

CHAPTER 2 - HOUSING

CHAPTER	POLICY	TITLE
2 – HOUSING	HP1	OVERALL HOUSING PROVISION
RESPONDENT'S COMMENTS		
<p>One supporting comment.</p> <p>42 – English Nature – Brown field sites can be important for biodiversity needs, where necessary, amend allocations for development where need for development does not justify the loss of ecological assets as protected under the nature conservation policy suite of this plan.</p> <p>70 – Swan Hill Homes Ltd – should be amended to ensure sufficient flexibility exists within the Plan through the identification of safeguarded sites to allow for the non-delivery of sites and provide greater flexibility should monitoring identify a shortage.</p> <p>80 – Go East – “in principle” should be deleted, as it does not provide certainty and clarity.</p> <p>95 – Barrett Eastern Counties – The LPA has been conservative in assessing the contribution of housing from the UCS, suggest there are a number of questions marks over the validity of its assumptions concerning the contribution these can make to housing provision in the Plan period.</p> <p>102 – Old Nursery Consortium – Recommend extending the plan to 2016 at least or include a commitment to immediate review or include ASR sites.</p> <p>105 – Westbury Homes – Recommend to take into account the potential for the non take-up of permissions/allocations and suggest a 10% allowance to be applied to the residual dwelling requirement.</p> <p>133 – Housing Builders Federation – It is HPF’s experience for UCSs to fail to discount identified capacity adequately or at all, therefore a theoretical UCS. Also a lack of flexibility to deliver alternative sites, no mechanism in place for monitoring a shortfall in supply.</p> <p>144 – P R Ellaway – Time frame amend to at least 2016 and preferably 2021 in line with strategic guidance.</p> <p>154 – Aw Squier Ltd – Time frame should be at least 2016 and preferably 2021 in line with emerging strategic guidance.</p> <p>160 – Mr G Marshall – A more detailed analysis (at this stage) of the UCS is required in conjunction with this policy and Chapter 3.</p> <p>177 – Mr Dudley Ball – As 60% of housing units have already been completed for the period 1996-2011, the plan will act as a straight jacket on housing provision in the remaining years. Land at Westview, Church Road, Hockley should be included as previously developed land and be included as part of the built up area of Hockley and a consequential amendment made to the definition of Green Belt Boundary.</p>		
OFFICERS COMMENTS		
<p>The planning authority is confident that sufficient land has been identified for development to fulfil the Structure Plan housing allocation. As the policy states, housing provision is based on contributions from a number of sources, and the LPA has taken a prudent approach to ensuring the figure can be achieved.</p> <p>The time frame of the replacement Local Plan links with the adopted Structure Plan and there is no justification for any consideration to be given to longer term housing provision. The LPA will prepare its LDF in accordance with the requirements of the new Planning and Compulsory Purchase Bill.</p> <p>The LPA has prepared an Urban Capacity Study, which provides a robust assessment of the availability of land for housing development within the district. The UCS is published as a supporting technical document.</p>		

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2 – HOUSING	HP1	OVERALL HOUSING PROVISION
The representation from GO-East is accepted.		
RECOMMENDATION		
No change to the policy other than the deletion of the words ‘in principle’.		
<p>POLICY HP1 – OVERALL HOUSING PROVISION</p> <p>Provision is made for 3050 dwellings net in the district between 1996 and 2011, and to achieve that provision residential development will in principle be permitted within the settlements shown on the Proposals Map. Within these settlements encouragement will be given to residential intensification, sub-division of dwellings, the re-use of vacant, redundant or underused land and living over the shop in accordance with the relevant policies in this Plan and the LPA’s adopted supplementary planning guidance.</p>		

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	HP2	HOUSING SITE ALLOCATION
RESPONDENT'S COMMENTS		
<p>One supporting comment.</p> <p>12 – SE Essex Friends Of The Earth – Object to all five sites as additional pressure of infrastructure and flood plain at Stambridge Mills.</p> <p>26 – Powergen UK Plc – Former TXU offices at London Road, Rayleigh should be added to Housing Site allocation – estimated capacity 100.</p> <p>47 – A H Philpot And Sons Ltd And B Coker Esq. – Delete all sites in proposed plan and include land east of Wickford, west of Shotgate Farm, estimated capacity 210 dwellings.</p> <p>57 – Mr F E G Beckwith - Land south of Stambridge Road at Coombs Farm should be included in Housing Site Allocation.</p> <p>61 6, 7- Environment Agency – Rochford County Primary School and Stambridge Mills are objectionable for development unless it can be shown the sequential test outlined in paragraph 30 of PPG25 Development and Flood Risk has been followed and appropriate mitigation measures can and will be incorporated as part of any development.</p> <p>62- Network Rail – Two brownfield sites at Hockley Station are allocated for residential development.</p> <p>70- Swan Hill Homes Ltd – Land south of Great Wakering should be allocated within the policy as for a modest level of development can deliver additional services and facilities and it can be used as “Safeguard Land” to meet future development.</p> <p>80 – Go East – The size of the sites should be listed and criterion a) should state how many dwellings are expected to be provided on the 0.4 hectares allocated for housing for key workers.</p> <p>89 – George Wimpey East London Ltd – Delete Rochford Primary School, should be identified as open space. Also potential of flooding.</p> <p>89 - 3, 4, 5, 6, 7, 8, 9 – George Wimpey East London Ltd – Delete Stambridge Mills as a housing site to remote, contrary to wider aims and objectives of plan.</p> <p>95 – Barrett Eastern Counties – All sites are unsuitable for residential development and are unlikely to come forward within the Plan period.</p> <p>95 – Barrett Eastern Counties – Include Brays Lane, Ashingdon site, for housing development and associated works to improve access to King Edmund School as outlined.</p> <p>102 – Old Nursery Consortium – Policy should allocate more larger sites which do not have excessive infrastructure/development costs.</p> <p>103 – Mr And Mrs Snell – A number of sites are subject to major constraints, so are unlikely to come forward in the Plan period. Propose deletion of sites at Rochford County Primary School and Stambridge Mills and addition of land 57 High Road, Hockley.</p> <p>105 2, – Westbury Homes (Holdings) Ltd – Barons court Kennels and Park School not on proposal maps.</p> <p>105 3, - Westbury Homes (Holdings) Ltd – Include Land at Greensward Lane, Hockley on Housing Site Allocation.</p> <p>105 4,5, 6, 7, 9 – Westbury Homes (Holdings) Ltd – Reads Nursery, Rayleigh, Rochford Primary School, Ashingdon Park School Site, Rayleigh, Stambridge Mills, Barons Court Kennels, Rayleigh, Main Road, Hockley – site does not fall into criteria of previously developed land as in as in PPG3 Housing (2000).</p> <p>133 – House Builders Federation – The majority of the Housing Allocations listed have matters relating to them which could potentially delay or jeopardise their implementation.</p>		

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	HP2	HOUSING SITE ALLOCATION
<p>135 – Rayleigh Town Council – Reads Nursery and Park School are too dense, Stambridge Mills has risk of flooding.</p> <p>137 – CPRESsex – Stambridge Mills is an isolated site with risk of flooding, council should give serious consideration to future use of this site.</p> <p>140 – Essex Chamber Of Commerce – Delete Stambridge Mills, not suitable for housing in view of flood risk.</p> <p>142 – David Grew – The following sites should be released from the Green Belt: Rear of Folly Chase, Hockley, Adjoining Greenacres, Park Gardens, Hawkwell, Ashingdon Estates, Stewards Yard, Wakering Road, Shoeburyness.</p> <p>143 – Sport England (East) – Re: Rochford County Primary School, Ashingdon – a replacement facility should be identified prior to the allocation of the existing site to satisfy Sport England that the requirements of the policy on playing fields is met.</p> <p>144 – P R Ellaway – Proposed changes: (1) Application of a discount of between 10-20% to the sources of supply to take into account non-implementation. (2) Review of sites to ensure suitability (e.g. risk of flooding in accordance with PPG25) and to ensure housing quantum reflect constraints. (3) Inclusion of land west of Pudsey Hall Lane either to meet existing housing requirements or as a safeguard site in event of a shortfall.</p> <p>145 – Rayleigh Civic Society – Where do 342 dwellings in this policy fit in the units in table 2.2, point needs to be clarified.</p> <p>146 – Messrs Smith, Addison-Smith And Ms Addison – Object to development of Stambridge Mills as in middle of Green Belt infrastructure unsuitable for development.</p> <p>148 – Ashingdon Parish Council – Stambridge Mill development is within the Roach Valley Nature Conservation Zone, it is at risk of flooding, inadequate infrastructure.</p> <p>148 – Ashingdon Parish Council – Object to Rochford County Primary School as access to and from site on busy stretch of Ashingdon School and close to the school.</p> <p>150 – Sutton Parish Council – Stambridge Mills is an isolated site and at risk of flooding, council should give serious consideration to future use of this site.</p> <p>149 – Barling Magna Parish Council – Stambridge Mills is an isolated location surrounded by Green Belt and is not supported by shops or bus</p> <p>153 – Mr And Mrs Poole - Non-inclusion of Lime House site (Rayleigh) which is a brownfield site.</p> <p>154 – A W Squier – Proposed changes: (1) Application of a discount of between 10-20% to the sources of supply to take into account non-implementation. (2) Review of sites to ensure suitability (e.g. risk of flooding in accordance with PPG25) and to ensure housing quantum reflect constraints. (3) Inclusion of land west of Pudsey Hall Lane either to meet existing housing requirements or as a safeguard site in event of a shortfall.</p> <p>181 – Pond Chase Nursery – Include Pond Chase Nursery. Fits criteria, local residents object opportunity to resolve this without detriment to Green Belt.</p> <p>189 – Associated British Foods plc – Stambridge Mills site allocation of 65 developments should be increased to 85.</p> <p>190 – Little Hall Farms Ltd – Support for Stambridge Mills in principle but would like further details and be able to comment at the enquiry.</p> <p>200 – Jackie Hitchcock – Land on corner plot of Greensward Lane and Trinity Wood Lane considered for development. Plot is surrounded by houses and a ribbon development (70' x 300').</p>		
OFFICER'S COMMENTS		
Clearly, a significant number of representations conclude that alternative sites should be allocated for housing development in the replacement Local Plan. Taking account of the		

