability characteristics for the District, and these are detailed within Appendix 7. The key sustainability issues for the District are also identified in the Core Strategy Submission SA Report. It is considered that this list is of relevance to the Development Management DPD. These issues were used in developing the objectives and policies of the document, as detailed within Task A5. The key sustainability issues for the District are set out in Table 2 below.

<b>Table 2 – Key sustainability Issues/ opportunities identified for Rochford District</b>
The provision of quality and affordable housing to meet housing needs in the Districts settlements.
Improving services and connectivity to the sparsely populated eastern part of the district.
Taking account of environmental and physical constraints when accommodating new housing.
The protection of the District's biodiversity and landscape qualities; including opportunities for green infrastructure networks.
High levels of car ownership and limited public transport in many areas.
High levels of out-commuting to other districts and difficulties in competing with

**Table 2 – Key sustainability Issues/ opportunities identified for Rochford District**

economies in neighbouring areas.

Opportunity to stimulate the local economy, including the rural economy, whilst recognising difficulties in competing with economies in neighbouring areas.

Opportunities to incorporate good practice sustainable design into new development, and minimise the carbon footprint of the District.

- 2.11 The SA Framework was refined during the preparation of the Core Strategy SA Scoping Report. The final SA Framework used to appraise the development of the Core Strategy DPD is set out in the Core Strategy Submission SA Report, and can be found in Appendix 7.
- 2.12 The SA Framework used in the appraisal of the Development Management Submission Document was adapted from that of the Core Strategy Submission Document to reflect the differing perspectives and scales of the Development Plan Document, where appropriate.

**Table 3 – SA Objectives**

SA Objective Headings	
1. Balanced Communities	8. Landscape & Townscape
2. Healthy & Safe Communities	9. Climate Change & Energy
3. Housing	10. Water
4. Economy & Employment	11. Land & Soil
5. Accessibility	12. Air Quality
6. Biodiversity	13. Sustainable Design & Construction
7. Cultural Heritage	

- 2.13 Each option included within the Discussion and Consultation Document on this document and those included in the Submission Document and further alternatives, have been appraised against the SA Framework, where appropriate. A broad assessment of whether effects are likely to be cumulative, short, medium and long-term, temporary or permanent has been included, where possible, in relation to the SA objectives are detailed within the main Sustainability Appraisal.

### **3 Sustainability Appraisal – Matrices and Summaries**

- 3.1 The following section provides a summary of the detailed assessment of the proposed policies and the alternative options against the SA objectives. Matrices in Appendices 3 of the document set out the detailed assessment themselves of the proposed

policies and the alternative options against the SA objectives and accompanying decision-aiding questions.

- 3.2 Each of the alternative options and the proposed policies have been given an impact category according to the table below.

**Table 4 – Categories of Sustainability Effects**

<b>Colour</b>	<b>Impact</b>
++	Major Positive
+	Positive
+/-	Positive/Negative
0	No Impact
?	Uncertain
-	Negative
--	Major Negative

- 3.3 A scoring summary of the proposed policies and the reasonable alternative options considered is set out in the table below.

## Rochford District Council – Development Management Submission Document Sustainability Appraisal (Non-technical summary)

Policy/Option	SA Objective												
	Balanced Communities	Healthy & Safe Communities	Housing	Economy & Employment	Accessibility	Biodiversity	Cultural Heritage	Landscape & Townscape	Climate Change & Energy	Water	Land & Soil	Air Quality	Sustainable Design & Construction
<b>Housing, Character of Place and Residential Amenity</b>													
Policy DM1	++	+	+	0	+/0	+	+	+	0	0	0	0	+
Policy DM2	+	?	+	?	+	0/?	0	+	0	0	+	0	0
Policy DM3	+	+/?	+	0	+	0/+	+	+	0	?	+	?	+
Policy DM4	+	+	+	0	0	0	0	0	0	0	0	0	0
Policy DM5	0	+	+	0	+	?/+	0	?/+	0	0	0	0	0
Policy DM6	?	?/+	0	?/+	0	?/+	?/+	+	0	0	0	0	0
Policy DM7	+	+	+/-	0	0	0	+	+	0	0	0	0	+
Policy DM8	+	?/+	?/+	?	?	0	+	+	0	0	?/+	0	+
Policy DM9	?	?	+	?/+	?	0	+	?/+	0	0	?	0	?/+
<b>The Green Belt and Countryside</b>													

## Rochford District Council – Development Management Submission Document Sustainability Appraisal (Non-technical summary)

Policy/Option	SA Objective												
	Balanced Communities	Healthy & Safe Communities	Housing	Economy & Employment	Accessibility	Biodiversity	Cultural Heritage	Landscape & Townscape	Climate Change & Energy	Water	Land & Soil	Air Quality	Sustainable Design & Construction
Policy DM10	+	?/+	?/+	?/+	?/+	0	0	+	0	0	0	?/+	0
Policy DM11	?/+	?/+	0	++	?	0	0	?	0	0	?/+	0	?
Policy DM12	+	?	0	++	+/-	?	?	?/+	0	0	?	0	0
Policy DM13	+	?	0	+	?/+	?	?/+	?/+	0	0	?/+	0	0
Policy DM14	+/-	?/+	0	+	+/-	+	+	+	0	0	?	0	?/+
Policy DM15	+	+	0	+/0	+/-	?/+	?	+	0	0	+	?	0
Policy DM16	+	+	0	?/+	+	?/+	?	?/+	0	0	?/+	?	?
Policy DM17	0	?/+	?	0	0	0	0	+	0	0	0	0	+
Policy DM18	+	?/+	+	+	+	0	0	?/+	0	0	+/-	0	?
Policy DM19	+	0	+	?/+	?/+	0	0	?	0	0	+/-	0	?
Policy DM20	0	?	?	0	0	0	0	?/0	0	0	?	0	?/+
Policy DM21	+	0	+	0	0	0	?	?/+	0	0	?	0	+



## Rochford District Council – Development Management Submission Document Sustainability Appraisal (Non-technical summary)

Policy/Option	SA Objective												
	Balanced Communities	Healthy & Safe Communities	Housing	Economy & Employment	Accessibility	Biodiversity	Cultural Heritage	Landscape & Townscape	Climate Change & Energy	Water	Land & Soil	Air Quality	Sustainable Design & Construction
Policy DM22	0	0	0	0	0	?	?	?/+	0	0	?	0	0
Policy DM23	?/+	+	+	?/+	?/+	0	+	+	0	0	0/?	0	+
<b>Environmental Issues</b>													
Policy DM24	+	0	+/-	0	?/+	?	+	?	0	0	0	0	0
Policy DM25	0	?/+	0	0	?/+	++	0	+	0	0	?	0	0
Policy DM26	0	?/+	?/+	0	?/+	+	?/+	+	0	0	0	0	?/+
Policy DM27	0	?/+	0	?	0	++	0	?	0	?	?	0	0
Policy DM28	0	+	?	?	0	?	0	+	+	+	+	0	0
Policy DM29	0	?/+	0	0	0	0	0	0	?	0	0	++	0
<b>Transport</b>													
Policy DM30	+	+	+	-/+	+	0	0	0	0	0	0	+	0
Policy DM31	+	+	0	0	+	?	?	?/+	?/+	0	0	?/+	0

Policy/Option	SA Objective												
	Balanced Communities	Healthy & Safe Communities	Housing	Economy & Employment	Accessibility	Biodiversity	Cultural Heritage	Landscape & Townscape	Climate Change & Energy	Water	Land & Soil	Air Quality	Sustainable Design & Construction
<b>Economic Development</b>													
Policy DM32	+	+/?	0	+	+	0	0	0	?	0	?	0	0
Policy DM33	+	0	0	-/+	+	0	0	?/+	0	0	0	?	?/+
<b>Retail and Town Centres</b>													
Policy DM34	+	+	0	++	+	0	?	?	0	0	?	+	?
Policy DM35	+	0	+	+	+	0	?	?	0	0	+	0	?
Policy DM36	+	+	+	?/+	0	0	0	?	0	0	0	0	?
Policy DM37	0	+	0	?/+	0	0	0	+	0	0	0	0	?/+
Policy DM38	0	?	0	?/+	0	0	0	+	0	0	0	0	?/+

- 3.4 The tables below summarise the options / reasonable alternatives considered for the Development Management DPD, with an outline of the reasons for rejection / selection of these in the Submission Document. It should be noted that whilst the SA findings are considered by the Council in its selection of options and form part of the evidence supporting the Development Management DPD, the SA findings are not the sole basis for a decision; planning and feasibility factors play a key role in the decision-making process.

#### **Design of New Developments (DM1)**

One preferred option and one alternative option were considered within the Discussion and Consultation Document.

The previous SA found that the criteria based approach within the preferred option would have a greater positive impact on a range of sustainability objectives than the alternative option, in particular the option to remove some of the specified criteria.

In terms of additional criteria, it was recommended that the preferred option should also include reference to the retention of trees. A minor amendment to the wording of the text within the preferred option was suggested, and the purpose of Concept Statements should be expanded upon in the preamble.

The preferred option, with the proposed amendments, was therefore taken forward.

#### **Density of New Developments (DM2)**

A preferred option and three alternative options were considered within the Discussion and Consultation Document.

The preferred option would ensure a greater positive impact on a range of sustainability objectives than the three alternative options as found in the previous SA. It was, however, recommended that minor changes to the text within the preferred option are made and that the varying density across the District is illustrated in the accompanying text.

The preferred option, with the proposed amendments, was therefore taken forward in the development of the Submission Document.

#### **Infilling and Residential Intensification (DM3)**

One preferred option and one alternative option were considered within the Discussion and Consultation Document.

#### **Infilling and Residential Intensification (DM3)**

The criteria based approach within the preferred option was found to have a greater positive impact on a range of sustainability objectives than the alternative option. However, it was advised that the first sentence of the preferred option is reworded and that an additional criterion about tandem relationships is included.

The preferred option, with the proposed amendments, was therefore taken forward.

#### **Habitable Floorspace for New Developments (DM4)**

A preferred option and three alternative options were considered within the Discussion and Consultation Document.

The previous SA found that the preferred option would ensure a greater positive impact on some of the sustainability objectives than the alternative option. However, it was suggested that the text within the preferred option is amended and reference is made to the Lifetime Homes Standard.

The preferred option, with the proposed amendments, was therefore taken forward to the next stage of the document.

#### **Light Pollution (DM5)**

A preferred option but no specific separate alternatives were considered for this issue within the Discussion and Consultation Document. No distinct, realistic alternatives were identified.

The preferred option would have a positive impact on some of the sustainability objectives. However, it is recommended that reference is made to the acceptability of the design/appearance/scale (i.e. the height) of proposed lighting and the impact on the character and appearance of an area.

The preferred option, with the proposed amendments, should therefore be taken forward.

#### **Telecommunications (DM6)**

A preferred option but no specific separate alternatives were considered for this issue within the Discussion and Consultation Document. No distinct, realistic alternatives were identified.

The preferred option would have a positive impact on sustainability objectives.

#### **Local List (DM7)**

A preferred option and two alternative options were considered within the Discussion and Consultation Document.

The previous SA found that the preferred option would ensure a greater positive impact on some of the sustainability objectives than the alternative option. However, it was suggested that the text within the preferred option is amended and minor changes are made to the supporting text.

The preferred option, with the proposed amendments, was therefore taken forward to the next stage of the document.

#### **Demolition within Conservation Area (DM8)**

One preferred option and one alternative option were considered within the Discussion and Consultation Document.

No amendments were proposed in the Discussion and Consultation SA.

The policy performs well against sustainability objectives.

#### **Development outside, but close to the boundary of, Conservation Areas (DM9)**

One preferred option and one alternative option were considered within the Discussion and Consultation Document.

The previous SA found that the preferred option would ensure a greater positive impact on some of the sustainability objectives than the alternative option. However, it was recommended that the text within the preferred option is amended and changes are made to the heading and supporting text.

The preferred option, with the proposed amendments, was therefore taken forward in the development of the Submission Document.

#### **Redevelopment of Previously Developed Land in the Green Belt (DM10)**

This policy was introduced at the Submission stage; and was found to have a positive impact on sustainability objectives.

#### **Existing Businesses in the Green Belt (DM11)**

A preferred option and two alternative options were considered within the Discussion and Consultation Document.

The previous SA found that the preferred option would ensure a greater positive impact on some of the sustainability objectives than the alternative option. However, it was suggested that the text within the preferred option is amended to remove the 25% allowance and addition wordings to be added to the supporting text.

The preferred option, with the proposed amendments, was therefore taken forward in

the development of the Submission Document.

#### **Rural Diversification (DM12)**

One preferred option and two alternative options were considered within the Discussion and Consultation Document.

The previous SA found that the preferred option would ensure a greater positive impact on some of the sustainability objectives than the alternative option. However, it was suggested that the text within the preferred option is amended and a minor change to be made to a term in the policy.

The preferred option, with the proposed amendments, was therefore taken forward to the next stage of the document.

#### **Conversion of Existing Agricultural or Rural Buildings in the Green Belt (DM13)**

A preferred option and one alternative option were considered within the Discussion and Consultation Document.

The previous SA found that the preferred option would ensure a greater positive impact on some of the sustainability objectives than the alternative option. However, it was suggested that the text within the preferred option should be further explained and set out in the preferred option that it does not support the conversion of existing agricultural buildings for residential use. In addition, reference should be made to locally listed buildings in the supporting text with clarification on the definition of 'original building'.

The preferred option, with the proposed amendments, was therefore taken forward in the development of the Submission Document.

#### **Green Tourism (DM14)**

One preferred option and two alternative options were considered within the Discussion and Consultation Document.

The preferred option would ensure a greater positive impact on a range of sustainability objectives than the alternative option. However, it is recommended that the historic environment and agricultural land are included within the preferred option.

#### **Equestrian Facilities (DM15)**

#### **Equestrian Facilities (DM15)**

One preferred option and one alternative option were considered within Discussion and Consultation Document.

The previous SA found that the preferred option would ensure a greater positive impact on some of the sustainability objectives than the alternative option. However, it was recommended that the second criterion and the text within the preferred option are amended.

The preferred option, with the proposed amendments, was therefore taken forward to the next stage of the document.

#### **Playing Pitches and Other Leisure and Recreational Activities (DM16)**

One preferred option and one alternative option were considered within the Discussion and Consultation Document.

The previous SA found that the preferred option would ensure a greater positive impact on some of the sustainability objectives than the alternative option. It was, however, recommended that minor changes to the text within the preferred option are made and that historic environment and agricultural land are included within the preferred option.

The preferred option, with the proposed amendments, was therefore taken forward to the next stage of the document.

#### **Extensions to Dwellings in the Green Belt (DM17)**

One preferred option and two alternative options were considered within the Discussion and Consultation Document.

The previous SA found that the preferred option would ensure a greater positive impact on some of the sustainability objectives than the alternative option. However, it was recommended that the second criterion and the text within the preferred option are amended to include reference to the scale, mass and orientation; and minor changes are made to the supporting text.

The preferred option, with the proposed amendments, was therefore taken forward to the next stage of the document.

#### **Agricultural, Forestry and Other Occupational Dwellings (DM18)**

A preferred option but no specific separate alternatives were considered for this issue within the Discussion and Consultation Document. No distinct, realistic alternatives were identified.

The preferred option would have a positive impact on a number of sustainability



#### **Agricultural, Forestry and Other Occupational Dwellings (DM18)**

objectives. No amendments are proposed.

