
ROCHFORD DISTRICT REPLACEMENT LOCAL PLAN DRAFT POLICIES

1 SUMMARY

- 1.1 The purpose of this report is to seek Members approval for a number of policies to be included in the First Deposit Draft of the Replacement Local Plan. The Plan will replace the existing Rochford District Local Plan First Review, and provide a policy basis for the control of development in the District up to 2011.
- 1.2 The preparation of a Local Plan is a statutory function for the authority.

2 INTRODUCTION

- 2.1 The attached appendix details a number of policies to be included in the following chapters of the Plan:
- Natural Resources;
 - Rural Issues;
 - Town Centres; and,
 - Housing.
- 2.2 Other policies to be included in these chapters have been considered at earlier meetings. It should be noted that the Natural Resources chapter will include all policies relating to nature and landscape conservation, as well as policies relating to flood risk, etc. Some of these policies were previously suggested for inclusion in the Rural Issues chapter of the Plan, and were considered at the meeting of this Sub-Committee on 5 September 2001.

3 THE POLICIES

Natural Resources Chapter

3.1 Policy - Coastal Protection Belt

This policy replaces Policy RC9 of the existing Plan. The wording has been altered to reflect that of Policy CC1 of the Replacement Structure Plan.

3.2 Policy - Historic Landscape

This Policy replaces RC6 of the existing Plan. An earlier version of this policy was considered by the Sub-Committee on 5 September 2001.

The policy has been further amended to cover all designated Ancient Woodlands across the District.

3.3 Policy - Tree Protection

The Policy replaces Policy RC10 of the existing Plan, and covers all cases where development could affect a preserved tree, regardless of whether the environment is rural or urban.

3.4 Policy - Species Protection

This is a new policy covering a number of species that are statutorily protected by national and international legislation, e.g. great-crested newts, slow worms, badgers, etc.

3.5 Policy - Other Landscape Features

This is a new policy, which recognises the contribution landscape features such as ponds, hedgerows, etc., pay to nature conservation.

3.6 Policy – Development within the Floodplain

This is a new policy, formulated with due regard to the guidance provided by PPG25: Development and Flood Risk. The policy requires the submission of a report to consider the impact of flooding in respect of all development proposed within floodplains.

The policy zones areas within floodplains, dependent upon whether the area is already developed, is sparsely developed or is, effectively, just open land. The policy takes an increasingly restrictive approach to development, dependent on the zone a site falls into, the standard of sea defences as existing, etc. The zones will be illustrated on a map, which will accompany the Plan.

Because all parts of the floodplain will fall into one zone or another, a separate policy to cover the Kingsmans Farm Road riverside settlement is no longer required. (Kingsmans Farm Road will be considered as a 'sparsely developed and undeveloped area of the floodplain'). This policy also replaces Policy PU2 and Appendix 9 of the existing Plan.

3.7 Policy - Sustainable Drainage Systems

This is a new policy to reduce the risk of localised flooding caused by the drainage systems of new developments.

3.8 Policy - Creation of Intertidal Habitats

This is a new policy formulated to cover the creation of new intertidal habitats through the realignment of sea walls. The policy acknowledges that the creation of intertidal habitats is of benefit to nature conservation (given that significant areas of saltmarsh, etc., are being lost as sea levels rise), but seeks to balance this against the loss of the existing land, which may itself be of particular value.

Rural Issues Chapter

3.9 Policy - Farm Diversification

This is a new policy to accord with the guidance of PPG7.

3.10 Policy - New Retail Uses

This Policy replaces Policy GB10 of the First Review. The policy distinguishes between retail uses that are inappropriate in the Green Belt and those, such as farm shops and village shops, that can help support rural settlements.

Town Centres Chapter

**3.11 Policy - Non-Retail Uses within Primary Shopping Areas
Policy - Non-Retail Uses within Secondary Shopping Areas**

These policies replace Policies SAT2 and SAT3 of the First Review. The thrust of the policies remains the same. An additional criterion has been added, however, to ensure that the use of the upper floor(s) of buildings (flats, etc.) is not prevented by alterations carried out to facilitate the change of use at ground floor.

Proposals for amendments to the areas covered by primary and secondary shopping frontages are being prepared for Members' consideration in due course.

3.12 Policy - The Change of Use of Neighbourhood or Village Shops

This Policy replaces Policy SAT4 of the First Review. The policy covers all shops outwith Town Centres: shops within local parades, individual shops, and shops in villages.