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	HP2	HOUSING SITE ALLOCATION
<p>Council’s Urban Capacity Study, Land Availability Statements, and sites allocated in the policy, more than sufficient land will be available to fulfil the structure plan housing allocation to 2011.</p> <p>As explained above, it is not appropriate at this time to consider housing (or employment) land allocations beyond 2021, given the uncertainty associated with the emerging Regional Planning Guidance and the fact that this will not be formally adopted before 2005 at the earliest.</p> <p>A number of the sites listed by objectors are in the Green Belt and any significant release of green belt land in the replacement local Plan would be wholly inappropriate, but will be a matter to be considered when the Planning Bill becomes law and the LPA commences preparation of its Local Development Framework, which will sensibly relate in timescales to the new Regional Planning Guidance.</p> <p>The allocation of the Stambridge Mills site for residential development is controversial. However, this is an intensively developed site that provided a specialist use that has now become redundant. It is hoped that the allocation of the site for residential purposes will provide a catalyst to resolving the problem of such a site. In any event, any contribution the site does eventually make to residential numbers will not be crucial to the prudent strategy proposed in the plan for fulfilling the structure plan housing allocation to 2011.</p> <p>A replacement playing field area has now been provided as a substitute for the Rochford County Playing Fields.</p>		
RECOMMENDATION		
<p>It is recommended that policy HP2 be retained.</p>		
POLICY HP2 – HOUSING SITE ALLOCATION		
Provision is made for new dwellings to be built on development sites as follows:		
Site	Est. Capacity	
I Reads Nursery, Rawreth Lane, Rayleigh	72	
II Barons Court Kennels, Rawreth Lane, Rayleigh	24	
III Park School, Rawreth Lane, Rayleigh (see note a)	120	
IV Playing Fields, Rochford County Primary School. Ashingdon Road, Rochford (see note b)	25	
V Main Road, Hawkwell (see note c)	36	
VI Stambridge Mills, Rochford (see note d)	65	