The preferred option should therefore be taken forward to the next stage of the document.

#### **Temporary Agricultural Dwellings (DM19)**

A preferred option but no specific separate alternatives were considered for this issue within the Discussion and Consultation Document. No distinct, realistic alternatives were identified.

The preferred option would have a positive impact on a number of sustainability objectives. No amendments are proposed.

The preferred option should therefore be taken forward to the next stage of the document.

#### **Basements in the Green Belt (DM20)**

One preferred option and two alternative options were considered within the Discussion and Consultation Document.

As stated in the previous SA, the preferred option would have a positive and negative impact on a number of sustainability objectives, however, alternative option A would have a greater positive impact, particularly in terms of landscape impact.

Therefore, it was recommended that the policy should amend to include the first point of the preferred option, with generic wording in the last sentence to include the permitted development rights. In addition, it was suggested that the supporting text is amend to include basement extensions within the 25% increase in floorspace allowance for dwellings in the Green Belt.

Alternative option A, with the proposed amendments, was therefore taken forward in the development of the Submission document.

#### **The Replacement or Rebuild of Existing Dwellings in the Green Belt (DM21)**

One preferred option and one alternative option were considered within the Discussion and Consultation Document.

The previous SA found that the preferred option would ensure a greater positive impact on some of the sustainability objectives than the alternative option. However, it was advised that “to the Council’s satisfaction” is removed from the preferred option, and the last sentence should be amended to generic working about permitted development rights, and this should be amended elsewhere in the plan.

The preferred option, with the proposed amendments, was therefore taken forward to the next stage of the document.

#### **Extension of Domestic Gardens in the Green Belt (DM22)**

A preferred option but no specific separate alternatives were considered for this issue within the Discussion and Consultation Document. No distinct, realistic alternatives were identified. The preferred option would have a positive impact on a number of sustainability objectives. However, it was suggested that additional requirements are included in the preferred option. In addition, a sentence to be added to include “permitted development rights”.

The preferred option, with the proposed amendments, was therefore taken forward to the next stage of the document.

#### **Conservation Areas and the Green Belt (DM23)**

One preferred option and two alternative options were considered within the Discussion and Consultation Document.

The preferred option would have a positive impact on a number of sustainability objectives. No amendments are proposed.

The preferred option should therefore be taken forward to the next stage of the document.

#### **Houseboats (DM24)**

One preferred option and one alternative option were considered within the Discussion and Consultation Document.

The previous SA found that the preferred option would ensure a greater positive impact on some of the sustainability objectives than the alternative option. However, it was recommended that reference to potential impact on the wider historic environment is referred to in the preferred option.

The preferred option, with the proposed amendments, was therefore taken forward to the next stage of the document.

#### **Trees and Woodlands (DM25)**

This policy was introduced at the Submission stage; and was found to have a positive impact on sustainability objectives.

#### **Other Important Landscape Features (DM26)**

One preferred option and one alternative option were considered within the Discussion and Consultation Document.

The previous SA found that the preferred option would ensure a greater positive impact on some of the sustainability objectives than the alternative option. However, it was recommended that additional criteria to be added to the policy, thus encourage the creation of new habitats with new development.

The preferred option, with the proposed amendments, was therefore taken forward to the next stage of the document.

#### **Species and Habitat Protection (DM27)**

This policy was introduced at the Submission stage; and was found to have a positive impact on sustainability objectives.

#### **Sustainable Drainage Systems (SUDs) (DM28)**

This policy was introduced at the Submission stage; and was found to have a positive impact on sustainability objectives.

#### **Air Quality (DM29)**

This policy was introduced at the Preferred Policy Options stage; and was found to have a positive impact on sustainability objectives. The policy was therefore taken forward to the Submission stage

#### **Parking Standards (DM30)**

One preferred option and one alternative option were considered within the Discussion and Consultation Document.

The preferred option would have a positive impact on a number of sustainability objectives. No amendments are proposed.

The preferred option should therefore be taken forward to the next stage of the document.

#### **Traffic Management (DM31)**

### **Traffic Management (DM31)**

A preferred option but no specific separate alternatives were considered for this issue within the Discussion and Consultation Document. No distinct, realistic alternatives were identified.

The preferred option would have a positive impact on a number of sustainability objectives. It was, however, recommended that additional conditions should be inserted to ensure the protection and enhancement of the environment, reference to be made to the natural and historic environment with additional criteria inserted on the delivery of high quality, safe and inclusive design.

The preferred option, with the proposed amendments, was therefore taken forward in the development of the Submission Document

### **Employment Land (DM32)**

A preferred option but no alternatives were considered for this issue within the Discussion and Consultation Document.

The preferred option would have a positive impact on a number of sustainability objectives. It was, however, recommended in the previous SA that criteria are added to ensure that any infrastructure commensurate with new employment land, or existing employment land, is phased. Some other design related criteria should also be considered. In addition, the reasons for preferring the predominance of B1 and B2 uses should be explained further within the supporting text and that the compatibility of alternative uses with existing uses is included within the option.

The preferred option, with the proposed amendments addressed in the Submission document and the Allocations DPD, was therefore taken forward to the next stage.

### **Working From Home (DM33)**

A preferred option but no specific separate alternatives were considered for this issue within the Discussion and Consultation Document. No distinct, realistic alternatives were identified.

The preferred option would have a positive impact on a number of sustainability objectives. However, it was recommended that the first point is amended from 'is ancillary to the residential use' to 'remains linked to the residential use', and it was recommended that this option should not restrict uses within dwellings to B1 as other uses may be compatible with residential uses which do not fall within this class.

The preferred option, with the proposed amendments, was therefore taken forward in the development of the Submission Document.

#### **Town Centre Shopping Frontages (DM34)**

One preferred option and two alternative options were considered within the Discussion and Consultation Document.

The preferred option would ensure a greater positive impact on a range of sustainability objectives than alternative options A and B. However, it is recommended that an explanation of what constitutes a cluster of uses is provided, and additional text on what threshold for retail use should be applied if the Retail and Leisure Study is not up to date should be provided.

The preferred option, with the proposed amendments, was therefore taken forward to the next stage of the document.

#### **Upper Floor Locations in Town Centres (DM35)**

One preferred option and one alternative option were considered within the Discussion and Consultation Document.

The preferred option would have a positive impact on a number of sustainability objectives. However, it was recommended minor changes to be made to the supporting text.

The preferred option, with the proposed amendments, was therefore taken forward to the next stage of the document.

#### **Village Shops and Neighbourhood Shopping Areas (DM36)**

One preferred option and one alternative option were considered within the Discussion and Consultation Document.

The preferred option would have a positive impact on a number of sustainability objectives. However, it was recommended that on-street parking is included to ensure that this is taken into consideration in the determination of applications for non-retail uses.

The preferred option, with the proposed amendments, was therefore taken forward to the next stage of the document.

#### **Advertisements (DM37)**

One preferred option and one alternative option were considered within the Discussion and Consultation Document.

The preferred option would ensure a greater positive impact on a number of sustainability objectives than the alternative option. However, it was recommended in the previous SA that minor changes should be made to the supporting text, and

#### **Advertisements (DM37)**

appropriate guidance on advertisements should be referred to.

The preferred option, with the proposed amendments, was therefore taken forward to the next stage of the document.

#### **Advertisements affecting Conservation Areas and Listed Buildings (DM38)**

One preferred option and one alternative option were considered within the Discussion and Consultation Document.

No amendments were proposed in the Discussion and Consultation SA.

The policy performs well against sustainability objectives.

## **4 Consultation on the Development Management DPD and the SA Report**

- 4.1 The initial stage of the Development Management DPD (the Discussion and Consultation Document) was consulted upon in March and April 2010 and elicited responses from a range of stakeholders, including statutory bodies, parish councils, members of the public, developers, agents and landowners. In total 209 representations were received. A summary of the responses to the consultation, which includes the issues raised and officers' initial responses to these, was also published.
- 4.2 The draft SA Report of the Discussion and Consultation document was published in early 2012 and key stakeholders were consulted on this document (which included statutory consultees, developers and agents) for a six week period between 16 January 2012 and 27 February 2012. The document was also published on the Council's website. The issues raised and the responses to the SA are presented within Appendix 4. These responses have been taken into account as appropriate.
- 4.3 The Submission Document and SA Report will be consulted on for a period of six weeks along with the publication of the Development Management Submission Document.

## **5 How the Plan has Incorporated SA Recommendations**

- 5.1 An explanation of how the Development Management DPD: Preferred Policy Options Document has incorporated the SA recommendations for mitigation and enhancement at the Discussion and Consultation stage is provided in Appendix 12.

- 5.2 The appraisal of the Submission Document has recommendations embedded within it which have been addressed within the proposed policies, as this SA report has been produced alongside the Submission Document and has informed its development. The detailed assessment of the proposed policies should be referred to.

## **6 Implementation and Monitoring**

- 6.1 Indicators and targets are important tools to help monitor the sustainability effects of the LDF (forming Stage E). Targets and/or indicators for each sustainability objective have been identified (from the SA Framework) within Section 8 of the Core Strategy Submission SA Report to provide a suggested list for discussion, and refined further to consider the significant sustainability effects of the plan as required by the SEA Directive.
- 6.2 Monitoring of the LDF will take place through the publication of the Annual Monitoring Report (AMR). The proposed LDF monitoring strategy and further information is detailed within Section 8 of the Core Strategy Submission SA Report.
- 6.3 The proposed LDF monitoring strategy should:
- Clearly set out who is responsible for the monitoring, as well as it's timing, frequency and format for presenting results;
  - By collecting new information, update and strengthen original baseline data, rectifying any deficiencies, and thereby provide an improved basis for the formulation of future plans;
  - Establish a mechanism for action to enhance positive effects of the plan, mitigate any negative ones and assess any areas that were originally identified as containing uncertainty. The aim should be to keep the LDF working at maximum effectiveness for the benefit of the community; and,
  - Empower all of the community by providing a clear and easily understandable picture of how actual implementation of the LDF is affecting the District. Is it moving the area towards or away from the more sustainable future we intended? Are any significant effects identified actually happening? Are any unforeseen consequences being felt? Are any mitigation measures that were proposed operating effectively?
- 6.4 Indicators aim to measure all relevant aspects of life in the District social and economic as well as environmental. These are drawn from:
- Objectives and targets set out in the LDF - these will mostly be quantitative and may be expressed as maps, graphs, diagrams or percentages (e.g. Percentage of new housing built on brownfield land, target of 10% of energy on major new developments to be provided by renewables etc.);



- Indicators already identified and used in the SA process, again mostly likely to be quantitative;
- Measures drawn from the baseline data collected during the early stages of the LDF or from the previous Local Plan (e.g. air quality, extent of wildlife habitats, need for affordable housing); and,
- Any other measures suggested by the community. These might be more qualitative (e.g. quality of life) and could be useful in enriching understanding and giving people a sense of ownership of the LDF.

6.5 The Core Strategy Submission SA Report identifies potential indicators for monitoring which relate to the SA Framework objectives. The Allocations DPD is a key component to deliver the Core Strategy. The potential indicators for monitoring the Allocations DPD are set out in the table below. Suggested amendments have been highlighted.

<b>Potential Indicators</b>	
<b>1. Balanced Communities</b>	
To ensure the delivery of high quality sustainable communities where people want to live and work	
<ul style="list-style-type: none"> <li>• Changing educational attainment at GCSE Level</li> <li>• Proportion of persons in the local population with a degree level qualification.</li> <li>• Parishes with a GP, post office, play area, pub, village hall</li> </ul>	
<ul style="list-style-type: none"> <li>• Percentage of completed retail, office and leisure development in town centre</li> <li>• Mix of housing tenure within settlements</li> <li>• Provision of new <u>youth and</u> community facilities secured through new developments</li> <li>• <u>Provision of open space secured through new developments</u></li> </ul>	
<b>2. Healthy &amp; Safe Communities</b>	
Create healthy and safe environments where crime and disorder or fear of crime does not undermine the quality of life or community cohesion	
<ul style="list-style-type: none"> <li>• Monitor the number of domestic burglaries, violent offences, vehicle crimes, vandalism and all crime per 1,000 population.</li> <li>• Percentage of residents surveyed who feel 'fairly safe' or 'very safe' during the day whilst outside in their Local Authority.</li> <li>• Indexes of Multiple Deprivation throughout the District.</li> <li>• Monitor the type and number of applications permitted in the greenbelt.</li> </ul>	

Potential Indicators
<ul style="list-style-type: none"> <li>• Life expectancy</li> <li>• Hectares of new greenspace created</li> <li>• Percentage of eligible open spaces managed to green flag award standard</li> <li>• Death rates from circulatory disease, cancer, accidents and suicide</li> <li>• Residents description of Health</li> <li>• Obesity levels</li> <li>• <u>Provision of open space secured through new developments</u></li> </ul>
<p><b>3. Housing</b></p> <p>To provide everybody with the opportunity to live in a decent home</p> <ul style="list-style-type: none"> <li>• Number of unfit homes per 1,000 dwellings.</li> <li>• Indices of Multiple Deprivation – Housing and Services Domain</li> <li>• Percentage of households rented from the Council or in Housing</li> <li>• Association/Registered Social Landlords properties</li> <li>• Percentage of new housing which is affordable</li> <li>• Average house price compared with average earnings</li> <li>• Number of housing Completions</li> <li>• <u>Percentage of Lifetime Homes</u></li> </ul>
<p><b>4. Economy &amp; Employment</b></p> <p>To achieve sustainable levels of economic growth/prosperity and promote town centre vitality/viability</p> <ul style="list-style-type: none"> <li>• The changing diversity if main town centre uses (by number, type and amount of floorspace)</li> <li>• The changing density of development</li> <li>• Percentage change in the total number of VAT registered businesses in the area</li> <li>• Percentage of employees commuting out of the District to work</li> <li>• Amount of land developed for employment (by type)</li> <li>• Retail health checks/economic prosperity of smaller towns and villages</li> <li>• <u>Number of jobs created through new developments</u></li> </ul>
<p><b>5. Accessibility</b></p>

### Potential Indicators

To promote more sustainable transport choices both for people and moving freight ensuring access to jobs, shopping, leisure facilities and services by public transport, walking and cycling

- Changes in the travel to work mode of transport
- Indices of Multiple Deprivation most notably the Housing and Services Domain
- Car ownership
- Percentage of new residential development within 30 minutes public transport time of a GP, hospital, primary and secondary school, employment and a major health centre
- Kilometres of cycle routes and facilities for cyclists
- Kilometres of new walking routes provided
- Number of houses within a specified radius of services/facilities
- Number of houses within a suitable distance of [open space \(based on Natural England's Accessible Natural Greenspace Standards – ANGSt<sup>4</sup>\)](#)

### 6. Biodiversity

To conserve and enhance the biological and geological diversity of the environment as an integral part of social, environmental and economic development

- Net change in natural/ semi natural habitats
- Change in areas and populations of biodiversity importance
- Condition of designated sites
- Change in area of woodland
- Proportion of new developments delivering habitat creation or restoration
- [Number of management plans for designated sites prepared and implemented](#)
- [Proportion of new developments delivering habitat mitigation](#)
- [Proportion of new developments delivering wildlife corridors](#)
- [Areas of geological significance safeguarded and/or extracted](#)