3.13 Policy - Servicing

The policy replaces Policy SAT5 of the First Review. The wording has changed slightly, but the essence of the policy remains the same.

**3.14 Policy - Shopfronts: Design and Security
Policy - Security Shutters**

The shopfronts policy replaces Policy SAT6, and seeks to ensure that the design of new shopfronts takes into account any security measures necessary to protect the premises, and its contents. A new policy has also been produced to reflect the Council's concern that security shutters are generally inappropriate, and detract from the character of the premises and those around it.

An updated version of the Council's shopfront design guide is also being produced to be used in conjunction with these policies. The guidance will cover premises across the whole District, as opposed to just those premises situated within Conservation Areas, as at present. The guide will cover security measures, as well as the principles of good design.

3.15 Policies - Advertisements

These policies replace Policies SAT7, SAT8 and SAT10 of the First Review. The thrust of the policies remains unchanged.

Housing Chapter

3.16 POLICY HP12 – Energy Conservation

The design and layout of new dwellings can have a significant influence on energy consumption. This policy is carried forward from the current Local Plan.

3.17 Policy HP14 – Affordable Housing

PPG3 indicates that a community's need for a mix of housing types, including affordable housing, is a material planning consideration which should be taken into account in formulating development plan policies and in deciding planning applications involving housing. Where there is a demonstrable need, local plans should include a policy seeking affordable housing in suitable housing developments.

The Council commissioned a Housing Needs Study in 1999 and the consultants concluded that there was indeed a demonstrable need for affordable housing in the district to meet the needs of local people. In fact, the study went so far as to conclude that 'low-cost' market housing could not be considered as 'affordable' in the context of the Rochford housing market.

The Government's definition of affordable housing is:

"...both low cost market housing, and subsidised housing (irrespective of tenure, ownership or financial arrangements) that will be available to people who cannot afford to occupy houses generally available on the open market."

However, the Council's housing needs consultant concluded that 'low cost market' housing provided without a subsidy cannot be considered as 'affordable' housing in a district like Rochford. However, the PPG also makes clear that it for local authorities to define affordable housing, and on that basis it is proposed that the definition should be as follows:

"...affordable housing is that provided with subsidy, for local people who are unable to resolve their housing needs in the private sector market because of the relationship between housing and incomes."

The PPG also requires local planning authorities to provide further detail in the Local Plan about the level of need and its location within the district. This information is available in the housing needs study and will be cross-referenced to the Local Plan.

The Council's housing needs consultant advised that the existing policy on affordable housing (Policy H14), despite being drafted in early nineties before the latest guidance, was still quite reasonable. However, the PPG does indicate that there should be a threshold below which affordable housing provision would not be a requirement. Accordingly, the policy has been revised to take account of this issue.

3.18 POLICY HP15 – Crime Prevention

This policy has been carried over from the current Local Plan with minor amendment.

3.19 Policy HP16 – Flatted Accommodation

This policy has been carried over from the existing Local Plan.

3.20 POLICY HP17 – Sheltered Housing

This policy has been carried over from the existing Local Plan except for the deletion of the standards related to car parking provision, which will be included in LPSPG2 Car Parking.

3.21 POLICY HP18 – Mobility Housing

This policy has been simplified to provide a clear statement of the requirement for developers to consider the inclusion of an element of mobility housing in new developments.

3.22 POLICY HP20 – Backland Development

Development of backland areas is acceptable in principle subject to a careful assessment of impact as outlined in the policy criteria. This policy has been carried over from the existing Local Plan except that cross-references have been included to the new LPSPGs dealing with design and layout and car parking standards.

3.23 POLICY HP28 – Gypsy Site Provision

Recent Government advice suggests that local planning authorities should consider identifying sites for Gypsies in the Local Plan. However, it is considered that there is still a need to include a criteria based policy against which proposals can be considered. The proposed policy is closely based on the one included in the existing Local Plan.

Telecommunications

3.24 POLICY [NUMBER] - Telecommunications Masts

The Government has recently published a revised PPG dealing with telecommunications. The proposed policy reflects the key material considerations for local planning authorities to consider in dealing with proposals for masts.

4 ENVIRONMENTAL IMPLICATIONS

As above.

5 LEGAL IMPLICATIONS

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

6 RECOMMENDATION

It is proposed that the Sub-Committee **RECOMMENDS**

That the policies in the attached appendix be approved for inclusion in the Replacement Rochford District Local Plan First Deposit Draft.
(HPS)

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