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	HP2	HOUSING SITE ALLOCATION
<p>a. <u><i>The capacity calculation for Park School is based on a total of 2.4Ha (6 acres) of land being released for market housing and 0.4Ha (1 acre) for housing for key workers.</i></u></p> <p>b. <u><i>The development of this site is dependent on the provision of a new playing field for the school. Flood mitigation measures may also be required.</i></u></p> <p>c. <u><i>This allocation relates to an area of land currently allocated for industrial development at the southern end of Hawkwell, for which policies EB2 and EB5 may also have significant implications.</i></u></p> <p>d. <u><i>The development of the site for housing will be dependent on suitable flood protection being provided.</i></u></p>		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP3	DENSITY OF DEVELOPMENT
RESPONDENT'S COMMENTS		
<p>32 – Essex Wildlife Trust – Suggest inserting the word “ecological” after “landscape in i.</p> <p>80 – Go East – Policy should be amended in accordance with range of densities set out in PPG3.</p> <p>84 – Bellway Homes Ltd – Policy and text should be altered to reflect PPG3 advice on density.</p> <p>95 – Barrett Eastern Counties – Wording should properly reflect PPG3 in the issue of density and efficient use of land.</p> <p>108 – The Berkeley Leisure Group Ltd – Amend policy to reflect the flexibility set out in PPG3 with regard to density.</p> <p>111 – Fairview New Homes Ltd – Policy should make provision for greater or lower densities where appropriate, where it can be shown to have no adverse effect on the area.</p> <p>121 – BT plc – Not in accordance with government guidelines suggest delete ceiling of restricting housing densities.</p> <p>133 – House Builders Federation – Inappropriate in rural district of Rochford to have density of 30-50 dhp, fails to take account of style and layout of neighbouring development.</p> <p>151 – Churchill Retirement Living – Policy be amended to allow for circumstances when more than 50 dph may be required.</p> <p>180 – Hockley Parish Council – Should be acknowledged relative to the need to avoid high density on the Green Belt Fringe.</p> <p>191 – Ms G Yeadell – Object to contradiction between Government guidance and local needs to breathe with regard to density.</p> <p>196 – Hockley Residents Association – Should acknowledge specifically, the need to avoid high density on Green Belt Fringe sites.</p>		
OFFICER'S COMMENTS		
The representation from GO-East and others is accepted to amend the policy to better reflect the wording in PPG3.		
RECOMMENDATION		
<p>It is recommended that the policy be amended to read:</p> <p>HP3 – DENSITY OF DEVELOPMENT</p> <p>The density of new residential development must <u>be not less than 30 dwellings per hectare and best use of land will be achieved in the</u> must fall within the range 30-50 dwellings per hectare (net) in most circumstances. The character of individual sites and surroundings and the efficient use of land will determine the acceptable density for a site within this range, but in town centres and areas with good transport links, higher densities above this range may be acceptable. As well as matters of design and layout and car parking standards, the local planning authority will take into account:</p> <ul style="list-style-type: none"> i. Landscape and topographical features; ii. The character and density of adjacent development; iii. The impact on residential amenity; and iv. The wider visual impact of a scheme. 		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP4	DESIGN STATEMENTS
RESPONDENT'S COMMENTS		
<p>42 – English Nature - Welcomes design statements but should include biodiversity and should address nature conservation interests.</p> <p>61 – Environment Agency – Policy should be expanded to actively promote positive features not just preventing inappropriate development. Key features to be included are recycling, water efficiency and sustainable construction techniques.</p> <p>70 – Swan Hill Homes Ltd – Unnecessary duplication of National Policy and would be more appropriate within SPG. For content of statements to be agreed within Council prior to planning application undermines Councils own SPG, and with cause delays in the planning system contrary to Government reforms to speed up the planning system.</p> <p>80 – Go East – Not necessary to have advance submission of any application, policy should be amended to state statement should be included as part of planning application. More guidance to prospective applicants of what is required of them “to provide an assessment against the principles of sustainable development outlined in this plan”.</p> <p>84 – Bellway Homes Ltd – Policy should encourage applicants to submit design statements with planning applications for greater than 25 units. Text in paragraphs 2.18-2.19 should be amended accordingly.</p> <p>89 – George Wimpey East London Ltd – Change wording from “require” to “seek” in first line. Delete requirement to agree design statement prior to submission of a planning application.</p> <p>95 – Barratt Eastern Counties – Not necessary for design statement before an application is submitted. Re word to read “The LPA will normally expect a design statement to accompany applications for residential development of more than 12 dwellings. Applicants are encouraged to discuss the contents of a design statement prior to the submission of an application”. Delete final sentence.</p> <p>108 – The Berkeley Leisure Group Ltd – Preferably delete policy altogether, alternatively provide justification for setting 12 dwelling threshold.</p> <p>111 – Fairview New Homes Ltd – Policy should be amended to allow for discretion when requesting design statements, suggest should read “Where appropriate and where concerns are raised regarding the design or sustainability of developments the Local Planning Authority may request a design statement to be submitted and/or an assessment against sustainability principles”.</p> <p>133 – House Builders Federation – Not necessary for planning applications for extensions. Only necessary when design considerations are particularly important given their surroundings.</p>		
OFFICER'S COMMENTS		
The comments by GO-East and others are accepted.		
RECOMMENDATION		
It is recommended that the policy be amended as follows:		
<p>POLICY HP4 – DESIGN STATEMENTS</p> <p>The Local Planning Authority will require developers to prepare a design statement for all new housing schemes of more than 12 dwellings <u>to be submitted with the planning application.</u> the substance of which must be agreed with the authority in advance of the submission of a planning application. All statements will be</p>		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP4	DESIGN STATEMENTS
<p>expected to outline the key design elements of the scheme and to provide an assessment against the principles of sustainable development outlined in this Plan.</p> <p>Development should then be in accordance with the broad principles of the approved design statement.</p>		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP5	ENABLING ACTION
RESPONDENT'S COMMENTS		
<p>One supporting comment.</p> <p>70 – Swan Hill Homes Ltd – This is a statement of intent and should be relegated to supporting text.</p> <p>80 – Go East – This is a statement of intent and should be deleted.</p> <p>133 – House Builders Federation – Reads as a statement not a Policy.</p> <p>191 – Ms G Yeadell – How soon will “urban” residents be hassled out with compulsory purchase?</p>		
OFFICER'S COMMENTS		
The comments on the policy are accepted.		
RECOMMENDATION		
<p>It is recommended that Policy HP5 be deleted. Enhance the lower case text to fully reflect the issues outlined in the policy.</p> <p>POLICY HP5 – ENABLING ACTION</p> <p>The Local Planning Authority will:-</p> <ul style="list-style-type: none"> a. Maintain regular consultation with persons owning land with a current planning permission to discuss development difficulties and ways in which the Council might help to resolve these; b. Ensure that public utility services are available for the proposed developments by carrying out appropriate negotiations with utility providers; and c. In appropriate cases consider the use of compulsory purchase powers to ensure the development of allocated land. 		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP6	INFRASTRUCTURE
RESPONDENT'S COMMENTS		
<p>61 – Environment Agency – This policy should include re-cycling facilities incorporating glass, paper, metals, textiles and plastics collection points.</p> <p>70 – Swan Hill Homes Ltd – Insert words “Having regard to the advice as set out in National Policy regarding Planning Obligations” in front of the words “The Local Planning Authority” at the beginning of the policy.</p> <p>78 – Essex And County Council Schools Service Planning And Admissions (Strategy) – Insert after “within housing development” the words “or within an appropriate distance of”.</p> <p>80 – Go East – A broad statement of intent should be deleted.</p> <p>84 – Bellway Homes Ltd – Policy does not include Government Guidance at Circular 1/97. The policy should state, “seek” not “ensure”.</p> <p>89 – George Wimpey East London Ltd – Needs to be in accord with Circular 1/97. Should be made clear not all requirements are necessary “within” the development.</p> <p>95 – Barrett Eastern Counties – Should be more in line with Circular 1/97. Policy implies all facilities should be within the development.</p> <p>108 – The Berkeley Leisure Group Ltd – Insert reference to Circular 1/97, make Policy clear it relates fairly and reasonably to the development to be permitted.</p> <p>133 – The House Builders Federation – Circular 1/97 sets out clearly which contributions under Planning Obligations should be sought.</p> <p>135 – Rayleigh Town Council – Doctors and Educational Establishments should be of a design, which permits “adaptability on demand”. Park and ride schemes should be initiated.</p> <p>180 – Hockley Parish Council – The words “where appropriate” should be removed to strengthen the policy as their inclusion could be recognised as a “get out”.</p> <p>196 – Hockley Residents Association – The words “where appropriate” should be removed to strengthen the policy as their inclusion could be recognised as a “get out”.</p>		
OFFICER'S COMMENTS		
<p>The policy seeks to reflect important concerns about the need for suitable infrastructure to support new development. Notwithstanding the comments made by GO-East, it is considered that the policy should be retained.</p> <p>Taking account of the other comments, it is proposed that minor rewording of the policy is appropriate.</p>		
RECOMMENDATION		
<p>It is recommended that Policy HP6 be amended as follows:</p> <p>POLICY HP6 - INFRASTRUCTURE <u>Having regard to the advice as set out in national policy regarding Planning Obligations,</u> the Local Planning Authority will explore all means at their disposal, including planning gain contributions from developers, to <u>seek ensure</u> the provision, where appropriate, within housing development sites <u>or within an appropriate distance of,</u> affordable housing, adequate shopping facilities, health care facilities, education facilities, transportation infrastructure (for buses and cycling in particular), nurseries, playgroups and minor infrastructure, including public telephone kiosks, and letter posting boxes.</p>		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP7	DESIGN AND LAYOUT
RESPONDENT'S COMMENTS		
<p>42 – English Nature – Suggest supporting text should be amended to address the principles of Policy CS6.</p> <p>80 – Go East – Appears to delegate decisions to SPG which is contrary to PPG12, any requirements should be included in a criteria-based design policy in the plan on which SPG could elaborate.</p> <p>95 – Barrett Eastern Counties – Object to minimum garden area standards in the Local Plan/SPG.</p> <p>108 – The Berkeley Leisure Group LTD – The “Essex Design Guide for Residential and Mixed Use Areas” (1997) is out of date should use “By design- Urban design in the planning system in the planning system: towards better practice” (May 2000) and “By design – Better places to live: A companion guide to PPG3” (2001), and qualify use of the “Essex Design Guide”, to reflect guidance in PPG3.</p> <p>191 – Ms G Yeadell – Failure to implement.</p>		
OFFICER'S COMMENTS		
<p>The comments by GO-East are accepted and an amendment is proposed to the policy.</p> <p>Garden standards provide a basic minimum for private amenity space in new housing development.</p> <p>The design documents referred to provide additional useful advice on the layout and design of new housing and can be included in the reference list at the end of the chapter.</p>		
RECOMMENDATION		
<p>It is recommended that Policy HP7 be amended as follows:</p> <p>POLICY HP7 – DESIGN AND LAYOUT</p> <p><u>The Local Planning Authority will expect new housing schemes and alterations/extensions to existing housing to be to a high standard of layout and design, taking into account the following key issues:</u></p> <ul style="list-style-type: none"> • <u>Accessibility</u> • <u>Boundary treatment</u> • <u>Car parking</u> • <u>Density</u> • <u>Gardens, play space and other shared space</u> • <u>Impact on designated sites, Conservation Areas and listed buildings</u> • <u>Landscaping</u> • <u>Overlooking, privacy and visual amenity</u> • <u>Relationship to existing and nearby buildings</u> • <u>Scale and form</u> <p><u>Detailed advice on these issues is included in</u> In assessing design aspects of housing schemes, the Local Planning Authority will have regard to its adopted design policies as specified in LPSPG1 – Housing Design and Layout, LPSPG2 – Car Parking Standards and to <u>and</u> the Essex Design Guide for Residential and Mixed Use Areas.</p>		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP8	ENERGY CONSERVATION
RESPONDENT'S COMMENTS		
<p>One supporting comment.</p> <p>12 – SE Essex Friends Of The Earth – The LPA should stipulate exactly what it wants, not what the developer wishes to construct.</p> <p>61 – Environment Agency – Support policy but should also include Water Efficiency Measures and Water Resources.</p> <p>80 – Go East – Policy should be clarified or deleted.</p> <p>84 – Bellway Homes Ltd – Building Regulations control this matter. Suggest word “require” changed to “encourage”.</p> <p>111 – Fairview New Homes Ltd – Recommend policy should provide appropriate criteria and guidelines for energy conservation measures, which could be implemented.</p> <p>121 – BT plc – Recommend substituting the word “require” with “encourage”.</p> <p>133 – House Builders Federation – Best achieved through Housing Regulations.</p>		
OFFICER'S COMMENTS		
<p>The Building Regulations do require specified standards of insulation, etc. to be achieved for all new housing. However, the Building regulations provide a minimum standard to be fulfilled by developers and more can be done to reduce the energy impacts of new housing, not least in terms of sustainability and CO₂ balance. It is considered that the policy should be retained, but that developers be required to submit a statement to explain the measures that have been incorporated to reduce energy dependency, contribute to sustainability and minimise CO₂ imbalance.</p>		
RECOMMENDATION		
<p>It is recommended that Policy HP8 be amended as follows:</p> <p>POLICY HP8 – ENERGY CONSERVATION</p> <p>The Local Planning Authority will require developers to incorporate energy conservation measures in new housing. In preparing schemes, close regard will be had to the influence that the siting, orientation, layout, building design, and landscaping has on energy conservation. <u>provide a statement of the measures that have been adopted to reduce the environmental impact of new housing schemes, including an assessment of building design, orientation, layout, landscaping, water supply and drainage. The statement must be submitted at the same time as the planning application.</u></p>		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP9	AFFORDABLE HOUSING
RESPONDENT'S COMMENTS		
<p>62 – Network Rail – Affordable housing should be on a site to site basis, subject to site circumstances and ability of proposal to assist other plan objectives.</p> <p>70 – Swan Hill Homes Ltd – Delete and replace with “In order to contribute towards achieving the District-wide target for affordable housing, planning permission will be granted for residential development, provided that, on sites which fall within the prescribed size thresholds, the proposed development includes a proportion of the affordable housing as agreed between the Council and the applicant on a site-by-site basis in the light of proven local need (based on an up-to-date Housing Needs Survey), location and particular site characteristics. The District Council will negotiate with applicants to secure a legal agreement to ensure the affordable housing is available in perpetuity”.</p> <p>80 – Go East – Unclear whether any rural settlements to which lower thresholds could be applied in accordance with paragraph i c) of Circular 6/98. Considerations should be given to such thresholds if applicable.</p> <p>81 – Southend On Sea Borough Council – Not clear if Housing Needs Survey was undertaken in accordance with Government Guidance. Not clear link if the assessment is appropriate and adequate for future affordable housing needs.</p> <p>105 – Westbury Homes (Holdings) Ltd – Housing Needs Survey too out of date, not in accordance with paragraph 9 of Circular 06/98 which states local planning authorities must use up to date surveys.</p> <p>108 – The Berkeley Leisure Group Ltd – Amend policy to accept that low cost open market housing can be suitable in meeting affordable housing requirements, which would not involve a RSL.</p> <p>111 – Fairview New Homes Ltd – Policy should be amended to make provision to contributions toward the provision of affordable housing and the development of affordable housing on alternative sites.</p> <p>133 – House Builders Federation – Local Government advice reiterates the importance of tenure neutrality, therefore the words “including homes for rent through Registered Social Landlords and through Shared Ownership Schemes” should be deleted.</p> <p>135 – Rayleigh Town Council – To incorporate in the policy “Affordable Housing stating that any Section 106 agreements will not be subsequently overruled.</p> <p>137 – CPREssex – Consider increasing the percentage of affordable housing to be provided on new sites.</p> <p>149 – Barling Magna Parish Council – Consider increasing the percentage of affordable housing to be provided on new sites.</p> <p>150 – Sutton Parish Council – Consider increasing the percentage of affordable housing to be provided on new sites.</p> <p>180 –Hockley Parish Council – After line 3 add “ and would agree to the weakening or waiver of the former percentage only in the most exceptional circumstances” And after line 8 add, “In conjunction with the foregoing, the extinguishment of existing additional development rights on sites occupied by such affordable houses will be a normal condition attached to the relevant planning permission.”</p>		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP9	AFFORDABLE HOUSING
OFFICER'S COMMENTS		
<p>Whilst the comments about affordable housing provision being on a site by site basis are understood, it is considered that in principle all sites above the size thresholds should be considered for a contribution, either on site, or if there is justification, through the provision of a commuted sum. Fairview Homes suggest that contributions may be appropriate in some instances rather than on site provision and this point is accepted.</p> <p>A housing needs study was carried out in 1999, in accordance with government advice, and is provided as a technical background paper to the replacement Local Plan. The LPA accepts that the study is due for update and arrangements are in hand to undertake the necessary work in 2004. Despite the need for an update of the study, there can be little doubt that the affordability gap in the district has widened in the last four years given the substantial increases in house prices in the district over that period. The housing needs study may need to be updated, but it is considered that the result will be an increase in the required provision. However, until the update is available, the percentage contribution quoted in the policy is considered to be appropriate.</p> <p>It is clear that the Government's definition of affordable housing includes 'low cost market' housing and indeed, the current policy operated by the authority could include this as part of the on-site contribution. However, as stated in paragraph 2.33 of the draft replacement Local Plan, it is not considered that low cost market housing is, in reality, affordable in Rochford District.</p> <p>It is considered that, other than a change to refer to commuted sums, the policy as worded is robust and no further adjustments are appropriate.</p>		