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<sup>4</sup> Accessible Natural Greenspace Standards available from:  
[http://www.naturalengland.org.uk/regions/east\\_of\\_england/ourwork/gi/accessiblenaturalgreenspacestandards/ngst.aspx](http://www.naturalengland.org.uk/regions/east_of_england/ourwork/gi/accessiblenaturalgreenspacestandards/ngst.aspx)

<b>Potential Indicators</b>	
<b>7. Cultural Heritage</b>	<p>To maintain and enhance the cultural heritage and assets of the District</p> <ul style="list-style-type: none"> <li>• Buildings of Grade I and II at risk of decay</li> <li>• Condition of Conservation Areas</li> <li>• Number of historic parks and gardens</li> </ul>
<b>8. Landscape &amp; Townscape</b>	<p>To maintain and enhance the quality of landscapes and townscapes</p> <ul style="list-style-type: none"> <li>• To monitor the number of parks awarded Green Flag Status</li> <li>• To monitor the number of landscape or built environment designations</li> <li>• Hectares of new development outside settlement boundaries</li> <li>• Hedgerow and/or veteran tree loss</li> <li>• Area of /change in landscape designations</li> <li>• Percentage of development on previously developed land</li> </ul>
<b>9. Climate Change &amp; Energy</b>	<p>To reduce contributions to climate change</p> <ul style="list-style-type: none"> <li>• Changes in the travel to work mode of transport</li> <li>• Greenhouse gas emissions</li> <li>• Renewable energy capacity installed by type</li> <li>• Percentage of new development including renewable energy generation</li> <li>• Energy consumption</li> <li>• <u>Code for Sustainable Homes/BREEAM compliance</u></li> <li>• <u>Percentage of the tonnage of household waste arisings which have been recycled</u></li> <li>• <u>Percentage of household waste sent by the Authority for composting or treatment by anaerobic digestion</u></li> </ul>
<b>10. Water</b>	<p>To improve water quality and reduce the risk of flooding</p> <ul style="list-style-type: none"> <li>• Changing water quality</li> <li>• Groundwater levels</li> </ul>

<b>Potential Indicators</b>	
	<ul style="list-style-type: none"> <li>• Percentage of new development incorporating water efficiency measures</li> <li>• Water consumption per household</li> <li>• Number of homes built against Environment Agency advice on flooding</li> <li>• <u>Number and types of Sustainable Drainage Systems approved and implemented</u></li> </ul>
<b>11. Land &amp; Soil</b>	<p>To maintain and improve the quality of the District's land and soil</p> <ul style="list-style-type: none"> <li>• Use of previously developed land</li> <li>• Density of new residential development</li> <li>• Number of sites/hectares decontaminated as a result of new development</li> </ul>
<b>12. Air Quality</b>	<p>To improve air quality</p> <ul style="list-style-type: none"> <li>• AQMA designations or threshold designations</li> <li>• Growth in cars per household</li> <li>• Growth in car trip generation</li> <li>• Type of travel mode to work</li> <li>• Percentage change in public transport patronage</li> <li>• Number of days in the year when air quality is recorded as moderate or high for NO<sub>2</sub>, SO<sub>2</sub>, PM<sub>10</sub>, CO and Ozone on average per site.</li> </ul>
<b>13 Sustainable Design &amp; Construction</b>	<p>To promote sustainable design and construction</p> <ul style="list-style-type: none"> <li>• Percentage of new development incorporating energy and water efficiency measures, and sustainable drainage systems</li> <li>• Percentage of new development meeting BREEAM very good/excellent standards</li> <li>• Percentage use of aggregates from secondary and recycled sources</li> </ul>

## **7 Conclusion and Next Steps**

- 7.1 The SA report has appraised the housing, greenbelt, environment, transport, economic development and retail options set out in the Development Management DPD: Discussion and Consultation Document, additional options identified through the

SA process, and the proposed policies within the Development Management Submission Document. The potential cumulative, short, medium and long-term, temporary or permanent effects have also been identified where possible.

- 7.2 Some of the policies would have an impact on SA objectives. However, all the short term impacts could be mitigated through other policies within the LDF. Over the longer term, one of the proposed policies (DM7) may have some negative impacts on the sustainability objectives of housing. Nonetheless, the effect should be insignificant.
- 7.3 Throughout the SA report has made a number of recommendations in relation to various alternative options and the proposed policies. The SA report, alongside consultation responses received, has been used to inform the preparation of the pre-submission Development Management Document. The recommendations identified throughout the SA process have assisted in mitigating the potential impacts of the proposed policies and had a positive effect on the sustainability of the plan.
- 7.4 Overall there are significant sustainability benefits in adopting the plan as proposed.

# **Sustainability Appraisal of the Development Management Submission Document – Schedule of Modifications July 2014**



### **Introduction**

This report forms an addendum to the Sustainability Appraisal (SA) of the Development Management Submission Document. The Development Management Document SA was consulted on along side the Development Management Submission Document between 3 June and 18 July 2013. Following the consultation stage the Development Management Submission Document and several supporting documents were submitted to the Government for independent examination on 13 December 2013.

Following the examination a consolidated Schedule of Modifications was produced and agreed with the Inspector. This report does not seek to repeat the assessment of the Development Management Submission Document, rather it assesses the changes made to the document following the Examination. This report should therefore be read in conjunction with the SA of the Development Management Submission Document.

### **Sustainability Appraisal Process**

The Sustainability Appraisal (SA) is required to accompany a Development Plan Document under the Planning and Compulsory Purchase Act 2004 regulations.

The production of the Development Management Document has been an iterative process, and SA was undertaken at the various stages to assist the decision-making process. The findings of the SA at each stage were used to inform the production of the following stages until production of the version for submission.

SA of the Development Management Document was undertaken at Issues and Options and Submission stages.

The SA of the proposed modifications arising from the Examination forms an addendum to the SA of the Development Management Submission Document and therefore should be read in conjunction with that SA.

The SA of the Development Management Document used a SA Framework, including sustainability objectives, to assess policies. This addendum follows the same approach making use of the same SA Framework to ensure consistency.

### **Assessment of the effects of proposed modifications**

An assessment of the effects of the Development Management Submission Document Schedule of Modifications is set out below.

#### **Habitat Regulation Assessment**

The European Directive (92/43/EEC) on the Conservation of Natural Habitats and Wild Flora and Fauna (the Habitats Directive) protects habitats and species of European nature conservation importance. The Habitats Directive establishes a network of internationally important sites designated for their ecological status. These are referred to as Natura 2000 sites or European Sites, and comprise Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

Articles 6(3) and 6(4) of the Habitats Directive require Appropriate Assessment (AA) to be undertaken on proposed plans or projects which are not necessary for the management of the site but which are likely to have a significant effect on one or more Natura 2000 sites either individually, or in-combination with other plans and projects. This requirement is set out in the Conservation of Habitats and Species Regulations (as amended) 2010, which require the application of HRA to all land use plans. Government guidance also requires that Ramsar sites (which support internally important wetland habitats) and are listed under the Convention on Wetlands of International Importance (Ramsar Convention 1971) are included within HRA/AA.

None of the changes proposed following the examination of the Development Management Document have any impact on sites protected under the Habitats Directive.

#### **Development Management Document: Schedule of Modifications SA**

The impact of each proposed change has been assessed using the same criteria as the SA of the Development Management Submission Document. Correspondingly the scoring method for each impact is also the same.

**Table 1 – Categories of Sustainability Effects**

Colour	Impact
++	Major Positive
+	Positive
+/-	Positive/Negative
0	No Impact
?	Uncertain
-	Negative
--	Major Negative

**Table 2 – Assessment of modifications**

Modification	Impact	Commentary	Score
MM1	No impact	This change will not have an effect on the Sa score.	N/A
MM2	Potential impact	This modification is likely to have a slightly greater positive benefit to accessibility compared to the previous version of the Policy. The modifications to	Accessibility ++

## Rochford District Council – Development Management Examination: Proposed Schedule of Modifications Sustainability Appraisal

Modification	Impact	Commentary	Score
		<p>Policy DM1 will have some impact on the SA score.</p> <p>The requirement that the integration of existing and proposed public rights of way should be considered ensures that the Policy performs slightly better in its amended form.</p> <p>As DM1 now requires greater consideration to be given to integrating existing transit routes to those within the site this will have a positive impact on sustainability.</p>	
MM3	No impact	Does not entail change to policy.	N/A
MM4	Potential impact	<p>Positive impact on housing, landscape and townscape</p> <p>The Policy already performs well when measured against the SA criteria.</p> <p>Originally the Policy was noted as performing strongly because of its flexible approach to housing density which would allow for a range of densities and therefore a range of housing types within the District. Key to this is the need to provide an</p>	Housing ++

## Rochford District Council – Development Management Examination: Proposed Schedule of Modifications Sustainability Appraisal

Modification	Impact	Commentary	Score
		<p>appropriate mix of dwellings to meet the community's needs.</p> <p>The supporting text for the Policy already mentions that 30 dwellings per hectare should be the minimum density for a site. Making this requirement explicit within the Policy serves to further emphasise the requirement, increasing its positive impact on housing and ensuring the efficient use of land.</p>	Landscape and Townscape ++
MM5	No impact	Does not entail change to policy.	N/A
MM6	No impact	This modification will not have a significant effect on the SA score.	N/A
MM7	No impact	Does not entail change to policy.	N/A
MM8	No impact	Does not entail change to policy.	N/A
MM9	No impact	This modification will not have a significant effect on the SA score.	N/A
MM10	No impact	Does not entail change to policy.	N/A
MM11	No impact	Does not entail change to policy.	N/A
MM12	No impact	Does not entail change to policy.	N/A

## Rochford District Council – Development Management Examination: Proposed Schedule of Modifications Sustainability Appraisal

Modification	Impact	Commentary	Score
MM13	No impact	This modification will not have a significant effect on the SA score.	N/A
MM14	Potential impact	<p>The modification to the Policy is likely to have a slight negative impact on Landscape and Townscape when compared to the previous version of the Policy.</p> <p>The proposed modification to Policy DM6 proposes several changes that have no effect on the score previously stated. However the removal of some of the text will have an impact on the score of the Policy.</p> <p>The removal of part (c) of criterion (iii) removes the explicit expectation that the relationship between the proposal and existing masts, structures or buildings should be considered. This reduces the emphasis on the efficient use of land and visual amenity.</p> <p>Criterion (iv) was removed as it is effectively repeated elsewhere. This will have no impact on the Policy's score.</p>	Landscape and Townscape -
MM15	No impact	Does not entail change to policy.	N/A
MM16	No impact	This modification will not have a significant effect on the SA score.	N/A

## Rochford District Council – Development Management Examination: Proposed Schedule of Modifications Sustainability Appraisal

Modification	Impact	Commentary	Score
MM17	No impact	Does not entail change to policy.	N/A
MM18	No impact	Does not entail change to policy.	N/A
MM19	No impact	This modification will not have a significant effect on the SA score.	N/A
MM20	No impact	This modification will not have a significant effect on the SA score.	N/A
MM21	No impact	Does not entail change to policy.	N/A
MM22	No impact	Does not entail change to policy.	N/A
MM23	No impact	This modification will not have a significant effect on the SA score.	N/A
MM24	No impact	Does not entail change to policy.	N/A
MM25	Potential impact	<p>The proposed change to Policy DM11 will affect several of the SA objectives.</p> <p>The addition of text requiring that ‘where a replacement is proposed it would not be materially larger than the one it replaces’ will ensure that any replacement building does not adversely affect or detract from the Green Belt. This will have a positive effect on Landscape and Townscape.</p> <p>The removal of criterion (v) may have a small</p>	<p>Landscape and Townscape +</p> <p>Cultural Heritage +</p> <p>Landscape and Townscape -</p>



## Rochford District Council – Development Management Examination: Proposed Schedule of Modifications Sustainability Appraisal

Modification	Impact	Commentary	Score
		<p>impact on the SA score for landscape and townscape when compared to the previous version of the Policy due to the fact that the Policy no longer requires that it be demonstrated that a proposal would not be better situated in a deliverable and available location elsewhere In the District.</p> <p>The addition of criterion (ix) will ensure that any conversion of a nationally or locally listed agricultural or rural building does not negatively affect the quality or integrity of the listed structure. This will ensure areas and buildings of historical interest are preserved.</p>	
MM26	No impact	Does not entail change to policy.	N/A
MM27	No impact	Does not entail change to policy.	N/A
MM28	No impact	This modification will not have a significant effect on the SA score.	N/A
MM29	No impact	Does not entail change to policy.	N/A
MM30	Potential impact	The proposed changes to Policy DM13 will have a greater positive impact on Cultural Heritage because it states more explicitly than the previous version of the Policy that there should be no detrimental impact on the historic environment.	<p>Cultural Heritage ++</p> <p>Balanced Communities ++</p> <p>Accessibility ++</p>

## Rochford District Council – Development Management Examination: Proposed Schedule of Modifications Sustainability Appraisal

Modification	Impact	Commentary	Score
		The modification performs strongly in comparison to the previous version of the Policy in terms of Balanced Communities and in terms of Accessibility. It sets specific requirements ensuring that conversions are well related to a defined residential settlement, local services and facilities and is located in the SECT landscape character area, which improves the Policy's performance against Balanced Communities. It also sets requirements that conversions are well related to the strategic road network, will promote sustainable transport modes and that they would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment.	
MM31	No impact	This modification will not have a significant effect on the SA score.	N/A
MM32	No impact	Does not entail change to policy.	N/A
MM33	No impact	Does not entail change to policy.	N/A
MM34	No impact	Does not entail change to policy.	N/A
MM35	No impact	Does not entail change to policy.	N/A
MM36	No impact	This modification will not have a significant effect on the SA score.	N/A

## Rochford District Council – Development Management Examination: Proposed Schedule of Modifications Sustainability Appraisal

Modification	Impact	Commentary	Score
MM37	No impact	This modification will not have a significant effect on the SA score.	N/A
MM38	Potential impact	<p>The modification of criterion (i) of Policy DM16 make it clear that the replacement of lost playing fields is considered acceptable by the Council.</p> <p>This is likely to have an even greater positive effect on Balanced Communities than the previous version of the Policy as it will ensure that the needs of the wider community are met and that lost playing fields are reinstated.</p> <p>The modified Policy will also have a greater effect on Healthy and Safe Communities as it will improve the provision of playing pitches in the district by encouraging the reuse of sites that had previously been lost. This will promote informal recreation and encourage healthy, active lifestyles.</p>	<p>Balanced Communities ++</p> <p>Healthy and Safe Communities ++</p>
MM39	Potential impact	The addition to Policy DM19 which states that 'applications for stationing of mobile homes for agricultural workers in the Green Belt and wider countryside will be permitted provided it can be demonstrated that any mobile home will be located outside Flood Zone 3, and will only be located in Flood Zone 2 where it is shown to pass the Sequential and Exception Tests and is supported by a site-specific Flood Risk Assessment', will have a positive effect in terms of Healthy and Safe	<p>Healthy and Safe Communities ++</p> <p>Climate Change and Energy ++</p>

## Rochford District Council – Development Management Examination: Proposed Schedule of Modifications Sustainability Appraisal

Modification	Impact	Commentary	Score
		<p>Communities by ensuring that mobile homes are not located in areas at unreasonably high risk of flooding.</p> <p>The modification will also have a minor positive impact in terms of climate change and energy. It will help to mitigate the impact of climate change by ensuring that development does not occur in high risk areas but will also ensure that where applications are made for development in lower risk areas there is an appropriate assessment of the risk involved.</p>	
MM40	No impact	This modification will not have a significant effect on the SA score.	N/A
MM41	No impact	This modification will not have a significant effect on the SA score.	N/A
MM42	No impact	Does not entail change to policy.	N/A
MM43	No impact	This modification will not have a significant effect on the SA score.	N/A
MM44	No impact	Does not entail change to policy.	N/A
MM45	Potential impact	This modification, removing the criterion that the use of the building to be replaced be retained or be changed to one which is more appropriate in the Green Belt, will have a potentially nominal negative	<p>Land and Soil 0/?</p> <p>Housing ++</p>

## Rochford District Council – Development Management Examination: Proposed Schedule of Modifications Sustainability Appraisal

Modification	Impact	Commentary	Score
		<p>impact on land and soil as it may lead to applications that would be better placed on brownfield and other non-Green Belt locations.</p> <p>The change to the Policy may have a slightly stronger impact on housing than the previous Policy as it now has greater potential to provide more housing.</p> <p>The modified Policy will provide less certainty regarding the impact on landscape and townscape because it may allow the replacement of a building with one which is less appropriate in the Green Belt.</p>	Landscape and Townscape +/-
MM46	No impact	Does not entail change to policy.	N/A
MM47	No impact	Does not entail change to policy.	N/A
MM48	No impact	Does not entail change to policy.	N/A
MM49	No impact	Does not entail change to policy.	N/A
MM50	No impact	This modification will not have a significant effect on the SA score.	N/A
MM51	No impact	Does not entail change to policy.	N/A

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Modification	Impact	Commentary	Score
MM52	No impact	Does not entail change to policy.	N/A
MM53	No impact	Does not entail change to policy.	N/A
MM54	No impact	This modification will not have a significant effect on the SA score.	N/A
MM55	Potential impact	The modification to Policy DM33 will have a stronger positive impact with regards to Balanced Communities as it will ensure that employment uses will not detract from the primary residential function of the area. The modification also ensures that dwellings are not at risk of falling below the minimum floor space requirement set out in Policy DM4. This will ensure that dwellings continue to be fit for their primarily residential use.	Balanced communities ++
MM56	No impact	Does not entail change to policy.	N/A
MM57	No impact	This modification will not have a significant effect on the SA score.	N/A
MM58	No impact	This modification will not have a significant effect on the SA score.	N/A
MM59	Potential impact	This modification to Policy DM36 may have a potentially greater positive impact on housing when compared to the previous iteration of the policy.  The modification sets several additional criteria	Housing ++

## Rochford District Council – Development Management Examination: Proposed Schedule of Modifications Sustainability Appraisal

Modification	Impact	Commentary	Score
		which will ensure that, where appropriate and justifiable, the Policy encourages the change of non-retail units to residential use will be sustainable and well related to key services.	
AM1	No impact	Does not entail change to policy.	N/A
AM2	No impact	Does not entail change to policy.	N/A
AM3	No impact	Does not entail change to policy.	N/A
AM4	No impact	Does not entail change to policy.	N/A
AM5	No impact	Does not entail change to policy.	N/A
AM6	No impact	Does not entail change to policy.	N/A
AM7	No impact	Does not entail change to policy.	N/A
AM8	No impact	Does not entail change to policy.	N/A
AM9	No impact	Does not entail change to policy.	N/A
AM10	No impact	Does not entail change to policy.	N/A
AM11	No impact	Does not entail change to policy.	N/A
AM12	No impact	Does not entail change to policy.	N/A
AM13	No impact	Does not entail change to policy.	N/A



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Modification	Impact	Commentary	Score
AM14	No impact	Does not entail change to policy.	N/A
AM15	No impact	Does not entail change to policy.	N/A
AM16	No impact	Does not entail change to policy.	N/A
AM17	No impact	Does not entail change to policy.	N/A
AM18	No impact	Does not entail change to policy.	N/A
AM19	No impact	Does not entail change to policy.	N/A
AM20	No impact	Does not entail change to policy.	N/A
AM21	No impact	Does not entail change to policy.	N/A
AM22	No impact	Does not entail change to policy.	N/A
AM23	No impact	Does not entail change to policy.	N/A
AM24	No impact	Does not entail change to policy.	N/A
AM25	No impact	Does not entail change to policy.	N/A
AM26	No impact	Does not entail change to policy.	N/A
AM27	No impact	Does not entail change to policy.	N/A
AM28	No impact	Does not entail change to policy.	N/A

## Rochford District Council – Development Management Examination: Proposed Schedule of Modifications Sustainability Appraisal

Modification	Impact	Commentary	Score
AM29	No impact	Does not entail change to policy.	N/A
AM30	No impact	Does not entail change to policy.	N/A
AM31	No impact	Does not entail change to policy.	N/A
AM32	No impact	Does not entail change to policy.	N/A
AM33	No impact	Does not entail change to policy.	N/A
AM34	No impact	Does not entail change to policy.	N/A
AM35	No impact	Does not entail change to policy.	N/A
AM36	No impact	Does not entail change to policy.	N/A
AM37	No impact	Does not entail change to policy.	N/A
AM38	No impact	Does not entail change to policy.	N/A
AM39	No impact	Does not entail change to policy.	N/A
AM40	No impact	Does not entail change to policy.	N/A
AM41	No impact	Does not entail change to policy.	N/A
AM42	No impact	Does not entail change to policy.	N/A

## Rochford District Council – Development Management Examination: Proposed Schedule of Modifications Sustainability Appraisal

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Modification	Impact	Commentary	Score
AM43	No impact	Does not entail change to policy.	N/A
AM44	No impact	Does not entail change to policy.	N/A

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# Report to Rochford District Council

**by David Smith BA (Hons) DMS MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date: 25<sup>th</sup> November 2014**

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

## **REPORT ON THE EXAMINATION INTO THE ROCHFORD DEVELOPMENT MANAGEMENT SUBMISSION DOCUMENT**

Document submitted for examination on 11 December 2013

Examination hearing held on 26 March 2014

Ref: PINS/B1550/429/9

## **Abbreviations Used in this Report**

AA	Appropriate Assessment
CS	Core Strategy
DMD	Rochford Development Management Submission Document
LDS	Local Development Scheme
LP	Local Plan
MM	Main Modification
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
PSED	Public Sector Equality Duty
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy

### **Non-Technical Summary**

This report concludes that the Rochford Development Management Submission Document provides an appropriate basis for the planning of the District providing a number of modifications are made to the Plan. Rochford District Council has requested me to recommend any modifications necessary to enable the Plan to be adopted. All of the modifications to address this were proposed by the Council.

The Main Modifications can be summarised as necessary changes to the policies in the interests of effectiveness and to ensure consistency with national policy.

## Introduction

1. This report contains my assessment of the Rochford Development Management Submission Document (DMD) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (NPPF) (paragraph 182) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the DMD of April 2013 which is the same as the document published for pre-submission consultation in June 2013.
3. My report deals with the Main Modifications that are needed to make the Plan sound and they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any modifications needed to rectify matters that make the Plan unsound and thus incapable of being adopted. These Main Modifications are set out in full in the Appendix.
4. The Main Modifications that are necessary for soundness all relate to matters that were discussed at the examination hearing. Following these discussions, the Council prepared a schedule of proposed main modifications and carried out sustainability appraisal. This schedule has been subject to public consultation. I have taken account of the consultation responses in coming to my conclusions in this report and have also made some amendments to the detailed wording of the main modifications. None of these significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken. The Council may also make additional modifications which do not materially affect the policies. However, these are not covered by this report.

## Duty to Co-operate

5. The key strategic matters relating to sustainable development in the District were settled in the Core Strategy (CS) adopted in December 2011. The policies within the DMD are intended to guide development management within Rochford and all but one of them would not have a significant impact on any other local planning authority area. As a result the duty to co-operate imposed by section 33A of the 2004 Act is not engaged. Rochford District Council has nevertheless continued a constructive dialogue with Essex County Council as planning and highway authority and with other local planning authorities and relevant bodies<sup>1</sup>.
6. The only exception to this is **Policy DM24 – Houseboats** given that the River Crouch forms the administrative boundary with Maldon District to the north. However, liaison has taken place with the neighbouring Council to ensure that

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<sup>1</sup> Document SUBDOC6



the approach of the authorities to this matter is not contradictory. Overall I am satisfied that the duty has been met.

## Assessment of Soundness

### Main Issues

7. Taking account of all the representations, written evidence and the discussions that took place at the examination hearing I have identified two main issues upon which the soundness of the Plan depends.

#### Issue 1

***Are the policies in the DMD consistent with, and do they positively promote, the vision and objectives for Rochford in the Core Strategy?***

8. The DMD sets out the detailed day-to-day planning policies through which development in the District will be delivered and its structure reflects the sub-sections of the CS. I am satisfied that in broad terms the DMD policies take forward the short, medium and long term vision and the objectives for the various topic areas in the CS. They are therefore consistent with and positively promote those aspects of the CS.

#### Issue 2

***Are the individual policies in the DMD clear, justified and consistent with national policy?***

*Housing, character of place and residential amenity*

9. Expecting development to reflect the character of the locality has insufficient regard to the NPPF which comments that planning policies should not stifle innovation, originality and initiative. **Policy DM1 – Design of New Developments** also takes account of certain matters but is not expressed robustly. As such, it is inconsistent with national policy but this is addressed by the recommended modification (**MM2**). Paragraph 47 of the NPPF indicates that local authorities should set their own approach to density to reflect local circumstances. The Council has explained the rationale for applying the previously established indicative minimum density of 30 dwellings per hectare. This figure should be included in **Policy DM2 – Density of New Developments** in the interests of effectiveness (**MM3** and **MM4**).
10. The aim of **Policy DM3 – Infilling and Residential Intensification** is to ensure that new development responds to local character and history. However, expecting replacements to **be provided on a 'like for like' basis** does not sit well with CS Policy H5 which supports a mix of dwelling types or with the aim in the NPPF to boost significantly the supply of housing. Furthermore, the DMD should contain clear policies about what will and will not be permitted rather than indicate that the Council should be consulted about what is appropriate. Explaining that different dwelling types are unlikely to be acceptable in relatively homogenous areas, together with other changes, overcomes the unsoundness of the policy (**MM5** and **MM6**).
11. In order to deliver a wide choice of high quality homes the NPPF refers to the size of housing. It also establishes that good design should contribute positively to making places better for people. The purpose of **Policy DM4 –**

**Habitable Floorspace for New Developments** is to ensure that new dwellings should be of an appropriate size and layout to provide suitable and comfortable accommodation for modern living. In advance of the statement of Government policy on the Housing Standards Review there is no reason to preclude standards for Rochford based on the guidance set by the Homes and Communities Agency. However, to ensure flexibility a caveat regarding deliverability and viability is required (**MM7**, **MM8** and **MM9**). The policy is nevertheless broadly consistent with the aims of national policy and, as modified, is justified and sound.

12. **Policy DM5 – Light Pollution** requires schemes to demonstrate that they will not have an adverse impact but this is not consistent with national policy. Paragraph 125 of the NPPF establishes that the impact of light pollution from artificial light should be limited by encouraging good design. Incorporating this more positive approach is necessary to make the policy sound (**MM13**). Furthermore, requiring detailed lighting schemes to accompany all planning applications does not fit with the purpose of policies as set out in the NPPF and should be removed (**MM11** and **MM13**). Such information could be obtained, if necessary, through inclusion in the Council's list of validation requirements.
13. The policy does not affect the Council's powers in relation to artificial light as a statutory nuisance under the Clean Neighbourhoods and Environment Act 2005. It refers to obtrusive light limitations based on guidance from the Institution of Lighting Professionals and adhering to Table 4 of the DMD is not a requirement. Curfew times are omitted, except in relation to lights for sporting or recreational facilities, on the basis that all lighting will be the minimum needed for security and working purposes in any event. Conditions could also be applied in individual cases. I am satisfied that subject to other necessary changes (**MM10** and **MM12**) the policy is sufficiently robust to enable the living conditions of existing residents to be protected.
14. The detailed wording of **Policy DM6 – Telecommunications** should be altered to provide clarity and to avoid repetition (**MM14**). For effectiveness **Policy DM7 – Local List** should confirm that locally listed buildings carry the status of non-designated heritage assets (**MM15** and **MM16**) and **Policy DM9 – Development outside Conservation Area** should refer to setting (**MM18** and **MM20**) to properly reflect the NPPF.
15. Whilst paragraph 132 indicates that any harm or loss requires clear and convincing justification the NPPF establishes that harm should be balanced against public benefits. The clause in **Policy DM8 – Demolition within Conservation Areas** that demolition will only be granted if certain criteria are met is therefore inconsistent with national policy and should be deleted. In addition, paragraph 203 of the NPPF confirms that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. There is accordingly no justification for insisting on a legal agreement in relation to the timing of demolition (**MM17** and **MM19**).

### *Green Belt and countryside*

16. For effectiveness, confirmation is required that policy compliant proposals are not inappropriate development (**MM21**). Changes to the supporting text and to **Policy DM10 – Development of Previously Developed Land in the**

**Green Belt** are also necessary to ensure consistency with Government policy and planning law in relation to horticultural buildings, openness, outdoor sport and recreation uses and development in rural areas (**MM22, MM23, MM32** and **MM33**). Adjustments to other policies in this section concerning playing pitches, extensions to dwellings, temporary agricultural dwellings and the extension of domestic gardens are needed in order to make them clear (**MM37, MM38, MM39, MM41, MM42** and **MM43**). Furthermore, provisions regarding the effects arising from the conversion of heritage assets on their significance are absent from a number of policies. This should be rectified to achieve soundness (**MM25, MM28, MM29, MM30** and **MM31**).

17. Criterion (iv) of **Policy DM11 – Existing Businesses in the Green Belt** requires a demonstration that the proposal is necessary for the functioning of the business and not better situated elsewhere. Given the other restrictions and provisions within the policy this is an unnecessary hurdle that does not coincide with the more general support for economic growth in rural areas. Removing it would not prejudice the aims and purposes of Green Belts (**MM24** and **MM25**). Rural diversification should be defined for policy purposes and in the interests of effectiveness I recommend that criterion (iii) of **Policy DM12 – Rural Diversification** should refer to the actual impact on the sensitivity of the relevant landscape character area (**MM26** and **MM28**).
18. The expectation that **Policy DM13 – Conversion of Existing Agricultural and Rural Buildings in the Green Belt** should only apply to buildings with a form, bulk and general design in keeping with the surroundings is not consistent with current national Green Belt policy. As such, criterion (i) should be removed. Furthermore, a blanket prohibition on residential uses in the countryside is not warranted having regard to paragraph 55 of the NPPF. To achieve soundness this policy should be modified by setting specific criteria (**MM27** and **MM30**).
19. There is no rationale for preventing an agglomeration of similar bed and breakfast/small-scale hotel facilities although the criteria for permitting such uses should be clarified within **Policy DM14 – Green Tourism (MM31)**. To protect the Green Belt concerns about a proliferation of stables should be highlighted and the amount of land per stable should be specified in **Policy DM15 – Equestrian Facilities (MM34, MM35** and **MM36)**.
20. The Planning Practice Guidance (PPG) confirms that conditions restricting the future use of permitted development rights should only be used in exceptional circumstances<sup>2</sup>. There is insufficient evidence that these rights should be removed for extensions if a basement is allowed in accordance with **Policy DM20 – Basements in the Green Belt**. Therefore this provision is not justified or consistent with national guidance and should be removed (**MM40**).
21. Neither the wording of **Policy DM23 – Conservation Areas and the Green Belt** or the supporting text make clear what is meant by a more appropriate use. Given other elements of the policy and the likely application of Policy DM10 this criterion is superfluous. It should be omitted whilst covering the possible implications of additional activity or traffic movements in paragraph 3.85 (**MM44** and **MM45**).