RECOMMENDATION		
<p>It is recommended that Policy HP9 be amended as follows:</p> <p>POLICY HP9 – AFFORDABLE HOUSING In new residential development schemes of more than 25 dwellings or residential sites of 1 hectare or more, the Local Planning Authority will expect between 10% and 20% of the new dwellings to be provided as affordable housing to meet local needs.</p> <p>Arrangements will be required to ensure that the affordable housing is retained in perpetuity for the use of successive as well as initial occupiers: This will be best achieved through the involvement of a housing association. The developer will be expected to enter into an agreement with the authority under the provisions of Section 106 of the Town and Country Planning Act 1990 to secure the provision.</p> <p><u>In some cases, it will be inappropriate for the affordable housing provision to be within the development scheme, and in such cases, the Local Planning Authority will require the provision of a commuted sum towards off-site affordable housing in the district.</u></p>		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP9	AFFORDABLE HOUSING
<p>Also that a new paragraph will be inserted in the plan as follows:</p> <p><u>Commuted Payments</u></p> <p><u>In some cases, it may be inappropriate for the affordable housing contribution to be within a prospective development site. This may, for example, be the case where a scheme for elderly persons accommodation is proposed. In such cases, the Local Planning Authority will seek a commuted sum contribution from the developer to be put towards the provision of affordable housing in the district. The arrangements for calculating the sum to be provided will depend on the nature of the scheme, but the key elements will be:</u></p> <ul style="list-style-type: none"> <u>An assessment of the gross open market value of the units to be provided;</u> <u>Total scheme cost (assuming land at £0);</u> <u>Resulting subsidy – open market value minus scheme costs.</u> <p><u>This methodology provides a guide to the calculation of the commuted sum that might be appropriate, but in the rare cases where it is agreed a commuted sum should be provided, the details will need to be agreed based on an assessment of the scheme. It should be emphasised that a commuted sum payment is not intended to be a substitute for on-site provision, and such an arrangement will only exceptionally be accepted.</u></p>		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP10	RURAL EXCEPTIONS
RESPONDENT'S COMMENTS		
<p>One supporting comment.</p> <p>42 – English Nature – Insert v) to read “The protection of biodiversity interests on and surrounding the site”.</p> <p>80 – Go East – Consider combining HP9 and HP10 in the interest of providing a shorter more compact plan.</p> <p>84 – Bellway Homes Ltd – Needs to be re-written to comply with Circular 1/97. Policy should seek a minimum 10%. Should also recognise key worker accommodation</p> <p>137 – CPREssex – “access to local services” needs to be defined e.g. One shop and a daily bus service to places of employment might be a minimum.</p> <p>148 – Ashingdon Parish Council – Policy should apply to any development at Stambridge Mills.</p> <p>149 – Barling Magna Parish Council – “access to local services” needs to be defined e.g. One shop and a daily bus service to places of employment might be a minimum.</p> <p>150 – Sutton Parish Council – “access to local services” needs to be defined e.g. One shop and a daily bus service to places of employment might be a minimum.</p> <p>161 – Mr A Judge – That certain areas of Green Belt may be required to meet any “rural exception” requirements. Mr Judge’s land should be identified as possible location for affordable housing.</p>		
OFFICER'S COMMENTS		
<p>There is no need for the policy to make reference to biodiversity surrounding a site. Issues of biodiversity and nature conservation are adequately dealt with by other policies in the replacement local plan.</p> <p>In this instance, it is considered that a separate policy is appropriate, providing a distinction between the main policy on affordable housing and exceptions in rural areas.</p> <p>Rural exceptions are not intended to relate to specific sites allocated in the local plan. Rather, the justification for considering an exception would be provided by a detailed analysis of need in a rural area. The demonstration of need for several homes for local people in a rural area, would then trigger an analysis of options to satisfy that need.</p> <p>It is considered that the policy is clear and requires no modification.</p>		
RECOMMENDATION		
<p>It is recommended that policy HP10 be retained.</p> <p>POLICY HP10 – RURAL EXCEPTIONS</p> <p>The LPA will consider proposals for the provision of affordable housing in rural areas subject to:</p> <ol style="list-style-type: none"> It being demonstrated that there is an identified local need; It not being possible to satisfy these needs in any other way; There being access to local services; and The housing being legally available for local people in perpetuity. 		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP11	CRIME PREVENTION
RESPONDENT'S COMMENTS		
133 House Builders Federation – Although support police advice on crime prevention measures, should not be given undue weight in the determination of planning applications.		
OFFICER'S COMMENTS		
The point is accepted, but there is no requirement for any amendment to the policy.		
RECOMMENDATION		
<p>It is recommended that Policy HP11 be retained.</p> <p>POLICY HP11 – CRIME PREVENTION All new development schemes will be expected to reflect the crime prevention guidelines on design and layout included in LPSPG4. In addition, the Local Planning Authority will consult the Police and other relevant specialist groups for advice and guidance on appropriate crime prevention measures within new development schemes.</p>		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP12	FLATTED ACCOMMODATION
RESPONDENT'S COMMENTS		
<p>80 – Go East – Along with HP13, HP15 and HP17. Question the need for these policies would be better to cover the issues in a single criteria based policy dealing with housing development.</p> <p>89 – George Wimpey East London Ltd – Amend policy to be less onerous and more flexible.</p> <p>133 – House Builders Federation – Does not believe need for a specific policy.</p>		
OFFICER'S COMMENTS		
The policy has a focus on flatted accommodation and provides a clear explanation of the issues to be considered by developers.		
RECOMMENDATION		
<p>It is recommended that Policy HP12 be retained.</p> <p>POLICY HP12 – FLATTED ACCOMMODATION</p> <p>In considering proposals for purpose built flatted accommodation, the Local Planning Authority will have regard to:</p> <ul style="list-style-type: none"> i. The impact of traffic on the amenities of surrounding dwellings; ii. The relationship of storage and communal areas to surrounding dwellings and private garden areas; iii. In areas of single family dwellings, the compatibility of the proposed scheme with its surroundings in terms of height, bulk and spaciousness of the site; and iv. To the guidance in LPSPG1 and LPSPG2 on layout, design and parking standards. 		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP13	SHELTERED HOUSING
RESPONDENT'S COMMENTS		
<p>One supporting comment.</p> <p>80 – Go East – Would be better to combine with HP12, HP15 and HP17 and have a single criteria based policy dealing with housing development.</p> <p>191 – Ms Yeadell – Schemes are rarely thought out with regard for traffic, schemes are not for the elderly but the middle aged who drive.</p>		
OFFICER'S COMMENTS		
The policy provides a clear statement for developers.		
RECOMMENDATION		
<p>It is recommended that policy HP13 be retained.</p> <p>POLICY HP13 – SHELTERED HOUSING</p> <p>In considering proposals for sheltered housing schemes, the Local Planning Authority will have regard to:</p> <ul style="list-style-type: none"> i. The impact of traffic on the amenities of surrounding dwellings; ii. The relationship of storage and communal use areas to surrounding dwellings and private garden areas; iii. The accessibility of the scheme to shops and facilities catering for everyday needs, and to public transport stops; iv. In areas of single family dwellings, the compatibility of the scheme with its surroundings in terms of height, bulk and spaciousness of the site; v. The adequacy of private outdoor amenity space; and vi. To the guidance in LPSPG1 and LPSPG2 on layout, design and parking standards. 		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP14	MOBILITY HOUSING
RESPONDENT'S COMMENTS		
<p>111 – Fairview New Homes Ltd – Vague use of word “lifetime”, needs clarification, as does sizes of developments/proportions suitability with infrastructure.</p> <p>133 – House Builders Federation – Policy should be deleted as dwelling access arrangements are a Building Regulations matter.</p>		
OFFICER'S COMMENTS		
<p>The LPA is keen to see new development schemes take account of the ‘lifetime’ needs of occupiers in the design of new housing. It is certainly true that some of these issues are covered by the Building Regulations, but more can be achieved. A definition of ‘lifetime’ can be included in the lower case text.</p>		
RECOMMENDATION		
<p>It is recommended that Policy HP14 be retained, but include an explanation of the term ‘lifetime’ in the lower case text supporting the policy.</p> <p>POLICY HP14 – MOBILITY HOUSING</p> <p>The Local Planning Authority will require developers to consider the provision of an element of ‘lifetime’ mobility housing within new estates.</p>		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP15	BACKLAND DEVELOPMENT
RESPONDENT'S COMMENTS		
<p>42 – English Nature – Suggest adding additional criteria to protect biodiversity: “v The biodiversity interests of the site and surrounding areas with a view to protection and enhancing those interests.</p> <p>80 – Go East – With HP12, HP13 and HP17, should be combined to create a single based policy dealing with housing development.</p> <p>180 – Hockley Parish Council – Should include exclusion for Green Belt fringe areas where the density should be kept low. Plus add “v) the need to ensure that the scale and alignment of new buildings will not entail radical and unsightly lopping of mature trees near or at the margins of a site and which contribute to the appearance of the local built environment or skyline.”</p> <p>191 – Ms G Yeadell – Object to the failure to implement (e.g. 2-4 Southend Road, Hockley).</p> <p>196 – Hockley Residents Association – Should include exclusion for Green Belt Fringe development where density should be reduced.</p>		
OFFICER'S COMMENTS		
Then policy is specifically focused on the criteria under which a backland site might be acceptable for development. Wildlife issues are dealt with elsewhere in the plan.		
RECOMMENDATION		
<p>It is recommended that policy HP15 be retained.</p> <p>POLICY HP15 – BACKLAND DEVELOPMENT</p> <p>In considering applications for the development of backland sites for housing purposes, the Local Planning Authority will have regard to:</p> <ul style="list-style-type: none"> i. The need for a satisfactory and adequate means of access; ii. The relationship of new to existing buildings; iii. The scale and visual appearance of the proposed development; and iv. To the guidance in LPSPG1 and LPSPG2 on layout, design and parking standards. 		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP17	SUB-DIVERSION OF DWELLINGS
RESPONDENT'S COMMENTS		
<p>80 – Go East – With Policy HP12, HP13 and HP15 should be combined to have a single criteria based policy dealing with housing development.</p> <p>180 – Hockley Parish Council – Only occur in areas of easy access to transport and other facilities.</p> <p>191 – Hockley Residents Association – Only occur in areas of easy access to transport and other services.</p>		
OFFICER'S COMMENTS		
The policy provides specific advice on the LPAs views on sub-division of dwellings.		
RECOMMENDATION		
<p>It is recommended that Policy HP17 be retained.</p> <p>POLICY HP17 – SUB-DIVISION OF DWELLINGS</p> <p>The Local Planning Authority supports in principle the sub-division of single dwelling houses within residential areas into smaller units subject to LPSPG1 and LPSPG2 on housing design and layout, and car parking, and to the following criteria:</p> <ul style="list-style-type: none"> a. The provision of suitable private amenity space; b. The design and appearance of the property; c. The impact on the amenities of adjoining properties; and d. The internal layout of the proposed conversion. 		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP18	LIVING OVER THE SHOP
RESPONDENT'S COMMENTS		
<p>One supporting comment.</p> <p>80 – Go East – Agree with and encourage but does not provide with any certainty or clarity for users of the plan. Inclusion of circumstances in which the authority will grant planning permission will improve the policy.</p>		
OFFICER'S COMMENTS		
The comments from GO-East are accepted.		
RECOMMENDATION		
<p>It is recommended that Policy HP18 be amended, thus:</p> <p>POLICY HP18 – LIVING OVER THE SHOP</p> <p>The Local Planning Authority will <u>require</u> encourage the use of the upper floors of shops and other commercial premises as self-contained living accommodation, except in cases where the accommodation would provide a poor living environment, by reason of its scale / layout, means of access, outlook or incompatibility with adjoining uses.</p>		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP19	SAFEGUARDING AMENITIES
RESPONDENT'S COMMENTS		
<p>3 supporting comments.</p> <p>80 – Go East – Should be included in a broader criteria-based policy. Does not warrant a separate policy and should therefore be deleted.</p> <p>111 – Fairview Homes – Policy should read as follows: “a development may be refused if it is considered that significant damage will be caused to the character and appearance of residential areas, and if there are no ameliorating circumstances associated with the proposed development.”</p> <p>191 – Ms G Yeadell – Object to failure to carry this out to date.</p>		
OFFICER'S COMMENTS		
<p>The words in the policy could certainly be included elsewhere, but it is considered that a specific statement regarding amenities is justified. The comments from Fairview are accepted in part.</p>		
RECOMMENDATION		
<p>It is recommended that policy HP19 be amended, thus:</p> <p>POLICY HP19 – SAFEGUARDING AMENITIES</p> <p>In order to safeguard amenities, proposals for development that will damage the character and appearance of residential areas will be refused, <u>unless there are ameliorating circumstances associated with the proposed scheme.</u></p>		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP20	PERMITTED DEVELOPMENT RIGHTS
RESPONDENT'S COMMENTS		
<p>3 supporting comments.</p> <p>80 – Go East – This is a general statement of intent and unless specific examples are given the policy should be deleted.</p> <p>191 – Ms G Yeadell – Object to failure to implement to date. Withdrawal of permitted development rights should be made retrospective, where it becomes apparent that harmful additions are being made to current developments that were not considered at the planning stage.</p>		
OFFICER'S COMMENTS		
The policy does provide specific examples.		
RECOMMENDATION		
<p>It is recommended that policy HP20 be retained.</p> <p>POLICY HP20 – PERMITTED DEVELOPMENT RIGHTS In granting planning permission for new dwellings the LPA may, in appropriate cases, impose planning conditions or seek a legal agreement restricting or withdrawing permitted development rights, including the conversion of garages to habitable rooms, the addition of extensions or the construction of ancillary buildings, in order to protect the appearance of the area and the amenities of existing residents.</p>		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP21	ENCLOSURE OF GRASS VERGES
RESPONDENT'S COMMENTS		
<p>32 – Essex Wildlife Trust – Suggest inserting an additional clause: “e The ecological value of the land”, to take into account of the potential for verges to support important flora.</p> <p>129 – Essex Wildlife Trust Southend And Rochford Local Group – Suggest the policy state that only in exceptional circumstances that enclosure will be allowed and that in considering exceptional cases reference will be made to an ecological survey and the Rochford BAP.</p> <p>180 – Hockley Parish Council – Should be additional criteria “e) Only where there is demonstrable community benefit. (Such as removal of an untidy site).</p> <p>196 – Hockley Residents Association – The quality and character of street scenes must be preserved and such enclosure should only be permitted when there is clearly demonstrated public benefit i.e. the removal of an untidy site or area of public nuisance.</p>		
OFFICER'S COMMENTS		
<p>Proposals for the enclosure of grass verges tend to relate to small areas of verge within residential estates. As such, it would not be appropriate to include a reference to ecological value.</p> <p>The policy has been operated reasonably successfully for many years and it is considered that the criteria are clear and appropriate. A community benefit may be a by-product of enclosure, but it should not be identified as a reason for doing so.</p>		
RECOMMENDATION		
<p>It is recommended that Policy HP21 be retained.</p> <p>POLICY HP21 – ENCLOSURE OF GRASS VERGES</p> <p>The Local Planning Authority will assess proposals for the enclosure of grass verges, amenity areas or other open land against the following criteria:</p> <ol style="list-style-type: none"> The contribution made to the overall design, layout and symmetry of the estate or locality and the general amenity and character of the area; Highway safety; The design of any enclosure, wall or fence; and The retention of important amenity trees. 		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP22	CARAVAN PARKS
RESPONDENT'S COMMENTS		
108 – The Berkeley Leisure Group Ltd – Amend policy to accept that low cost open market housing can be suitable in meeting affordable housing requirements, which would not involve a RSL.		
OFFICER'S COMMENTS		
The policy is not intended to deal with affordable housing provision.		
RECOMMENDATION		
It is recommended that Policy HP22 be retained.		
POLICY HP22 – CARAVAN PARKS Planning applications for new caravan parks and applications for extensions to existing sites as shown on the Proposals Map will be refused.		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING	HP23	GYPSY SITES
RESPONDENT'S COMMENTS		
<p>One supporting comment.</p> <p>42 – English Nature – Support however would suggest a change of wording “iv. The protection of the best and most versatile agricultural land, historic woodlands, ancient landscapes, wildlife habitats and areas designated for their special scientific interest . . .”</p> <p>104 – English Heritage – We suggest that part iv should include a reference to the historic environment.</p> <p>137 – CPRESsex – Suggest policy should state that isolated sites will not be approved. Services also need to be defined.</p> <p>149 – Barling Magna Parish Council - Suggest policy should state that isolated sites will not be approved. Services also need to be defined.</p> <p>150 – Sutton Parish Council - Suggest policy should state that isolated sites will not be approved. Services also need to be defined.</p>		
OFFICER'S COMMENTS		
<p>The policy provides a broad set of criteria against which applications for Gypsy sites can be assessed. It is not considered that further clarification is required.</p>		
RECOMMENDATION		
<p>It is recommended that Policy HP23 be retained.</p> <p>POLICY HP23 – GYPSY SITES In considering applications made by Gypsies for private sites for settled occupation regard will be had to:</p> <ul style="list-style-type: none"> i. Any opportunity thereby afforded to clear unauthorised sites; ii. The avoidance of disturbance, including disturbance at unsocial hours, affecting neighbouring land or premises; iii. The practicability of adequately screening (where accepted) any working or storage areas by establishing new or maintaining or reinforcing existing plantations or mounds; iv. The protection of the best and most versatile agricultural land, historic woodlands, ancient landscapes, wildlife habitats or areas designated for their special scientific interest; v. The adequacy of arrangements for access, for parking and manoeuvring of vehicles and (where appropriate) for the storage of goods and materials; vi. The availability of services; and vii. The arrangements made for securing the site in the event of its seasonal or other temporary periods of non-occupation. 		