<sup>2</sup> ID 21a-017-20140306

### *Environmental issues*

22. **Policy DM25 – Trees and Woodlands** should be strengthened in the interests of the environment and internal consistency (**MM48**). For similar reasons the scope of **Policy DM26 – Other Important Landscape Features** in relation to CS Policy ENV1 should be explained (**MM49** and **MM50**). To ensure effectiveness changes are also required to policies and text to refer to the Greater Thames Marshes Nature Improvement Area; to take safety into account in a flood event when considering houseboat moorings and to adjust the wording to underline that proposals should not cause harm to priority species and habitats (**MM46**, **MM47** and **MM51**).

### *Transport*

23. The application of the minimum parking standards for residential development will be relaxed in residential areas near town centres and train stations according to **Policy DM30 – Parking Standards**. This is in line with Policy T8 of the CS. There is no evidence that other locations have sufficiently good public transport links to warrant a reduction in standards beyond those areas specified. The policy is therefore sound.

### *Economic Development*

24. The wording of the first sentence of **Policy DM32 – Employment Land** is not clear and this should be remedied (**MM54**). The PPG indicates that planning permission should run with the land and that it is rarely appropriate to provide otherwise<sup>3</sup>. Furthermore restricting the frequency and timing of deliveries is likely to be unenforceable. The paragraph in **Policy DM33 – Working From Home** regarding the use of conditions is therefore incompatible with national guidance and should be removed. Other changes are needed to confirm that residential uses should retain primacy and be of an adequate size (**MM55**).

### *Retail and Town Centres*

25. The NPPF indicates that local plans should identify areas where it may be necessary to limit freedom to change the use of buildings. Paragraph 23 refers to policies that make clear which uses will be permitted in primary and secondary frontages. **Policy DM34 – Town Centre Shopping Frontages** follows this broad approach. However, there is a lack of clarity about what is meant by a "cluster". Modifications to this and to other aspects of the wording are necessary to make the policy coherent and effective (**MM56** and **MM57**).
26. **Policy DM35 – Upper Floor Locations in Town Centres** supports the use of upper floors of shops and other commercial premises but only where no net loss of leisure or commercial uses would result. However, paragraph 23 of the NPPF recognises that residential development can play an important role in ensuring the vitality of town centres. Furthermore, applications to change to residential use should normally be approved and no strong economic reasons have been advanced as to why such development would be inappropriate. Therefore the second sentence is not consistent with national policy and should be removed in order to achieve soundness (**MM58**).

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<sup>3</sup> ID 21a-015-20140306

27. The approach to residential uses in the Green Belt in **Policy DM36 – Village Shops and Neighbourhood Shopping Areas** should to be put on a par with other policies in the DMD in the interests of internal consistency (**MM59**).

#### *Other modifications*

28. In various places the definition of major development should be specified in order that policies are meaningful and effective (**MM1**, **MM52** and **MM53**).

#### *Conclusion on Issue 2*

29. Subject to the modifications referred to above the policies in the DMD are clear, justified and consistent with national policy.

#### *Other matter*

30. Increasing attention is now being given to the importance of securing sustainable and resilient food systems as highlighted by the South East Essex Organic Gardeners. Recent publications also refer to the link between this topic and planning policy and other places are putting this issue at the heart of local policy. The NPPF indicates that account should be taken of the economic and other benefits of the best and most versatile agricultural land and that local plans should be able to identify green areas of particular importance for special protection. However, there is no national policy imperative to include policies about sustainable food production.
31. Moreover, as explained previously, the DMD takes its lead from the Core Strategy. Indeed, **Regulation 8(4) requires that it is "consistent" with the adopted development plan.** The request for an overarching and holistic policy relating to sustainable food systems therefore does not sit well with a Plan of this nature. Policy DM4 would nevertheless set space standards for housing that may have the effect of allowing sufficient space for people to cook from scratch. This is a matter that the Council may review through the CS. However, the lack of policies in this respect does not make the DMD unsound.

## **Assessment of Legal Compliance**

32. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

<b>LEGAL REQUIREMENTS</b>	
Local Development Scheme (LDS)	The DMD is identified within the approved LDS of April 2013. Its content and timing are compliant with the LDS and the updated timetable of November 2013.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in January 2007 and consultation has been compliant with its requirements, including that on the proposed modifications.
Sustainability Appraisal (SA)	SA has been carried out, including SA of the <b>Council's proposed</b> modifications, and is adequate.
Appropriate Assessment	The Habitats Regulations AA Screening Report of

(AA)	December 2013 sets out that the DMD is unlikely to have a significant impact, either alone or in combination, on European sites. It has been verified by Natural England.
National Policy	The DMD complies with national policy except where indicated and modifications are recommended.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCS.
Public Sector Equality Duty (PSED)	The Equality Impact Assessment of December 2013 provides evidence of compliance with the Duty.
2004 Act (as amended) and 2012 Regulations.	The DMD complies with the Act and the Regulations.

## Overall Conclusion and Recommendation

33. The DMD has a number of deficiencies in relation to soundness which have been explained above. This means that I recommend non-adoption of the DMD as submitted in accordance with Section 20(7A) of the 2004 Act. The Council has nevertheless requested that I recommend main modifications to make the Plan sound and capable of adoption. I conclude that with the recommended Main Modifications set out in the Appendix the DMD satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the NPPF.

*David Smith*

INSPECTOR

This report is accompanied by the Appendix containing the Main Modifications

## Main Modifications

The changes below are expressed either in the conventional form of strikethrough for deletions and underlining for additions of text, or by specifying the change in words in *italics*.

The page numbers and paragraph numbering below refer to the Development Management Submission Document (April 2013), and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modifications
MM1	16	Footnote 1	<p><i>Amend footnote as follows:</i></p> <p><u>A development is considered major if 10 or more dwellings are proposed or the site area is 0.5 hectares or more.</u></p> <p><del>The Council considers major development as defined within the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006</del></p>
MM2	18	Policy DM1	<p><i>Amend text and insert new criterion below point 1 as follows:</i></p> <p>The design of new developments should <u>promote</u> <del>reflect</del> the character of the locality to ensure <del>a positive contribution</del> <u>that the development positively contributes</u> to the surrounding natural and built environment and residential amenity, <u>without discouraging originality, innovation or initiative.</u></p> <p>The design and layout of proposed developments <del>should</del> <u>must demonstrate that take into account</u> the following <u>have been carefully considered and addressed within the proposal:</u></p> <ul style="list-style-type: none"> <li><del>(i)</del> <u>(i)</u> Accessibility, particularly <u>promoting</u> alternatives to the private car;</li> <li><del>(ii)</del> <u>(ii)</u> Integration of existing and proposed public rights of way;</li> <li><del>(iii)</del> <u>(ii)</u> Adequate <del>b</del>Boundary treatment and landscaping within the development;</li> <li><del>(iv)</del> <u>(iii)</u> Retention of trees, woodland and other important landscape features <u>in accordance with</u></li> </ul>



Ref	Page	Policy/ Paragraph	Main Modifications
			<p><u>Policies DM25 and DM26;</u></p> <p>(v) <del>(iv)</del> <u>Sufficient cCar parking in accordance with Policy DM30;</u></p> <p>(vi) <del>(v)</del> <u>Suitable dDensity for the locality in line with Policy DM2;</u></p> <p>(vii) <del>(vi)</del> Local open space requirements including the provision of greenspace, play space, private and communal gardens, allotments and other types of open space, <del>as appropriate,</del> based on the most up-to-date Open Space Study;</p> <p>(viii) <del>(vii)</del> Impact on the natural environment including sites of nature conservation importance, and on the historic environment including Conservation Areas and Listed Buildings, archaeological sites and the wider historic landscape;</p> <p>(ix) <del>(viii)</del> <u>Avoiding oOverlooking, ensuring privacy and promoting visual amenity;</u></p> <p>(x) <del>(ix)</del> <u>A positive rRelationship to with existing and nearby buildings in accordance with Policy DM3;</u></p> <p>(xi) <del>(x)</del> <u>A Sscale and form appropriate to the locality in line with Policy DM3;</u></p> <p>(xii) <del>(xi)</del> <u>Compliance with tTextual Concept Statements; and</u></p> <p>(xiii) <del>(xii)</del> Village Design Statements and Parish Plans, where applicable.</p> <p>Design briefs for major developments must show that they consider and reflect the identity of the surrounding area, and must allow for the effective running of the Council’s waste management and recycling scheme.</p> <p>Proposals should have regard to the detailed advice and guidance on the design and layout of new developments as set out in Supplementary Planning Document 2 – Housing Design, as well as to guidance in the Essex Design Guide for Residential and Mixed Use Areas, <del>and the most up-to-date Open Space Study for open space provision</del></p>

Ref	Page	Policy/ Paragraph	Main Modifications
MM3	19	2.16	<p><i>Amend paragraph as follows:</i></p> <p>The NPPF provides guidance on the provision of high quality, sustainable housing, with a mix of housing tenures which reflects local needs, ensuring the effective use of existing housing stock, and providing enough homes in appropriate locations through the efficient and effective use of land. It gives the Local Planning Authority flexibility in setting appropriate densities to specific localities. However, it is still imperative that land contributing towards the District’s housing land supply is appropriately and efficiently utilised. <u>The previously established national indicative minimum density of 30 dwellings per hectare is considered to strike a balance between ensuring the efficient use of land and respecting the character of localities.</u> As such promoting a minimum density threshold of 30 dwellings per hectare is considered to be appropriate.</p>
MM4	20	Policy DM2	<p><i>Amend policy as follows:</i></p> <p>Proposals for residential development must make efficient use of the site area in a manner that is compatible with the use, intensity, scale and character of the surrounding area, including potential impact on areas of nature conservation importance, and the size of the site. <u>The density across a site should be a minimum of 30 dwellings per hectare, unless exceptional circumstances can be satisfactorily demonstrated.</u></p> <p>The precise density for any individual site, however, will be determined by its immediate context, on-site constraints, the type of development proposed and the need to provide an appropriate mix of dwellings to meet the community’s needs.</p>
MM5	21	2.24	<p><i>Amend paragraph as follows:</i></p> <p><u>There is concern that the replacement of dwelling(s) with an alternative dwelling type could have a detrimental impact on the individual character of the District’s settlements.</u> Whilst providing a mix of dwelling types within new developments is supported in the Core Strategy (Policy H5), <del>we</del> the Council will seek to resist the loss of existing dwelling types, which can impact on the character of the street scene in the District’s existing settlements. <del>Therefore</del> As an example, where the street scene is relatively</p>

Ref	Page	Policy/ Paragraph	Main Modifications
			<p><del>homogenous in terms of house types and design</del> the replacement of dwellings should usually be on a like for like basis <u>to protect the local character, as appropriate</u>. However, if it can be demonstrated that an alternative dwelling type would be more appropriate and ensure better utilisation of a site, without creating undue residential intensification and ‘town cramming’ e.g. the replacement of one bungalow on a wide plot of land with a pair of semi-detached houses, then this may be considered acceptable <u>on a case-by-case basis</u>. <del>We will determine whether the loss of an existing dwelling type is appropriate and applicants should consult the Council for advice and guidance.</del> The demolition of individual dwellings to be replaced by multiple dwellings e.g. the replacement of a bungalow with flats, is not generally supported. Resisting the intensification of smaller sites within residential areas will protect the character of existing settlements. However, limited infilling is considered acceptable, and will continue to contribute towards housing supply, provided it relates well to the existing street pattern, density and character of the locality. An appropriate level of residential intensification within town centre areas, where higher density schemes (75+ dwellings per hectare) may be appropriate will be encouraged.</p>
MM6	22	Policy DM3	<p><i>Amend policy as follows:</i></p> <p>Proposals for infilling, residential intensification or ‘backland’ development <del>should</del> <u>must consider demonstrate that the following have been carefully considered and positively addressed:</u></p> <ul style="list-style-type: none"> <li>(i) the design of the proposed development in relation to the existing street pattern and density of the locality;</li> <li>(ii) whether the number and type of dwellings being proposed are appropriate to the locality <u>having regard to existing character</u>;</li> <li>(iii) the contribution to housing need, taking into account the advice and guidance from the Council, based on the most up-to-date evidence available;</li> <li>(iv) an assessment of the proposal’s impact on residential amenity;</li> <li>(v) avoiding a detrimental impact on landscape character or the historic environment;</li> </ul>

Ref	Page	Policy/ Paragraph	Main Modifications
			<p>(vi) <u>avoiding</u> the loss of important open space which provides a community benefit and/or visual focus in the street scene;</p> <p>(vii) <u>avoiding</u> the loss of private amenity space for neighbouring dwellings <u>to ensure adequate provision as set out in Supplementary Planning Document 2: Housing Design</u>;</p> <p>(viii) the adequate provision of private amenity space for the proposed dwelling as set out in Supplementary Planning Document 2: Housing Design;</p> <p>(ix) the availability of sufficient access to the site and adequate parking provision; and</p> <p>(x) <u>avoiding a tandem relationship between dwellings, unless it can be satisfactorily demonstrated that overlooking, privacy and amenity issues can be overcome as set out in Supplementary Planning Document 2: Housing Design.</u></p>
MM7	24	2.32	<p><i>Amend paragraph as follows:</i></p> <p>Both market and affordable housing should aspire to meet minimum approved standards for internal floor area for habitable rooms. Each dwelling should comply with the minimum acceptable floorspace standards as defined below in Table 3, <u>unless it can be clearly demonstrated that compliance with the standards would be unviable or undeliverable.</u></p>
MM8	24	2.33	<p><i>Amend paragraph as follows:</i></p> <p>In addition to the minimum floorspace standards above, it is also important to take into account the functionality of the space within dwellings in that they are well planned and useable, particularly for habitable rooms. All habitable rooms should have a minimum floor to ceiling height of 2.5 metres<sup>6</sup> (8.2 feet) and be of an appropriate width to accommodate their proposed uses/function. All non-habitable rooms <u>over 3 square metres</u> should be of an adequate size, height and shape, with sufficient natural lighting, and be ventilated directly by external air via a window. These standards will apply to all dwelling types, and both market and affordable housing.</p>

Ref	Page	Policy/ Paragraph	Main Modifications
MM9	25	Policy DM4	<p><i>Amend policy as follows:</i></p> <p>New dwellings (both market and affordable housing) must adhere to the minimum habitable floorspace standards set out in Table 3, <u>unless it can be clearly demonstrated to be unviable or undeliverable</u>. They should have a good internal layout with reasonably sized habitable and non-habitable rooms that are well-designed, planned and useable, applying the principles of the Lifetime Homes Standard criteria, and are suitable for modern living.</p>
MM10	25	2.38	<p><i>Amend paragraph as follows:</i></p> <p>The District has three distinguishable areas which have varying sensitivity in terms of landscape character, impact on the Green Belt, nature conservation importance, and visual amenity. It is therefore considered appropriate to set out different lighting thresholds for external artificial lighting for these different areas. These different areas are referred to as environmental zones. Three distinguishable environmental zones have been identified below, based on those defined by the <del>Institute</del> <u>Institution of Lighting Engineers Professionals</u><sup>9</sup> <del>(with the exception of Environmental Zone 4 which encompasses town/city centres with high levels of night-time activity, and is therefore not considered to be applicable to the District)</del> taking into account the characteristics of the District. <u>However, there are a few exceptions. Table 4 does not include Environmental Zone 0 (protected areas such as IDA dark sky parks) and Environmental Zone 4 (town/city centres with high levels of night-time activity) which are not considered to be applicable to the District. Environmental Zone 1 also does not include areas of nature conservation importance as it is not considered desirable to permit lighting within such areas.</u></p>
MM11	27	2.45	<p><i>Remove paragraph:</i></p> <p><del>An appropriately detailed lighting scheme should accompany all full planning applications,; however, the submission of a detailed lighting scheme may not always be necessary. When submitting an outline planning application, it is considered that an appropriately detailed lighting strategy should accompany the application, where appropriate. The level of detail required should be determined in consultation with the Council’s Development Management team. It may therefore be necessary to submit a more detailed</del></p>

Ref	Page	Policy/ Paragraph	Main Modifications
			<del>lighting scheme at a later date. However, depending on the level of detail provided within the lighting strategy, a scheme may not be considered necessary.</del>
MM12	28	2.46	<p><i>Amend paragraph as follows:</i></p> <p>Floodlighting of sports and other leisure and recreational facilities also requires careful consideration as it can be a nuisance to adjacent land users, have a detrimental impact on the countryside and can cause unnecessary glow in the night sky. Any proposal for floodlighting must demonstrate how essential it is for the associated land use and must be of a design to minimise the impact on the environment and its surroundings. Details to be submitted must be adequate to enable the assessment of the effect of the lighting and the appearance of the fittings. <u>Sport England’s guidance ‘Artificial Sports Lighting’, or the most up-to-date available, should be referred to.</u></p>
MM13	28	Policy DM5	<p><i>Amend the policy as follows:</i></p> <p>Applicants should take into consideration the environmental zone where a development is being proposed and the corresponding lighting thresholds as set out in Table 4.</p> <p><del>Applicants making an outline planning application must submit an appropriately detailed lighting strategy which is proportional to the application. This should be determined in consultation with the Council’s Development Management team. A more detailed lighting scheme should be submitted at the Reserved Matters stage when making a full planning application, as appropriate.</del></p> <p><u>Proposed schemes must be appropriately designed and installed to minimise the impact of light pollution demonstrate that they will not have an adverse impact in terms of light pollution on residential and commercial areas, important areas of nature conservation interest, highway safety and/or the night sky through avoiding unnecessary light spillage and trespass. Where an adverse impact is identified, conditions may be attached to a grant of planning permission or a S106 agreement may be sought to mitigate such impacts.</u></p> <p>Applications for sports and other leisure and recreational facilities development involving external</p>

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			<p>floodlighting will be permitted provided that the following can be demonstrated:</p> <ul style="list-style-type: none"> <li>(i) the lighting is designed to be as directional as possible using the minimum number of lights required with the aim of reducing light pollution;</li> <li>(ii) a curfew time of <u>no later than 10.00pm</u>; and</li> <li>(iii) consideration is given to the effect of the light upon local residents, vehicle users, pedestrians, local wildlife and the night sky.</li> </ul>
MM14	29-30	Policy DM6	<p><i>Amend the policy as follows:</i></p> <p>Where planning permission is required, proposals for the development of telecommunications networks, including the proposed equipment and associated structures <u>should be avoided in sensitive locations (such as an area of nature conservation importance or the historic environment)</u>. <u>Proposals for telecommunications development</u> will be considered acceptable provided that:</p> <ul style="list-style-type: none"> <li>(i) if located on an existing building, mast or other structure, telecommunications equipment is sited and designed to ensure that there is minimal impact to the external appearance of the structure;</li> <li>(ii) in exceptional circumstances, if sited in a sensitive location (such as an area of nature conservation importance or the historic environment), it has been clearly demonstrated that there are no suitable alternative sites for the development of telecommunications systems available in the locality, the development is essential, it is to the benefit of the local community, and it would not have a negative impact on <u>the sensitive areas or</u> local landscape character. Such evidence should accompany any application made; <u>and</u></li> <li>(iii) evidence is provided along with applications which propose the siting of a new mast, to demonstrate that the possibility of erecting telecommunications equipment on existing buildings, masts or other structures has been fully explored. Where it can be <del>proved</del> <u>shown</u> that this is not possible, telecommunications development requiring an application for prior approval of siting and appearance will <del>only</del> be considered acceptable where the equipment is of a design, height,</li> </ul>

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			<p>material and colour, and where appropriate is screened, so as to minimise visual intrusion. <del>Proposals Applicants</del> should also consider the impact on:</p> <ul style="list-style-type: none"> <li>(a) <u>the potential impact of the proposal on</u> the topography and natural vegetation;</li> <li>(b) the proximity to areas of nature conservation interest or other sensitive areas <u>and whether the proposal would have a negative impact; and</u></li> <li><del>(c) its the proposals relationship with other existing masts, structures or buildings, as mast-sharing would be expected, where possible; and</del></li> <li><del>(d) (c)its the proposal’s relationship to residential property, educational and healthcare facilities, employment and recreational sites; and</del></li> <li><del>(iv) if proposing development in a sensitive location, it should be clearly demonstrated there would not be a negative impact on these areas. Such evidence should accompany any application made.</del></li> </ul> <p>When considering applications for telecommunications development, <del>we</del> <u>the Council</u> will take into consideration the operational requirements of telecommunications networks and the technical limitations of the technology. Additionally, arrangements will be put in place to ensure that, if such development falls into disuse, any structures are removed and the land restored to its condition before development took place or other agreed beneficial use.</p>
MM15	30	2.54	<p><i>Amend paragraph as follows:</i></p> <p>The <del>new</del> Local List, <del>which is being reintroduced through the Core Strategy,</del> identifies individual buildings, groups of buildings or items of street furniture which are of local historic, architectural or visual importance, are locally distinctive or are considered to be character enhancing. <u>The buildings on the Local List are non-designated heritage assets.</u></p>



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MM16	31	Policy DM7	<p><i>Amend third paragraph of the policy as follows:</i></p> <p><u>Owners Applicants should consider the demonstrate that the retention, restoration and/or replacement of the following have been carefully considered and addressed:</u></p> <ul style="list-style-type: none"> <li>(i) Important architectural and character features such as weatherboarding, modillions, bargeboards, existing roof material, cornerstones and ridge tiles, although this is not an exhaustive list; and</li> <li>(ii) Original windows for example sash windows should be retained and replaced with similar windows. The use of plastic PVC windows should be avoided.</li> </ul>
MM17	31	2.59	<p><i>Insert new paragraph below paragraph 2.59:</i></p> <p><u>National policy places great weight on the conservation of heritage assets; the more important the asset, the greater the weight that should be given to its retention. Any harm to or loss of a heritage asset should be avoided, unless it can be clearly justified. Substantial harm to or loss of grade II listed assets should be exceptional, and substantial harm to or loss of designated heritage assets of the highest significance (such as grade I and II* listed assets) should be wholly exceptional.</u></p>
MM18	32	2.62	<p><i>Amend paragraph as follows:</i></p> <p>Development in areas which are outside, but adjacent to, Conservation Areas can have an impact on the visual amenity, <u>setting</u>, character and value of those areas which are protected and so will seek to ensure that they do not have a negative impact on the Conservation Area. The impact a proposed development <u>(including proposals for new buildings as well as alterations to existing buildings)</u> may have on a Conservation Area will be determined on a site-by-site basis. <u>English Heritage’s guidance on ‘The Setting of Heritage Assets’ should be taken into consideration.</u></p>
MM19	32	Policy DM8	<p><i>Amend the policy as follows:</i></p> <p><u>Consent for the demolition of a building in a Conservation Area will be granted where it can be clearly demonstrated that the benefits of proposed demolition outweigh the harm to the Conservation Area. In the</u></p>

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			<p><u>case of nationally or locally listed buildings, appropriate weight will be given to the significance of these heritage assets based on their importance when considering applications for demolition. Any harm to, or loss of, a nationally listed building will only be permitted in exceptional circumstances.</u></p> <p><del>Consent for the demolition of a building in a Conservation Area will only be granted in cases where all of the following criteria are met:</del></p> <ul style="list-style-type: none"> <li><del>(i) the building to be demolished is not locally or nationally listed of no architectural or historical interest and does not make a positive contribution to the character or appearance of the Conservation Area;</del></li> <li><del>(ii) detailed plans for the after-use of the site have been submitted to, and approved by, the Local Planning Authority. (In cases where the after-use of the site includes development requiring planning permission, such permission must have been applied for and granted in order that the terms of this criterion be met).</del></li> </ul> <p><u>Additionally we Detailed plans for the after-use of the site will be required to be in place prior to consent for the demolition of a building within the Conservation Area being granted. The Council will require the signing of a legal agreement between Rochford District Council and the developers before condition any consent for demolition is granted, requiring to require that a contract for the carrying out of redevelopment works has been made and planning permission granted before any demolition takes place. the redevelopment of the site within an agreed timeframe, and no demolition may occur without a contract to redevelop the site.</u></p>
MM20	32	Policy DM9	<p><i>Amend policy as follows:</i></p> <p>Proposals for developments which are outside, but close to the boundary of, Conservation Areas must have regard to their impact on the overall street scene, <u>and setting of</u> individual buildings or groups of buildings within and on the edge of the Conservation Areas.</p> <p>Proposals for developments which would alter the appearance of a building should carefully consider the</p>

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			impact of the changes proposed on the <u>setting</u> , character and appearance of the adjacent Conservation Area. Account should be taken of all changes proposed including (but not limited to) changing building materials, altering the positioning and design of fenestration and extensions and other alterations.
MM21	35	3.6	<i>Insert following sentence below paragraph 3.6:</i> <u>Proposals that comply with the Policies DM10 to DM23 set out within this section are not, by definition, inappropriate development.</u>
MM22	37	3.12	<i>Amend bullet point 1 as follows:</i> <ul style="list-style-type: none"> <li>land that is or has been occupied by agricultural or forestry buildings (<u>agricultural or forestry buildings does not includes glasshouses/greenhouses or other horticultural buildings</u>);</li> </ul>
MM23	40	Policy DM10	<p><i>Amend the policy as follows:</i></p> <p><b>Policy DM10 – <u>Red</u>Development of Previously Developed Land in the Green Belt</b></p> <p>The Council will favour proposals for the redevelopment of previously developed land in the Green Belt which accord with Policy GB2 of the Core Strategy.</p> <p>Proposals for the development of residential, retail and other uses not promoted by Policy GB2 of the Core Strategy, such as office, commercial, leisure, and community uses, on previously developed land that is located in the Green Belt may be appropriate if it can be demonstrated that it would constitute sustainable development (<u>i.e. all of the below criteria are met</u>).</p> <p>In particular, proposed residential development of previously developed land in the Green Belt will be permitted provided that the proposal:</p> <ul style="list-style-type: none"> <li>(i) is well related to a defined residential settlement;</li> <li>(ii) is well related to local services and facilities;</li> </ul>

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			<p>(iii) has good connections to the strategic road network;</p> <p>(iv) would promote sustainable transport modes;</p> <p>(v) would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment;</p> <p>(vi) is located within the South Essex Coastal Towns landscape character area.</p> <p>Proposed retail development of previously developed land in the Green Belt will be permitted provided that:</p> <p>(i) there are no suitable and available alternative sites in a town centre or edge-of- centre location;</p> <p>(ii) the proposed development would not undermine the function of the District’s town centres;</p> <p>(iii) the proposed development is well related to a defined residential settlement;</p> <p>(iv) the proposed development has good connections to the strategic road network;</p> <p>(v) the proposed development would promote alternatives to private transport;</p> <p>(vi) the proposed development would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment;</p> <p>(vii) the proposed development is located within the South Essex Coastal Towns landscape character area.</p> <p>Proposals for other uses not promoted by Policy GB2 of the Core Strategy (such as office, commercial, leisure, and community uses) will be permitted provided that:</p> <p>(i) it can be demonstrated that locating the proposed development on employment land, in a town centre or edge-of-centre location would not be appropriate, viable and/or deliverable;</p> <p>(ii) the proposed development is well related to a defined residential settlement if appropriate having</p>

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			<p>regard to the type of development proposed and potential impact on residential amenity;</p> <p>(iii) the proposed development has good connections to the strategic road network;</p> <p>(iv) the proposed development would promote sustainable transport modes;</p> <p>(v) it would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment;</p> <p>(vi) the proposed development is located within the South Essex Coastal Towns landscape character area.</p> <p>Development of previously developed land should not undermine the <u>five purposes</u> of including the land within the Green Belt.</p> <p>Any development which is permitted should be of a scale, design and siting such that the <u>openness of the Green Belt and</u> character of the countryside is not harmed, and nature conservation interests are protected.</p>
MM24	42	3.37	<p><i>Amend paragraph as follows:</i></p> <p>Extensions to buildings for lawfully established businesses in the Green Belt, however, may be permitted provided that there are no <u>suitable and</u> available vacant units either on the site or close to the business in question. Where there are suitable units which are available then, in the interests of preserving the openness of the Green Belt whilst supporting lawfully established businesses, an extension will not be permitted. Existing units should be utilised, as far as practicable, before extensions are permitted.</p>
MM25	43	Policy DM11	<p><i>Amend the policy as follows:</i></p> <p>The Council will support existing lawfully established businesses in the Green Belt, allowing extensions to existing business premises, <u>replacement of existing business premises</u>, and changes of use to enable diversification, where appropriate, subject to the following:</p> <p>(i) extensions and/or changes of use relate to an existing business which is lawfully established and would not be detrimental to nature conservation interests, landscape character, the historic</p>

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			<p>environment, the best and most versatile agricultural land or residential amenity;</p> <p><u>(ii) the availability of suitable vacant units on the site/close to the business in question;</u></p> <p><u>(iii) where an extension is proposed it would not result in a disproportionate increase in gross floorspace over that of the original building;</u></p> <p><u>(iv) <del>(iii)</del> where a replacement is proposed it would not be materially larger than the one it replaces;</u></p> <p><u>(v) <del>(iv)</del> it can be demonstrated that the proposal is necessary for the functioning of the existing business, and the proposed development would not be better situated in a deliverable and available location elsewhere in the District;</u></p> <p>(v) the development has been designed to minimise impact on the character, appearance and openness of the Green Belt;</p> <p>(vi) the scale, design and materials of the original building is respected;</p> <p>(vii) the development would not undermine town centre regeneration; <del>and</del></p> <p>(viii) the type or volume of generated traffic, particularly heavy goods vehicles, would be appropriate to the rural highway network, would not have an unacceptable adverse effect on highway safety, the amenity of nearby residential occupiers or important wildlife habitats; <del>and</del></p> <p><u>(iv) where the conversion of nationally or locally listed agricultural and rural buildings is proposed it should:</u></p> <p><u>(a) not negatively impact on the quality of the listed structure; and</u></p> <p><u>(b) not affect the integrity of the existing structure. A structural engineers report should accompany any application for conversion of a Listed Building.</u></p> <p>Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.</p>