CHAPTER	POLICY	TITLE
CHAPTER 2 – HOUSING		NEW HOUSING
RESPONDENT'S COMMENTS		
<p>89 – George Wimpey East London Ltd – Suggest deletion of following housing allocations: Rochford County Primary School, Main Road, Hawkwell and Stambridge Mills and add: “vii Wellington Road, Rochford 160 units”.</p> <p>138 – Mr M A Searles – For inclusion in the plan of The Yard, Trenders Avenue, Rayleigh.</p> <p>144 – Mr P R Ellaway – Inclusion of land at Pudsey Hall Lane.</p> <p>193 – Rochford Parish Council – Stambridge Mills considered a “Marine Type Development”.</p>		
OFFICER'S COMMENTS		
<p>The Replacement Local Plan provides a robust assessment of housing requirements to 2011. See comments elsewhere regarding the Rochford County Primary School playing fields and Stambridge Mill.</p> <p>There is no justification for the identification of the land at Wellington Road (It is assumed this is a reference to Wellington Road, Rayleigh) for housing. The site has been the subject of several previous housing proposals, but it is the local planning authority's view this site makes an important contribution to the green belt and that a housing allocation would not be appropriate, even if required.</p> <p>Pudsey Hall Lane is a rural road in the green belt, isolated from any services and is not justified for housing development.</p>		
RECOMMENDATION		
It is recommended that no amendments be made to the Replacement Local Plan as a result of these representations.		

CHAPTER 3 – RURAL ISSUES

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R1	Development within the Green Belt
RESPONDENT'S COMMENTS		
<p>2 respondents were in support of this policy.</p> <p>31 – National Grid Company plc – request a written assurance from the LPA that essential operational development would be considered as <i>very special circumstances</i> in which it would be prepared to withdraw its objection.</p> <p>42 – English Nature – suggest additional text to be added to the end of the policy “...and nature conservation interests are protected and enhanced.”</p> <p>47 – Mr Russell – states that his land (to the north of the junction of Greensward Lane and Harrogate Drive, Hockley) should be removed from the green belt and allocated for residential purposes.</p> <p>62 – Network Rail – state that railway line corridors should be removed from the designation or that essential railway works should be allowed by the policy.</p> <p>68 – Morley Nurseries – suggest an additional criterion: “viii development assisting rural diversification in accordance with Policies R10 and R11.”</p> <p>70 – Swan Hill Homes Ltd – state that their site to the south of Great Waking (south of the High Street and north of Star Lane Industrial Estate) should be removed from the green belt and added as safeguarded land – to be used for residential purposes at some future date.</p> <p>131 – New World Designers – state that land between 181-193 Little Waking Road, Little Waking should be released from the green belt for affordable type housing.</p> <p>135 – Rayleigh Town Council – state that there should be separate policies for green belt development not involving agriculture and forestry.</p> <p>152 – Chichester Hotel – state that their site should be allocated as a major development site within the green belt and an additional criterion should be added: “viii limited infilling of major existing developed sites identified on the proposals map in accordance with policy R14.”</p> <p>156 – HG Smith - state that their land (at the east end of Sandhill Road, Eastwood) should be released from the green belt and used for residential purposes.</p> <p>157 – Gibbon Farms Ltd – state that their land (to the east and west of South Ambridge village) should be released from the green belt and used for residential purposes.</p> <p>158 – Belcham Fisher Smith Trust – state that their land (between Whitelands and Devonshire House, Barling Road, Great Waking) should be released from the green belt and used for residential purposes.</p> <p>160 – Mr G Marshall – states that his land (adjacent to Southend Road, Warners Bridge Chase, Ravenswood Chase, Rochford) should be released from the green belt and used for residential purposes.</p> <p>162 – Mr R Phipps – states that his land (Michelin Farm – to the north west of the junction of the old A130 and A127) should be released from the green belt and used for business purposes.</p> <p>165 – A& W Bentall – state that their land (east of Kimberley Road, Great Waking) should be released from the green belt and used for residential purposes.</p> <p>166 – Magees Nurseries – state that their site (land north of Rectory Road, Hawkwell) should be released from the green belt to be used for residential purposes.</p> <p>167 – Breams Trustees Ltd – state that their land (adjacent to the railway line and east of Ferndale Road, Rayleigh) should be released from the green belt and used for residential purposes.</p>		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R1	Development within the Green Belt
<p>168 – CWM Farm Partnership – state that their property (land to the south of Pooles Lane; opposite the recreation ground) should be released from the green belt and used for residential purposes.</p> <p>169 – CH Carter & Son - state that their property (land to the east of Chelmsford Road, either side of Goose's Farm) should be released from the green belt and used for residential purposes.</p> <p>173 – JT Byford & Sons – state that their land (at The Poyntens, Rayleigh) should be released from the green belt and used for residential purposes.</p> <p>176 – National Farmers Union – state that the policy should go further and acknowledge that farming businesses are recognised as an important source in protecting the green belt and that farm diversification is explicitly stated as a 'very special circumstance' justifying development in the green belt.</p> <p>170 – Mr Snell – states that his property (Greensleeves – 57 High Road, Hockley) should be released from the green belt and used for residential purposes.</p> <p>171 – Mr Hammond – states that his property (Woodhouse, Woodside Road, Hockley) should be released from the green belt and used for residential purposes.</p> <p>174 – Barrie Stone – state that there is a site available for residential use which should not be included within the green belt, which could have 30% affordable housing, including play areas and possible community facilities. The site lies to the north of the A127 and between Lynwood Nurseries and Rayleigh Downs Road.</p> <p>180 – Hockley Parish Council – state that the policy should also allow for healthcare facilities with a community benefit.</p> <p>184 – Mr TC Harold – states that a site on the north edge of Hockley Woods (currently a golf driving range) should be removed from the green belt and allocated for residential purposes.</p> <p>191 – Ms G Yeadell – states that policy does not serve the purposes for which it is stated.</p> <p>192 – Stambridge Parish Council – state that adequate infrastructure needs to be provided and that the policy fails to make any mention of Stambridge.</p> <p>193 – Mr & Mrs SJ Akins – state that the green belt boundary should be removed from around their site to allow for key worker housing or similar. Their site comprises of plots 135 and 136 on the Ashingdon Park Estate.</p> <p>194 – Canewdon Parish Council – state that criterion iii of the policy needs to be linked to policy HP10, to ensure the long-term occupation of such dwellings.</p> <p>196 – Hockley Residents Association – state that the policy should be amended to include "...health care facilities with a community benefit, i.e. hospices and special needs provision..."</p> <p>197 – Bradley Stanker Planning state that their clients land (to the east of Etheldore Avenue, Hockley) should be removed from the green belt and allocated for residential purposes.</p>		
OFFICER'S COMMENTS		
<p>Comments made by respondents relating to the release of land from the green belt are not accepted – there is no requirement or justification for land to be released for housing or employment related purposes. The Local Plan demonstrates that sufficient land is available to fulfil the Structure Plan allocations. The discussion of longer-term releases of land for development post 2011 will be dealt with during the preparation of the Rochford LDF. The LPA believes that the boundary to be found on the proposals maps is defensible and that no changes are required to accommodate land for additional housing or employment related uses.</p>		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R1	Development within the Green Belt
<p>Both Morley Nurseries and the NFU believe that the policy should take greater account of the possibilities of farm diversification and should consider this as a policy exception or as a <i>very special circumstance</i>. The LPA does not believe there is central government guidance with respect to this in the green belt, including that provided by draft PPS7. However, whilst individual applications may be able to demonstrate <i>very special circumstances</i>, there is no need for a blanket exemption. In any event criterion (v) and policy R10 (Farm Diversification) cover this issue.</p> <p>Both Hockley Parish Council and Hockley Residents Association state that the healthcare facilities offering a benefit to the community should be exempted and placed in the list of criteria. The LPA does not believe this to be the case. Should such facilities be required, then they should demonstrate that there are <i>very special circumstances</i> requiring their siting the green belt.</p> <p>Canewdon Parish Council would like to see the linking of criterion iii with policy HP10, but this is not considered appropriate. The two policies form different parts of the raft of policies to be examined when such proposals are to be made and are therefore exclusive. A developer would need to satisfy policies HP10, R2 and any other relevant policies to gain planning permission.</p> <p>Network Rail and National Grid Company plc both have issues relating to their own operational development. It is believed that their essential operational needs can often be considered <i>very special circumstances</i>. Reference to this is already made in paragraph 3.56 at the end of the chapter.</p> <p>The comments made by English Nature should also be incorporated, although the designation is not primarily about landscape or nature conservation.</p>		
RECOMMENDATION		
<p>It is recommended that the policy be amended, thus:</p> <p>POLICY R1 – DEVELOPMENT WITHIN THE GREEN BELT</p> <p>Within the Metropolitan Green Belt there is a general presumption against inappropriate development. Except in very special circumstances, planning permission will not be granted unless for: -</p> <ul style="list-style-type: none"> (i) development required for agriculture or forestry in accordance with Policies R3, R4, R8 and R9; (ii) essential small-scale facilities for outdoor sport and outdoor recreation in accordance with PPG2; (iii) the extension, alteration or replacement of existing dwellings in accordance with the criteria defined in Policies R2, R5 and R6; 		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R1	Development within the Green Belt
<p>(iv) limited affordable housing for local community needs within or immediately adjoining existing villages, in accordance with the criteria defined in Policy R3;</p> <p>(v) the re-use or adaptation of existing buildings in accordance with the criteria defined in Policy R9;</p> <p>(vi) mineral extraction and related restoration; or,</p> <p>(vii) cemeteries, or other uses of land which fulfil the objectives of the Green Belt.</p> <p>Development which may be permitted under this policy should preserve the openness of the Green Belt and should not conflict with the main purposes of including land within it. Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed <u>and nature conservation interests are protected.</u></p>		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R2	Rural Settlement Areas Within the Green Belt
RESPONDENT'S COMMENTS		
<p>One respondent was in support of this policy.</p> <p>80 – GoEast – state that the policy is too general and that criterion 'c' contains a cross-reference that is not required.</p> <p>137 – CPRESsex – state that the area of Kingsmans Farm Road should not be included under this policy because of the flood risk to extended properties.</p> <p>149 – Barling Magna Parish Council – aligns itself with the comments made by CPRESsex.</p> <p>150 – Sutton Parish Council – aligns itself with the comments made by CPRESsex.</p> <p>172 – Landowners in Pooles Lane, Hullbridge – the owners of 4 residential properties and Berkeley Homes Ltd object to their continued position within the green belt and as a rural settlement area. They believe that the land in question should be re-designated as residential.</p>		
OFFICER'S COMMENTS		
<p>The comments made by CPRESsex and associated parties are not considered appropriate. The area in question was defined as existing residential in the current plan. However, it is not believed that the area has the character of a built-up area and coupled to guidance in PPG25, it is considered that the option for including the area as a Rural Settlement Area is the best. Likewise there is no justification for moving the existing residential boundary eastward along Pooles Lane, given that it would not be joining two, existing residential areas.</p> <p>The representation from GoEast is accepted. This is on the basis that there is a Core Strategy on design and that good design is a thread running through the plan.</p>		
RECOMMENDATION		
<p>It is recommended that the policy be amended, thus:</p> <p>POLICY R2 - RURAL SETTLEMENTS AREAS WITHIN THE GREEN BELT</p> <p>Within the following rural settlement areas:-</p> <ul style="list-style-type: none"> (i) Central Avenue/Pevensey Gardens, Hullbridge; (ii) Pooles Lane, Hullbridge; (iii) Windsor Gardens, Hawkwell; (iv) Rectory Road/Hall Road, Hawkwell; (v) Barling Road/Rebels Lane, Great Wakering; (vi) Stonebridge, Barling; (vii) Hall Road, Rochford; and, (viii) Bullwood Hall Lane and High Road, Hockley, <p>Planning applications for extensions to dwellings within the territorial limits as defined in LPSPG3 will be treated on their individual merits having due regard to: -</p> <ul style="list-style-type: none"> a) the character of the development already existing in the settlement; <u>and</u> b) the visual amenities of the area; <u>and</u> c) housing design policy HP7. 		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R3	Agricultural and Forestry Dwellings
RESPONDENT'S COMMENTS		
<p>One respondent was in support of this policy.</p> <p>80 – GoEast – state that reference to other policies is not necessary and criterion vii can be deleted.</p> <p>176 – NFU – suggest two amendments to the policy. The first is to amend the term 'agricultural worker' to that of 'essential rural worker' and the second is to delete the reference to a maximum habitable floorspace of 140m³.</p>		
OFFICER'S COMMENTS		
<p>The representation made by GoEast is accepted and the policy should be amended accordingly. However, the representation from the NFU is not accepted as the policy solely applies to agricultural and forestry workers as specified in government guidance on this issue in PPG2. The policy will be tightened to reflect this wording and not that provided by the NFU.</p>		
RECOMMENDATION		
<p>It is recommended that the policy be amended, thus:</p> <p>POLICY R3 – AGRICULTURAL AND FORESTRY DWELLINGS</p> <p>Within the Green Belt planning permission will be granted for permanent dwellings for agricultural <u>and forestry</u> workers provided that:-</p> <ul style="list-style-type: none"> (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 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 been sold or let by the applicant that would have otherwise met the functional need; <u>and</u> (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 140sq.m of habitable floorspace. If the applicant wishes the dwelling to incorporate the 35sq.m of additional floorspace allowed for under Policy R5 from the outset, the Local Planning Authority will impose a planning condition withdrawing permitted development rights to further extend the floorspace of the dwelling); <u>and</u>; 		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R3	Agricultural and Forestry Dwellings
<p>(vii) — the proposal satisfies the provisions of Policy R1.</p> <p>Permissions for new farm dwellings will be subject to conditions, <i>inter alia</i>, 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 and appearance.</p>		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R4	Temporary Agricultural Dwellings
RESPONDENT'S COMMENTS		
80 – GoEast – state that reference to other policies is not necessary and criterion vi can be deleted.		
OFFICER'S COMMENTS		
The representation made by GoEast is accepted and the policy should be amended accordingly.		
RECOMMENDATION		
It is recommended that the policy be amended, thus:		
POLICY R4 - TEMPORARY AGRICULTURAL DWELLINGS		
Within the Green Belt planning permission will be granted for the stationing of mobile homes for agricultural workers provided that:-		
<ul style="list-style-type: none"> (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; <u>and</u> (v) 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; (vi) the proposal satisfies the provisions of Policy R1. 		
Permissions for mobile homes will be subject to conditions, <i>inter alia</i> , 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.		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R5	The Extension of Dwellings in the Green Belt
RESPONDENT'S COMMENTS		
80 – GoEast – state that reference to other policies is not necessary and criterion vi can be deleted.		
OFFICER'S COMMENTS		
The representation made by GoEast is accepted and the policy should be amended accordingly.		
RECOMMENDATION		
<p>It is recommended that the policy be amended, thus:</p> <p>POLICY R5 - THE EXTENSION OF DWELLINGS IN THE GREEN BELT Extensions to dwellings in the Green Belt outside the rural settlement areas defined in Policy R2 will be restricted in size. Planning permission will be granted for extensions provided that:-</p> <ul style="list-style-type: none"> i. the total size of the dwelling as extended will not exceed the original habitable floor space by more than 35 square metres in floor area; ii. the proposal does not involve a material increase in the overall height of the property; iii. the proposal does not harm the character of the countryside; iv. the proposal does not give rise to the formation of a self-contained unit of accommodation (e.g. a 'granny flat'); <u>and</u> v. all parts of the existing dwelling to remain after the extension(s) have been provided are structurally sound; <u>and</u>; vi. the proposal accords with housing design policy HP7; <p>In permitting extensions in accordance with the above, the Local Planning Authority will, in appropriate cases, impose planning conditions to restrict the habitable floorspace of the property to that illustrated on the approved plans.</p>		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R6	The Extension of Dwellings in the Green Belt
RESPONDENT'S COMMENTS		
80 – GoEast – state that reference to other policies is not necessary and criterion vi can be deleted. They also state that the wording "...will, in principle..." should be deleted.		
OFFICER'S COMMENTS		
The representation made by GoEast is accepted and the policy should be amended accordingly.		
RECOMMENDATION		
It is recommended that the policy be amended, thus:		
<p>POLICY R6 - THE REPLACEMENT OR REBUILD OF EXISTING DWELLINGS IN THE GREEN BELT</p> <p>The replacement or rebuild of existing dwellings in the Metropolitan Green Belt will, in principle, be permitted taking account of the following criteria:</p> <ul style="list-style-type: none"> (i) the total size of the new dwelling is no greater than: <ul style="list-style-type: none"> (A) 35 square metres in floor area above the size of the habitable floorspace of the original dwelling; (B) the size of the original dwelling together with the maximum permitted development allowance provided for by Schedule 2, Part 1, Class A of the Town and Country Planning General Permitted Development Order 1995; or, (C) the size of the habitable floorspace of the dwelling lawfully existing at the time of the application; (ii) the condition of the original dwelling; (iii) the visual mass of the new dwelling should be no greater than that of the existing dwelling (taking into consideration any additional mass allowed for in respect of criterion (i)(A) or (B), 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; (iv) the replacement dwelling will be expected to be sited in the same location within the plot as the original, unless an alternative siting is perceived to be more appropriate in Green Belt or amenity terms; <u>and</u> (v) where resiting is agreed, arrangements are secured to ensure the demolition of the replaced dwelling and its outbuildings and the reinstatement of their site; <u>and</u> (vi) housing design policy HP7. 		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R6	The Extension of Dwellings in the Green Belt
<p>Planning conditions or legal agreements will be used in appropriate cases to prevent the erection of extensions to the dwelling or the conversion of roofspaces, garages, etc., to habitable floorspace.</p> <p>Proposals for the replacement or rebuild of dwellings sited within the rural settlement areas defined in Policy R2 will be considered on their merits having due regard to sections (ii) to (vi) of this policy.</p> <p>NOTE: The definition of certain terms used in the above policy is found at the foot of Policy R6.</p>		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R7	The Extension of Domestic Gardens
RESPONDENT'S COMMENTS		
32 – Essex Wildlife Trust – suggest additional wording for the end of the policy: “Where permission is given, a condition will be imposed requiring the new garden area to be enclosed with a hedge of native species.”		
OFFICER'S COMMENTS		
The representation made by the Essex Wildlife Trust is not accepted. The principle characteristic of the green belt is its openness and therefore imposing a condition requiring a hedge would restrict this. In some cases the planting of a hedge may be less appropriate than suitable fencing.		
RECOMMENDATION		
It is recommended that the policy be retained:		
POLICY R7 - THE EXTENSION OF DOMESTIC GARDENS The extension of domestic gardens into the Green Belt will only be permitted in exceptional circumstances, where it can be clearly demonstrated that the proposal would not materially affect the openness of the Green Belt or prejudice the Council's Green Belt Strategy, set out above.		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R8	New Agricultural Buildings
RESPONDENT'S COMMENTS		
80 – GoEast – state that the policy is a broad statement of intent which would be replaced by a broad criteria based policy.		
OFFICER'S COMMENTS		
The representation made by GoEast is accepted and the policy is amended accordingly.		
RECOMMENDATION		
It is recommended that the policy be amended, thus:		
POLICY R8 - NEW AGRICULTURAL BUILDINGS		
Whilst being mindful of the operational requirements of new agricultural buildings, the Local Planning Authority will <u>refuse</u> endeavour to ensure that such buildings <u>which</u> are of a design, external appearance and siting that:-		
i. <u>Has an adverse</u> Minimises their visual impact in the landscape <u>or on features of nature conservation interest</u> ; and,		
ii. <u>Fails to respect</u> Respects the character and appearance of nearby buildings.		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R9	The Re-Use and Adaption of Existing Rural Buildings
RESPONDENT'S COMMENTS		
<p>32 – Essex Wildlife Trust – suggest the addition of a new criterion: “(vii) there is no detriment to nature conservation interests.”</p> <p>57 – FEG Beckwith – states that his land and buildings (Coombs Farm, Stambridge Road, Rochford) should be removed from the green belt and allocated both the conversion of existing buildings and allocation for residential purposes. Also suggests amendments to the text of the policy regarding the length of marketing period required.</p> <p>121 – BT plc – suggest that criterion iii should be amended: “the proposal involves no major extensions which would materially affect the openness of the green belt.”</p> <p>129 – Essex Wildlife Trust (Local Group) – state that the policy fails to refer to bats and that as these mammals have absolute protection, mention should be made of this in the policy.</p> <p>154 – AW Squier Ltd – state that criterion vi of the policy is overly restrictive and that it should be amended: “in the case of a change to residential use, the applicant has demonstrated either that every reasonable attempt has been made to secure a suitable business re-use during the two years prior to the application, or can demonstrate that business re-use is not desirable having regard to the planning considerations or unlikely due to viability of business re-use.”</p> <p>176 – NFU – state a number of concerns regarding this policy. These relate to criteria ii, v and vi. The respondent is also concerned that the policy does not reflect the guidance in policy LT20.</p> <p>180 – Hockley Parish Council – state that the policy should be amended to include justifiable exceptional use for residential accommodation for key workers.</p> <p>196 – Hockley Residents Association - state that the policy should be amended to include exceptional use for residential accommodation for key workers.</p>		
OFFICER'S COMMENTS		
<p>The representations from the Essex Wildlife Trust are considered appropriate, as is that made by BT plc. The comments made by Hockley Parish Council and Hockley Residents Association are not deemed appropriate as this could further foster unsustainable residential units. In any event it may be considered that the provision of such key worker units is a <i>very special circumstance</i> that may be considered under the provisions of policy HP10.</p> <p>The representations received from AW Squier is considered to contain phrases which will not be acceptable to GoEast and therefore no amendment is considered appropriate. The representation from FEG Beckwith and the NFU are also not accepted.</p>		
RECOMMENDATION		
It is recommended that the policy be amended and combined with R10 as shown on the following policy representation.		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R10	Farm Diversification
RESPONDENT'S COMMENTS		
<p>68 – Morley Nurseries – suggest that the policy should be amended removing references to agricultural uses and replacing with a more general rural use.</p> <p>80 – GoEast – state that the final sentence of the policy should be deleted and that the phrase ‘sustainable development objectives’ should be removed.</p> <p>137 – CPREssex – suggest that the phrase “either to replace existing buildings” is deleted and that the policy also includes an explanation of the words “sustainable development objectives”.</p> <p>149 – Barling Magna Parish Council – aligns itself with the comments made by CPREssex.</p> <p>150 – Sutton Parish Council – aligns itself with the comments made by CPREssex.</p> <p>154 – AW Squier Ltd – state that the policy is unduly onerous and that it is inconsistent with policy R9.</p> <p>176 – NFU – state that they would like to see the policy amended by deleting the word ‘farm’ from line 1 and also the comments ‘and operated as part of the holding’ in line 3.</p>		
OFFICER'S COMMENTS		
<p>The representation from GoEast is noted and it is recommended that this be adopted. The comments made by Morley Nurseries and the NFU are also noted and the policy is amended in the light of these, although maintaining its thrust. The comments made by CPREssex and aligned parties are duly noted and the first part of their representation is accepted, whilst the second is dealt with by virtue of the changes made because of GoEast's representation. The comments made by AW Squier Ltd are not accepted.</p>		
RECOMMENDATION		
<p>It is recommended that the policy be amended and combined with R9, thus:</p> <p><u>POLICY R9 – THE RE-USE AND ADAPTATION OF EXISTING RURAL BUILDINGS & FARM DIVERSIFICATION</u></p> <p>Within the Metropolitan Green Belt, the re-use of <u>farm and other existing</u> buildings in <u>farm rural</u> diversification schemes will be permitted, provided that the proposed use would complement the <u>agricultural</u> operations on the <u>site</u>. farm and be operated as part of the holding. The extension of an existing building or the erection of a new building (either to replace an existing building or to accommodate the expansion of an existing enterprise) may exceptionally be permitted if it can be demonstrated that the proposal would satisfy sustainable development objectives. All applications will be expected to comply with Policies R9 and R10. Within the Metropolitan Green Belt <u>† The re-use and adaptation of farm and other</u> existing rural buildings will be permitted, provided that:</p> <p>(i) The proposal relates to a building with a form, bulk and general design in keeping with its surroundings;</p> <p>(ii) the proposal relates to a building of permanent and substantial construction, that is capable of conversion to the proposed use without major or complete reconstruction;</p>		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R10	Farm Diversification
<p>(iii) <u>the proposal involves no major extensions which would materially affect the openness of the green belt</u> the proposal involves no extension to the building, nor would any <u>such</u> extension be necessary in order to carry out the proposed use;</p> <p>(iv) the proposed use of the building and associated land would not have a materially greater impact than the permitted / lawful use on the openness of the Green Belt or the fulfilment of its purposes;</p> <p>(v) the proposed use would not introduce additional activity or traffic movements likely to materially and adversely affect the character of the Green Belt or place unacceptable pressures on the surrounding rural road network; and,</p> <p>(vi) in the case of a change to residential use, the applicant has first made every reasonable attempt to secure a suitable business re-use during the two years prior to the application; <u>and</u></p> <p>(vii) <u>there is no detriment to nature conservation interests.</u></p> <p>Where the conversion of a building to residential use is permitted, a planning condition will be imposed withdrawing permitted development rights to alter or extend the building. The residential conversion of listed farm buildings will not normally be permitted.</p>		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R11	New Retail Uses
RESPONDENT'S COMMENTS		
<p>There was one respondent in support of the policy.</p> <p>68 – Morley Nurseries – state that policy R11 fails to take account of garden centres and nurseries and wish to see an additional criterion dealing with this aspect.</p> <p>194 – Canewdon Parish Council – state that farm shops are not usually what they seem and the policy should be amended to limit the number of retail uses within the green belt.</p>		
OFFICER'S COMMENTS		
<p>It is not believed to be appropriate to incorporate either of the representations. The representation from Morley Nurseries, would in fact be seeking to allow a form of inappropriate development by a back door route, contrary to PPG2 and other local plan policies. The representation made by Canewdon Parish Council is not feasible as it is not possible to effectively limit the number of uses.</p>		
RECOMMENDATION		
<p>It is recommended that the policy be retained:</p> <p>POLICY R11 - NEW RETAIL USES</p> <p>Within the Metropolitan Green Belt, planning permission will not be granted for the construction of new buildings for retail use, or for the re-use of existing buildings for the sale of comparison goods. The re-use of buildings for retail use may, however, be permitted if the application proposes:</p> <ul style="list-style-type: none"> (i) a general store, intended to sell a broad range of convenience goods, and well located in relation to the settlement it is intended to serve; or, (ii) a farm shop situated on an agricultural holding, and intended to sell food, whether processed or unprocessed, produced on that holding, in addition to food and other convenience goods from elsewhere; <p>Applications for farm shops will be considered having regard to the potential impact on nearby village shops. Where such a use would likely result in a significant adverse effect on a village shop, or shops, a planning condition may be imposed to limit the broad types of goods sold. Applications will additionally be expected to comply with Policy R10, above.</p> <p>Note: planning permission is not normally required to use an existing building on a farm for the sale of food or drink products, whether processed or unprocessed, produced on that farm. In addition, permission is not normally required if a minimal quantity of goods not produced on that farm (up to 10% of the range of goods) is also sold.</p>		