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MM26	43	3.39	<p><i>Amend paragraph as follows:</i></p> <p>Supporting rural diversification is important to ensure the prosperity of the local economy. As identified in the Core Strategy, the Council supports activities which would complement the current functioning of agricultural establishments <u>through rural diversification, which includes</u> the conversion of existing agricultural and rural buildings for small-scale B1 employment use, green tourism, conversion of farm buildings to bed and breakfasts/small-scale hotels and outdoor recreation and leisure activities <u>(Core Strategy Policy GB2)</u>. Retail and residential development, however, are not <u>generally</u> considered acceptable forms of rural diversification in the Green Belt or rural areas outside the Green Belt.</p>
MM27	43	3.40	<p><i>Amend paragraph as follows:</i></p> <p>The use of existing agricultural and rural buildings for bed and breakfast <u>accommodation</u> is acceptable <u>in principle</u> within the Green Belt and wider countryside because <del>they</del> <u>they</u> can make a positive contribution to the local rural economy and support the development of local green tourism initiatives. <del>However, the use of existing agricultural and rural buildings for residential use is not considered appropriate, as such a use does not in itself generate economic activity within the Green Belt or wider countryside and would not make a positive contribution to the rural economy. Proposals would need to demonstrate that they have a sound financial basis, but e</del>Even if a bed and breakfast venture becomes economically unviable, the conversion of such a use for residential purposes is not supported. Residential uses would not positively contribute to the local rural economy and green tourism, and therefore would not be considered appropriate.</p>
MM28	44	DM12	<p><i>Amend policy as follows:</i></p> <p>Rural diversification will be supported so long as it involves an appropriate form of rural activity, as outlined in the Core Strategy, and having regard to the following:</p> <ul style="list-style-type: none"> <li>(i) the need to ensure that the proposed use would not have an undue impact on the openness of the Green Belt, character of the countryside, nature conservation interests, the historic environment, visual amenity or residential amenity;</li> <li>(ii) the need to ensure that the proposed use would not introduce additional activity or traffic movements</li> </ul>

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			<p>likely to materially and adversely affect the openness of the Green Belt or character of the countryside, or place unacceptable pressures on the surrounding highway network;</p> <p>(iii) the sensitivity of the landscape character area in which <del>to the proposal is situated to the proposed</del> development <del>proposed</del>;</p> <p>(iv) the impact of the proposal on the agricultural value of the land; <del>and</del></p> <p>(v) where rural diversification for employment opportunities is proposed, the area should have good links to the highway network particularly taking account of highway safety; <del>and</del></p> <p>(iv) <u>where the conversion of nationally or locally listed agricultural and rural buildings is proposed it should:</u></p> <p><u>(a) not negatively impact on the quality of the listed structure; and</u></p> <p><u>(b) not affect the integrity of the existing structure. A structural engineers report should accompany any application for conversion of a Listed Building.</u></p> <p>Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.</p>
MM29	45	3.45	<p><i>Amend paragraph as follows:</i></p> <p>The Council does not wish to see listed agricultural and rural buildings (either those with Listed Building status or those locally important buildings on the Local List) such as outbuildings, barns and stables, which contribute to the heritage of the District to become neglected through a restrictive approach to their use. These buildings may be capable of serving a useful purpose in the rural environment and can contribute to the functioning of the local economy. As such, rural diversification of listed agricultural and rural buildings will be accepted, however, significant alterations will only be considered if they do not have an adverse impact on the integrity of the existing structure <u>or its significance as a historic building</u>. Supporting evidence from a structural engineer should accompany any application for the conversion of listed agricultural and rural buildings. Whilst appropriate rural diversification opportunities would be supported, the purpose of this policy is not to resurrect derelict agricultural or rural buildings, but to support rural diversification, and its</p>



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			ensuing economic benefits through the use of existing buildings.
MM30	45-46	Policy DM13	<p><i>Amend the policy as follows:</i></p> <p>The reuse or adaptation of existing agricultural and rural buildings will be supported provided that:</p> <ul style="list-style-type: none"> <li><del>(i) the application relates to an existing building with a form, bulk and general design in keeping with its surroundings;</del></li> <li><u>(i)</u> <del>(ii)</del> the application relates to an existing building of permanent and substantial construction;</li> <li><u>(ii)</u> <del>(iii)</del> the proposed use would not introduce additional activity or traffic movements likely to materially and adversely affect the openness of the Green Belt, or place unacceptable pressures on the surrounding highway network;</li> <li><u>(iii)</u> <del>(iv)</del> the proposal does not exceed the existing footprint of the original building, with the exception of an allowance for additions that would be permitted in accordance with Policy DM11;</li> <li><u>(iv)</u> <del>(v) due regard is had to residential amenity</del> <u>would not have an undue impact on residential amenity;</u></li> <li><u>(v)</u> <del>(vi)</del> there would be no detrimental impact on nature conservation <u>or historic environment</u> interests;</li> <li><u>(vi)</u> <del>(vii)</del> where the conversion of nationally or locally listed agricultural and rural buildings is proposed it should: <ul style="list-style-type: none"> <li>(a) not negatively impact on the quality <u>and significance</u> of the listed structure; and</li> <li>(b) not affect the integrity of the existing structure. A structural engineers report should accompany any application for conversion of a Listed Building.</li> </ul> </li> </ul> <p><del>Where conversion incorporates additions in accordance with Policy DM11, further extensions will be</del></p>

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			<p><del>restricted.</del></p> <p><u>(vii) The conversion of existing agricultural and rural buildings for residential uses is not supported. will be permitted provided that the proposal:</u></p> <p><u>(a) is well related to a defined residential settlement;</u></p> <p><u>(b) is well related to local services and facilities;</u></p> <p><u>(c) has good connections to the strategic road network;</u></p> <p><u>(d) would promote sustainable transport modes;</u></p> <p><u>(e) would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment; and</u></p> <p><u>(f) is located within the South Essex Coastal Towns landscape character area.</u></p> <p><u>Where conversion incorporates additions in accordance with Policy DM11, further extensions will be restricted.</u></p> <p>Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.</p>
MM31	47	Policy DM14	<p><i>Amend the policy as follows:</i></p> <p><u>The Council will support proposals for green tourism, provided the proposal would not have an undue negative impact on: Green tourism will be permitted having regard to:</u></p> <p>i) <del>the impact on</del> the openness of the Green Belt (if applicable) and character of the countryside;</p> <p>ii) <del>the impact on</del> the visual amenity of the surrounding area;</p> <p>iii) <del>the impact on</del> the amenity of local residents;</p>

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			<p>iv) <del>the impact on</del> important areas of nature conservation, including any potential disturbance to nearby sites recognised for their importance for biodiversity or geodiversity;</p> <p>v) <del>the sensitivity of</del> the landscape character area in which the proposal is situated, <u>having regard to the area’s sensitivity</u> to the development proposed;</p> <p>vi) <del>the impact on</del> the historic environment, <del>through</del> taking into consideration the sensitivity of the different Historic Environment Character Zones set out in the Rochford District Historic Environment Characterisation Project (2006);</p> <p>vii) <del>the impact of the proposal on</del> the agricultural value of the land; <del>and</del></p> <p>viii) <del>the impact of the proposal on</del> the highway network, having regard to the likely scale of tourism that the proposal would generate; <u>and</u></p> <p>ix) <u>where the conversion of nationally or locally listed agricultural and rural buildings is proposed it should:</u></p> <p style="padding-left: 40px;">(a) <u>not negatively impact on the quality of the listed structure; and</u></p> <p style="padding-left: 40px;">(b) <u>not affect the integrity of the existing structure. A structural engineers report should accompany any application for conversion of a Listed Building.</u></p> <p>Where ancillary facilities are proposed for the purposes of green tourism, it must be demonstrated that such facilities are necessary for the functioning of the activity. Existing agricultural and rural buildings should be reused and converted for the accompanying uses, wherever possible <del>and appropriate</del>. Any new structures must be the minimum size, height and bulk to accommodate the proposed use. Ancillary facilities should not have an undue impact on the openness of the Green Belt or character of the countryside.</p> <p>The conversion of existing agricultural and rural buildings to bed and breakfasts/small-scale hotels/<u>holiday lets</u> will be permitted in appropriate locations provided that <u>all of the above criteria are met and: this will not result in an agglomeration of similar facilities;</u></p>

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			<p>(a) <u>the application relates to an existing building of permanent and substantial construction; and</u></p> <p>(a) <u>the proposal does not exceed the existing footprint of the original building, with the exception of an allowance for additions that would be permitted in accordance with Policy DM11.</u></p> <p>Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.</p>
MM32	47	3.49	<p><i>Amend paragraph as follows:</i></p> <p>The NPPF (paragraph 89) considers the construction of new buildings for the provision of appropriate facilities for outdoor sport and recreation to be appropriate in the Green Belt, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. <del>It reasonably follows, therefore, that the change of use of land in the Green Belt for outdoor sport and recreation is appropriate.</del> The NPPF (paragraph 81) also supports opportunities to enhance the beneficial use of the Green Belt, for example through providing opportunities for outdoor sport and recreation.</p>
MM33	48	3.51	<p><i>Amend paragraph as follows:</i></p> <p>The provision of equestrian facilities is a popular form of rural diversification. Increasing demand for equestrian facilities within the District, however, reinforces the need to ensure a balanced approach through weighing the need for adequate recreational facilities for equestrian activities against the protection of the Green Belt and countryside, and wide-ranging nature conservation interests throughout the District. Equestrian development can appear as ‘creeping urbanism’, blurring the boundaries between urban areas and the open countryside. The NPPF (paragraph 28) sets out the government’s approach to development in rural areas. <u>It supports the development and diversification of agricultural and other land-based rural businesses, and sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.</u> <del>It recognises that such facilities can be integrated with current farming activities and can make an important contribution to sustaining local rural economies.</del> The vast majority of the District’s rural areas are designated as Green Belt and, as such, a balance needs to be struck between supporting equestrian facilities and ensuring</p>

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			<u>minimal impact on the openness of the Green Belt and character of the countryside. advice and guidance on development in the Green Belt must also be considered.</u>
MM34	48	3.53	<p><i>Split paragraph and amend as follows:</i></p> <p>Small-scale equestrian proposals (offering stabling for up to 10 horses) and large-scale proposals (proposing stables for 10 horses or more), where permitted, should ensure full reuse of existing agricultural and rural buildings before proposals for new development are considered. Where it is demonstrated that existing agricultural and rural buildings are inappropriate or insufficient for the purposes of the enterprise, new equestrian development may be permitted, providing it is closely located and related to existing development and not sited in remote or isolated rural locations. Isolated development can often appear intrusive in open countryside and can lead to the intensification of uses once established. As such, equestrian development may be more favourable within the South Essex Coastal Towns landscape character area.</p> <p>Furthermore, <del>p</del>Proposals should seek to minimise the impact of proposed development on the openness of the Green Belt and character of the countryside by ensuring that any new buildings are of a modest design and scale, which is appropriate and the minimum size necessary for their intended purpose. Facilities should be located within one building, if appropriate, or in close proximity to other buildings to ensure visual intrusion is minimised. The Council considers that large-scale development of stables <u>and a proliferation of small-scale developments are</u> is inappropriate because such an enterprises would materially affect the landscape character and the integrity of the countryside and have an undue impact on the openness of the District’s Green Belt.</p>
MM35	48-49	3.54	<p><i>Amend paragraph as follows:</i></p> <p>It is important to ensure that the welfare of horses through the provision of equestrian facilities is balanced against the potential impact on the openness of the Green Belt and character of the countryside. Therefore any proposed stable facility will have regard to the British Horse Society Standards in terms of stable size and grazing area as set out in ‘Guidelines for the Keeping of Horses: Stable Sizes, Pasture and Fencing’<sup>12</sup></p>

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			or the most up-to-date guidance. The Society, for example recommends 0.4 hectares (approximately 1 acre) of grazing land per horse. <u>However, to protect the openness of the Green Belt, proposals should not result in a proliferation of stables.</u>
MM36	49	Policy DM15	<p><i>Amend second point of the policy as follows:</i></p> <p>(ii) <del>proposals for equestrian establishments whether for private use or as a commercial livery will need to demonstrate that there is adequate land within the curtilage of the site to allow for the proper care of horses, including stabling, grazing and exercise, in accordance with the British Horse Society Standards or equivalent</del> <u>the maximum number of stables per hectare is related to the amount of open space. The requirement will be no more than one stable for each 0.4 hectares of site area;</u></p>
MM37	51	Policy DM16	<p><i>Amend first point of the policy as follows:</i></p> <p>(i) they are proposed in an area where a deficit in supply has been identified. Alternative locations where a deficit has not been identified may be acceptable where more up-to-date evidence on supply and demand is available, <u>where it would involve the replacement of a lost playing field</u> or where it can be demonstrated that it is not feasible to share facilities or utilise other existing facilities in the locality, for example school playing fields; or where it can be demonstrated that the deficit location would not be viable to meet the teams/activities needs;</p>
MM38	53	Policy DM17	<p><i>Amend criterion (ii) of the policy as follows:</i></p> <p>(ii) the proposal has been designed so as to avoid <u>a negative</u> impact on the character and appearance of the Green Belt through its scale, mass and orientation.</p>
MM39	56	Policy DM19	<p><i>Add an additional point to the policy:</i></p> <p>(vii) any mobile home will be located outside Flood Zone 3, and will only be located in Flood Zone 2 where it is shown to pass the Sequential and Exception Tests and is supported by a site-specific Flood Risk Assessment.</p>

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MM40	57	Policy DM20	<p><i>Amend first paragraph of the policy as follows:</i></p> <p>Proposals for the development of basements <del>for new and replacement dwellings</del> will be permitted provided that:</p> <ul style="list-style-type: none"> <li>(i) the proposal does not exceed the footprint of the original dwelling (including the 25% above ground extension allowance for replacement dwellings in the Green Belt); and</li> <li>(ii) the proposal does not give rise to the formation of a self-contained unit of accommodation such as a 'granny flat'.</li> </ul> <p>Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.</p> <p><del>Where a basement extension is permitted, planning permission shall be conditioned to remove permitted development rights which would allow the dwelling to be extended in order to control their scale, appearance and impact.</del></p>
MM41	58	Policy DM21	<p><i>Amend criterion (iii) of the policy as follows:</i></p> <p>(iii) the visual mass <u>and bulk</u> of the new dwelling should <del>be no greater</del> <u>not be significantly larger than</u> that of the existing dwelling (taking into consideration any additional mass allowed for in respect of criterion (i) above). The overall height of the replacement dwelling should not exceed that of the existing dwelling, unless a modest increase in height can be justified on design or visual amenity grounds. Where the existing dwelling is a bungalow it should be replaced by a bungalow; and</p>
MM42	59	3.80	<p><i>Amend paragraph as follows:</i></p> <p>Applications to extend domestic gardens beyond the current designation of the <del>residential fringe</del> <u>designated residential area</u> will be considered and permitted only where the impact on the surrounding environment, or visual amenity (the value, attractiveness or desirability of a particular view) for neighbours or the public is minimal. The size of the proposed garden extension will also be taken into consideration. The proposed</p>