CHAPTER	POLICY	TITLE
3 – RURAL ISSUES	R13	New Cemeteries
RESPONDENT'S COMMENTS		
<p>80 – GoEast – state that criterion i cross-references to another policy and therefore is not needed.</p> <p>129 – Essex Wildlife Trust (Local Group) – state that no mention is made of the green burial site in Canewdon. All cemeteries need to be mentioned.</p> <p>135 – Rayleigh Town Council – state that the lack of a crematorium in the district needs addressing. They state a suitable site would be adjacent to St Nicholas Church, Rawreth.</p>		
OFFICER'S COMMENTS		
<p>The representation received from GoEast is noted and the policy should be amended to include it. The representation from the Essex Wildlife Trust is noted, but the policy is not the correct place for this amendment. An alteration to paragraph 3.50 is considered to be the best place for this change. The representation made by Rayleigh Town Council is not accepted, as per the text of paragraph 3.52. It is considered that the suggested site is unsuitable by virtue of its isolated, poorly accessible and unsustainable position. Also a crematorium would not be an appropriate use of land within the green belt.</p>		
RECOMMENDATION		
<p>It is recommended that the policy be amended, thus:</p> <p>POLICY R13 - NEW CEMETERIES</p> <p>Permission will be granted for the provision of new cemeteries, or the extension of existing cemeteries, subject to compliance with the following criteria:- the site being in close proximity to one (or more) of the District's main settlements, and is readily accessible by car and public transport.</p> <p>(i) — the proposal meets the requirements of Policy R1; and</p> <p>(ii) — the site is in close proximity to one (or more) of the District's main settlements, and is readily accessible by car and, ideally, public transport.</p> <p>Notwithstanding compliance with <u>the</u> above, the Local Planning Authority will impose a planning condition requiring the implementation of a suitable landscaping scheme to further reduce the visual impact of the use.</p>		