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			extension should not be out of proportion with the size of the existing garden, for example it should not be more than double the size of the existing garden area.
MM43	59	Policy DM22	<p><i>Amend the policy as follows:</i></p> <p><del>Extensions to domestic gardens which currently reside within, or would encroach onto the designated Green Belt land, will only be permitted provided that</del> <u>Extensions to domestic gardens onto land within the Green Belt will only be permitted provided that:</u></p> <ul style="list-style-type: none"> <li>(i) the proposal includes appropriate boundary treatment and would ensure a defensible and robust Green Belt boundary, for example where the extension would infill the <del>residential fringe</del> <u>designated residential area</u> in line with other gardens adjacent to the dwelling;</li> <li>(ii) the size of the proposed garden extension is <del>appropriate</del> <u>not out of proportion with the size of the existing garden;</u></li> <li>(iii) the proposal would not impact on the openness or undeveloped character of the Green Belt <u>through the erection of fences, additional buildings and other built structures;</u></li> <li>(iv) the proposal would not encroach on high quality agricultural land (particularly Grade 1 or 2);</li> <li>(v) the proposal would not adversely impact on other areas of open space; and</li> <li>(vi) the proposal would not adversely impact on the conservation value or protection of natural areas of local wildlife value, or sites of national and international importance, or the historic environment.</li> </ul> <p>Planning permission for a garden extension into the Green Belt will be conditioned withdrawing permitted development rights relating to the provision of buildings and other structures within the curtilage of the dwelling.</p>
MM44	60	3.85	<p><i>Amend paragraph as follows:</i></p> <p><u>In the case of employment operations, alternative uses to the existing use could have a greater impact on the openness of the Green Belt or character of the Conservation Area through introducing additional activity</u></p>



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			or traffic movements for example. <u>R</u> edevlopment should <u>therefore</u> retain existing uses, where appropriate, or propose alternative employment uses if the new use would complement the surrounding land uses and have a positive impact on the appearance and value of the Conservation Area.
MM45	60	Policy DM23	<p><i>Amend policy as follows:</i></p> <p>Redevlopment will be considered acceptable within Conservation Areas situated in the Green Belt, provided that:</p> <p>(i) it will make a positive contribution to the character and appearance of the Conservation Area and will contribute to the recommendations of the relevant Conservation Area Appraisal and Management Plan;</p> <p><del>(ii) the use of the building to be replaced is retained or is changed to one which is more appropriate in the Green Belt;</del></p> <p><del>(iii)</del> (ii) the proposal would not adversely impact areas of biodiversity and geodiversity importance; and</p> <p><del>(iv)</del> (iii) the proposal does not undermine the purposes of including the land within the Green Belt and is such that the impact on the openness of the Green Belt has been minimised.</p> <p>Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.</p>
MM46	63	4.3	<p><i>Amend paragraph as follows:</i></p> <p>The Council is committed to improving the biodiversity and wildlife value of the District and to protect and enhance, where appropriate, local, national and international sites of nature conservation importance, as well as the Coastal Protection Belt and the Greater Thames Marshes Nature Improvement Area <u>(which encompasses much of the eastern part of the District)</u>. The importance of protecting local historical and archaeological sites is also recognised within the Core Strategy.</p>
MM47	65	Policy	<i>The third paragraph of the policy should be amended as follows:</i>

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		DM24	Permanent moorings and associated infrastructure, where permitted, should not cause disturbance or pollution to the surrounding environment, and should not adversely impact on the appearance of the local area, the objectives of the Green Belt, or the commercial or leisure use of the rivers and surroundings. <u>They should only be permitted where the Local Planning Authority is satisfied that the development has a tolerable level of safety for occupants in a flood event.</u>
MM48	67	Policy DM25	<p><i>Amend policy as follows:</i></p> <p>Development should seek to conserve and enhance existing trees and woodlands, particularly Ancient Woodland. <u>Development which would adversely affect, directly or indirectly, existing trees and/or woodlands will only be permitted if it can be proven that the reasons for the development outweigh the need to retain the feature and that mitigating measures can be provided for, which would reinstate the nature conservation value of the features.</u></p> <p>Where development would result in the <u>unavoidable</u> loss or deterioration of existing trees and/or woodlands, then appropriate mitigation measures should be implemented to offset any detrimental impact through the replacement of equivalent value and/or area as appropriate. Consideration should be given to the impact on <u>the landscape character area and the findings of the Rochford District Historic Environment Characterisation Project (2006)</u> when considering the potential loss of trees and/or woodland, and the replacement of these.</p> <p><u>Where existing trees and/or woodlands of ecological or landscape importance should be retained, any planning permission will be conditioned to ensure the retention and continued maintenance/management of these features. On-site environmental enhancements including opportunities to create/enhance/restore habitats will also be sought.</u></p> <p>New woodland creation should be sought, where appropriate. In particular this should be encouraged within:</p> <ul style="list-style-type: none"> <li>(i) schemes for the restoration of derelict or contaminated land and sites formerly used for mineral-extraction or industry;</li> </ul>

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			<p>(ii) green infrastructure projects, particularly in areas where sustainable development is promoted;</p> <p>(iii) planting schemes along transport corridors; and</p> <p>(iv) schemes to expand and link areas of native woodland taking into account the most up-to-date Rochford Biodiversity Action Plan targets.</p> <p>Conditions will also be attached to planning permissions to encourage the proper management of these important trees and woodlands, where appropriate. In addition to, or instead of, the completion of a legal agreement will be required to secure the provision of a replacement trees and woodlands of equivalent value and/or area as appropriate, and to ensure the future management of these features.</p>
MM49	67	4.17	<p><i>Amend paragraph as follows:</i></p> <p>Existing landscape features such as ponds, hedgerows and tree belts have a vital role to play both in supporting local biodiversity and contributing to the quality and appearance of the local environment. <u>These local landscape features may not have protection offered by national and international nature conservation designations as set out in Core Strategy Policy ENV1, but merit protection through the planning process.</u> Some important hedgerows, <u>however,</u> <del>are also</del> protected by the Hedgerow Regulations<sup>18</sup>.</p>
MM50	68	Policy DM26	<p><i>Amend last three paragraphs of the policy as follows:</i></p> <p>Development which would adversely affect, directly or indirectly, the landscape features listed above will only be permitted if it can be proven that the reasons for the development outweigh the need to retain the feature and that mitigating measures can be provided for, which would reinstate the nature conservation value of the features.</p> <p>Where a particular landscape feature is of ecological or landscape importance and should be retained, planning permission will be conditioned to ensure the retention and continued maintenance/management, where appropriate, of this landscape feature. On-site environmental enhancements including opportunities to create/enhance/restore habitats, <u>and to contribute to Water Framework Directive objectives,</u> will also be sought.</p>

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			Conditions will <del>also</del> be attached to planning permissions to encourage the proper management of these important landscape features, where appropriate. In addition to, or instead of, the completion of a legal agreement will be required to secure the provision of a replacement landscape feature of equivalent value, and to ensure the future management of this feature.
MM51	70	Policy DM27	<p><i>Amend policy as follows:</i></p> <p><del>Planning permission will only be granted for development provided it would not cause harm to priority species and habitats identified under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.</del></p> <p><del>In addition to the UK Biodiversity Action Plan, proposals for development should have regard to Local Biodiversity Action Plans, including those produced at District and County level.</del></p> <p><u>Proposals should not cause harm to priority species and habitats identified under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Development will only be permitted where it can be demonstrated that the justification for the proposal clearly outweighs the need to safeguard the nature conservation value of the priority habitat, and/or the priority species or its habitat. In such cases the Local Planning Authority will impose conditions and/or seek the completion of a legal agreement in order to:</u></p> <ul style="list-style-type: none"> <li>(i) secure the protection of individual members of the priority species and/or habitats;</li> <li>(ii) minimise the disturbance to the priority species and/or habitats; and</li> <li>(iii) provide adequate alternative habitats to sustain at least the current levels of population for protected species and/or provide a compensatory habitat to offset potential loss or disturbance of a priority habitat.</li> </ul> <p><u>In addition to the UK Biodiversity Action Plan, proposals for development should have regard to Local Biodiversity Action Plans, including those produced at District and County level.</u></p>
MM52	72	4.37	<i>Insert footnote in the first sentence of the paragraph, as amended above, after ‘major development’:</i>

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			<u>A development is considered major if 10 or more dwellings are proposed or the site area is 0.5 hectares or more.</u>
MM53	76	5.8	<i>Insert footnote in the first sentence of the paragraph after ‘major development’:</i> <u>A development is considered major if 10 or more dwellings are proposed or the site area is 0.5 hectares or more.</u>
MM54	80	Policy DM32	<p><i>Amend the first paragraph of the policy as follows:</i></p> <p><del>New and existing employment land should have a predominance of B1 (Business) and/or B2 (General Industrial) employment uses.</del> New employment development will be expected to be <u>predominantly</u> B1 (Business) and/or B2 (General Industrial) employment uses. Alternative uses will be considered having regard to:</p> <ul style="list-style-type: none"> <li>(i) the number of jobs likely to be provided;</li> <li>(ii) the viability of retaining B1 and B2 uses;</li> <li>(iii) the compatibility with existing uses;</li> <li>(iv) the impact on the vitality and vibrancy of the District’s town centres;</li> <li>(v) the proportion of alternative uses present; and</li> <li>(vi) wider sustainability issues (such as available transport methods).</li> </ul> <p><del>New and existing e</del><u>Employment development land</u> should be of a high quality, <u>incorporate</u> safe and inclusive design and any associated infrastructure should be appropriately phased. Potential noise and light pollution generated by proposed uses should be adequately mitigated against.</p> <p>Retail use is not normally permitted on employment land. However where the proposal passes our sequential approach to the location of retail development, then permission may be granted for businesses selling bulky goods.</p>

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MM55	81	Policy DM33	<p><i>Amend the policy as follows:</i></p> <p>Proposals for uses operating businesses from dwellings, which require planning permission, will be supported provided that the use:</p> <ul style="list-style-type: none"> <li>(i) remains linked to the residential use, <u>and residential remains the primary use; such that it does not become a separate commercial unit;</u></li> <li>(ii) <u>will not result in a residential dwelling that fails to meet the floorspace standards set out in Policy DM4;</u></li> <li><del>(ii)</del> (iii) will not have a significant adverse effect on residential amenity;</li> <li><del>(iii)</del> (iv) will not have a detrimental effect upon the visual character of the surrounding residential area;</li> <li>and</li> <li>(iv) (v) will not create on street parking or unacceptable highway problems.</li> </ul> <p><del>Where such uses are approved they will be subject to appropriate conditions, for example controlling the size and frequencies of delivery vehicles, times of deliveries, visits, etc. as well as a condition relating the use solely to the person who occupies the dwelling and undertakes the activity.</del></p>
MM56	84	7.8	<p><i>Amend paragraph as follows:</i></p> <p>Whilst encouraging appropriate non-retail uses within the District, such as banks, building societies and restaurants, <del>we</del> <u>the Council</u> will endeavour to ensure that the effect of dead frontage is minimised by requiring that such premises continue to use shop windows for display purposes. Where a non-retail use is proposed (such as A2, A3, A4, A5, sui generis or B1 uses) for ground floor locations in <del>core</del> <u>primary</u> shopping frontages, <del>we</del> <u>the Council</u> will have regard to the appropriateness of the use and the uses already present in the frontage. The proposal should not lead to or add to a concentration of non-retail uses in an individual frontage or parade. As a guide <del>there should be no more than three non-retail uses within a single frontage to create a cluster of uses.</del> <u>there should not be a cluster of any more than two immediately adjacent non-retail uses of the same Use Class. More than two Sui Generis uses adjacent to one another</u></p>

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			<u>may not necessarily be considered a cluster, provided they are distinct and different uses.</u>
MM57	84	Policy DM34	<p><i>Amend the policy as follows:</i></p> <p>The frontages within Rayleigh, Hockley and Rochford’s Primary Shopping Areas will comprise predominantly A1 retail use.</p> <p>The change of use of shopping frontages for non-retail purposes (in particular A3 use which includes restaurants and cafes), which make a positive contribution to the vibrancy and vitality of the town centres will be permitted providing that <u>the proposal would:</u></p> <ul style="list-style-type: none"> <li>(i) <del>the proposal would not have a detrimental impact on, or undermine, the dominance of A1 use businesses within the retail centre</del> <u>not have a detrimental impact on, or undermine, the predominance of A1 uses, both within the town centre as a whole and within the primary shopping frontage;</u></li> <li>(ii) <del>the proposal would not create a cluster of similar non-retail businesses within the locality</del> <u>not create a cluster of similar non-A1 uses of the same use class within a locality that undermines the retail character of the town centre;</u> and</li> <li>(iii) <del>the proposal would positively contribute to the retail/non-retail offer and encourage people into the town centre</del> <u>entail the provision of a non-A1 use which is considered to positively contribute to the overall offer and encourage people into the town centre.</u></li> </ul>
MM58	85	Policy DM35	<p><i>Amend the policy as follows:</i></p> <p><del>We</del> <u>The</u> Council will permit the use of the upper floors of shops and other commercial premises <u>in town centres</u> for residential purposes. <del>However, residential development will only be permitted where this would not result in a net loss of leisure or commercial uses within town centre locations.</del> Permission will be granted, where appropriate, to ensure that accommodation is self-contained and suitably located with separate access from the street and that such accommodation provides a satisfactory standard of residential convenience and amenity.</p>

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			Where an Air Quality Management Area (AQMA) is designated, residential conversion of upper floor town centre locations will be restricted until the applicable air quality target is achieved.
MM59	86	DM36	<p><i>Amend the policy as follows:</i></p> <p><del>We</del> <u>The Council</u> will seek to ensure that retail premises in villages and neighbourhood shopping areas outside town centres are retained.</p> <p>The change of use of the ground floor of existing retail premises to non-retail use outside town centres will be permitted providing that the following conditions are met:</p> <ul style="list-style-type: none"> <li>(i) the loss of the retail unit is justified because the unit is vacant or that an A1 retail use is not financially viable. In either case, applicants should be able to demonstrate that all reasonable attempts have been made to sell or let the premises for retail use, but without success;</li> <li>(ii) the proposed use would serve the day-to-day needs of local residents;</li> <li>(iii) the proposed use would not reduce the quality of life of residents living in the immediate vicinity of the premises, as a result of noise, on-street parking, disturbance, cooking smells, litter or other factors;</li> <li>(iv) the proposal would not result in the removal of any independent means of accessing the upper floor(s) of the premises or otherwise prevent an effective use being made of the upper floor(s); and</li> <li>(iv) where the proposal relates to premises with an existing shopfront, the shop window would continue to be used for display purposes.</li> </ul> <p>The conversion of retail uses to residential is generally not supported.</p> <p>The change of use of existing non-retail units within villages and neighbourhood shopping areas (such as offices, hair dressers, takeaways and pubs), to residential use may be considered favourably <del>(except if within the Green Belt)</del> if it can be demonstrated that the loss of the existing use is justified because the unit is vacant, or the use is not financially viable. <u>Proposals to change non-retail units in the Green Belt to</u></p>



Ref	Page	Policy/ Paragraph	Main Modifications
			<p><u>residential use will be permitted provided that the proposal:</u></p> <ul style="list-style-type: none"> <li><u>(i) is well related to a defined residential settlement;</u></li> <li><u>(ii) is well related to local services and facilities;</u></li> <li><u>(iii) has good connections to the strategic road network;</u></li> <li><u>(iv) would promote sustainable transport modes;</u></li> <li><u>(v) would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment;</u></li> <li><u>(vi) is located within the South Essex Coastal Towns landscape character area.</u></li> </ul> <p><del>Applicants should be able to demonstrate that all reasonable attempts have been made to sell or let the premises for an alternative non-retail use or for retail use, but without success</del></p>