CHAPTER 8 – NATURAL RESOURCES

CHAPTER	POLICY	TITLE
8 – NATURAL RESOURCES	NR1	Special Landscape Areas
RESPONDENT'S COMMENTS		
<p>14 – Lansbury Holdings – state that the Special Landscape Area (SLA) boundary is inappropriate as it includes land at Cherry Orchard Way, which could be developed for employment purposes.</p> <p>80 – GoEast – suggest deletion of “...in addition to any other policies set out elsewhere in this written statement...” as this is not strictly required.</p>		
OFFICER'S COMMENTS		
<p>The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which it is affected by human influences and <i>vice versa</i>. The representation from GoEast is agreed with and it is recommended that this change be implemented. It is not recommended that the change proposed by Lansbury Holdings be amended. This is because the boundary for the SLA runs through the Cherry Orchard Jubilee Country Park, which it is proposed, will not be subject to change.</p>		
RECOMMENDATION		
<p>It is recommended that the policy is amended, thus:</p> <p>POLICY NR1 - SPECIAL LANDSCAPE AREAS</p> <p><u>Within the three Special Landscape Areas identified on the proposals map, in addition to any other policies set out elsewhere in this written statement, development will not be allowed unless its location, size, siting, design, materials and landscaping accord with the character of the area in which the development is proposed.</u></p>		

CHAPTER	POLICY	TITLE
8 – NATURAL RESOURCES	NR2	HISTORIC LANDSCAPE
RESPONDENT'S COMMENTS		
<p>Four respondents supported this policy.</p> <p>89 – George Wimpey East London Ltd – state that the policy should have a wording consistent with NR1, thus:</p> <p>“Within the areas of historic landscape, development which would adversely affect...”</p> <p>Also that the boundary of the area in the vicinity of Wellington Road, Rayleigh, should be amended.</p> <p>147 – Woodland Trust – suggest additional text at the end of the policy:</p> <p>“Development which borders areas identified as Ancient Landscapes or Ancient Woodlands will be required to incorporate significant native natural buffering to mitigate against any potential damage both during construction and from subsequent habitation.”</p> <p>In addition to this ALL ancient woodland should be shown on the proposals maps.</p>		
OFFICER'S COMMENTS		
<p>The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which it is affected by human influences and <i>vice versa</i>. The latter point made by George Wimpey East London Ltd is not considered worthy of change as the boundary remains unchanged from that adopted in the Rochford District Local Plan (First Review). The other representations are agreed with and it is recommended that amendments be made to the policy.</p>		
RECOMMENDATION		
<p>It is recommended that the policy is amended, thus:</p> <p>POLICY NR2 - HISTORIC LANDSCAPE</p> <p><u>Within the areas of historic landscape</u> Ddevelopment which would adversely affect the historic importance, existing landscape character or physical appearance of Ancient Landscapes or Ancient Woodlands as defined on the proposals map will not be permitted.</p> <p><u>Development which borders areas identified as Ancient Landscapes or Ancient Woodlands will be required to incorporate significant native natural buffering to mitigate against any potential damage both during construction and from subsequent use.</u></p>		

CHAPTER	POLICY	TITLE
8 – NATURAL RESOURCES	NR3	TREE PROTECTION
RESPONDENT'S COMMENTS		
<p>One respondent supported this policy.</p> <p>137 – CPRESsex – suggest alternative text for the commencement of the policy: “The Council will seek to protect individual trees, groups of trees and woods that form an important part of the landscape or townscape.”</p> <p>147 – Woodland Trust – suggest additional text for the end of the policy: “Due to the irreplaceable nature and value of ancient trees any proposals that would adversely affect the amenity value or viability of ancient trees will be refused.”</p> <p>149 – Barling Magna Parish Council – aligns itself with the comments made by CPRESsex.</p> <p>150 – Sutton Parish Council – aligns itself with the comments made by CPRESsex.</p> <p>192 – Stambridge Parish Council – state that [Tree Preservation] Orders are needed on trees in Conservation Areas.</p>		
OFFICER'S COMMENTS		
<p>The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which it is affected by human influences and <i>vice versa</i>. The representation received from Stambridge Parish Council is not considered worthy to change the policy. The thrust of the representations received from the other parties are all considered acceptable and it is recommended that the policy be amended to reflect this. Members should note that trees in Conservation Areas are protected and any intention to fell must be notified to the LPA. This is mentioned in revised paragraph 8.11.</p>		
RECOMMENDATION		
<p>It is recommended that the policy is amended, thus:</p> <p>POLICY NR3 - TREE PROTECTION</p> <p>Development that adversely affects the amenity value or viability of individual trees, groups of trees or woodlands that are considered ancient or that form an important part of the landscape or townscape, will be refused.</p> <p>Applicants will provide an arboricultural method statement in all cases where a development proposal could affect a preserved tree(s). Proposals for development that would adversely affect the amenity value or viability of preserved trees will be refused.</p> <p><u>In exceptional cases, where the loss of a preserved tree is clearly outweighed by other material considerations, the felling of a preserved tree may be justified, subject to the planting in a suitable location of a replacement tree of a native species of an appropriate type and size.</u></p>		

CHAPTER	POLICY	TITLE
8 – NATURAL RESOURCES	NR4	AGRICULTURAL LAND
RESPONDENT'S COMMENTS		
<p>One respondent supported this policy.</p> <p>70 – Swan Hill Homes Ltd – state that policy does not take into account the amendment made to PPG7, published in March 2001, thus suggest the insertion "...taking into account of sustainability considerations..." after <i>overriding needs for the development</i>.</p> <p>80 – GoEast – state that the policy does not adequately reflect the guidance provided by PPG7 and, in any event, as it replicates guidance it is not needed.</p> <p>176 – NFU (Rochford Branch) – suggest that the policy is amended to remove references to land grades 1, 2 and 3a and instead refer to agricultural land to being judged on its own merits.</p> <p>192 – Stambridge Parish Council – state that there is a dilemma between the high yielding land protected in NR4 and the low yielding land protected in NR9.</p>		
OFFICER'S COMMENTS		
<p>The natural resources chapter covers diverse policy elements relating to the natural environment and the way it is affected by human influences and <i>vice versa</i>. It is recommended that this policy be deleted as the guidance provided in PPG7 adequately covers this area. This is not a decision to be taken easily given that a policy for the protection of agricultural land has long featured in the Local Plan. However, the advice is that policies in the Local Plan should not duplicate national policy guidance, and as indicated, PPG7 does provide detailed information on this matter.</p>		
RECOMMENDATION		
<p>It is recommended that the policy is deleted:</p> <p>POLICY NR4 – AGRICULTURAL LAND</p> <p>Development which would result in the permanent loss of agricultural land classed as Grade 1, 2 and 3a will be refused unless it can be shown that there is an overriding need for the development and no suitable alternative site for the particular purpose is available.</p>		

CHAPTER	POLICY	TITLE
8 – NATURAL RESOURCES	NR5	BIODIVERSITY ON DEVELOPMENT SITES
RESPONDENT'S COMMENTS		
<p>Three respondents supported this policy.</p> <p>80 – GoEast – state that the policy is vague and that it gives no clarity to developers as to what will be expected from them. The policy should be amended, clarified or deleted.</p> <p>111 – Fairview New Homes Ltd – state the policy should be reworded thus:</p> <p>“Where appropriate, applicants shall be required to incorporate appropriate measures in development proposals to facilitate and encourage biodiversity.”</p>		
OFFICER'S COMMENTS		
<p>The natural resources chapter covers diverse policy elements relating to the natural environment and the way it is affected by human influences and <i>vice versa</i>. The policy is intended to encourage and develop biodiversity on development sites, but it does require some further clarity. The text from Fairview Homes reduces the clarity of the policy and the introduction of “Where appropriate” would be contrary to advice from GoEast.</p>		
RECOMMENDATION		
<p>It is recommended that the policy is amended, thus:</p> <p>POLICY NR5 - BIODIVERSITY ON DEVELOPMENT SITES</p> <p>Applicants will be required to incorporate appropriate measures in development proposals to facilitate and encourage biodiversity. <u>Measures will include the provision of features for the benefit of nature and landscape conservation, such as grassland, woodland, ponds and other aquatic features.</u></p>		

CHAPTER	POLICY	TITLE
8 – NATURAL RESOURCES	NR6	EUROPEAN AND INTERNATIONAL SITES
RESPONDENT'S COMMENTS		
<p>Two respondents supported this policy.</p> <p>42 – English Nature – suggest additional and amended text for the policy: “...Development not directly connected with or necessary to the management of the site, and which would <u>is likely to</u> have significant effects on the site (either singly or in combination with other plans and projects) <u>and where it cannot be ascertained that the proposal would not adversely affect the integrity of the site,</u> will not be permitted unless it can be clearly demonstrated that there is no alternative solution and that the development is necessary for imperative reasons of overriding public interest.</p> <p>61 – Environment Agency – state that additional text is required ensuring that developers are aware of the possibility of having to provide compensatory measures in relation to development to ensure the overall coherence of Natura 2000 is protected (in accordance with Regulation 53 of the Habitats Regulations, 1994).</p> <p>80 – GoEast – This policy addresses a matter already covered by legislation and PPG9. It should therefore be deleted in the interests of providing a shorter plan.</p>		
OFFICER'S COMMENTS		
<p>The natural resources chapter covers diverse policy elements relating to the natural environment and the way it is affected by human influences and <i>vice versa</i>. The policy does indeed reflect current regulations and policy guidance. Due to the element of duplication, it is therefore recommended that the policy be deleted. The lower case wording in the plan will explain the strict national and international controls over development in designated areas.</p>		
RECOMMENDATION		
<p>It is recommended that the policy is deleted:</p> <p>POLICY NR6 – EUROPEAN AND INTERNATIONAL SITES</p> <p>Proposals for development which may affect a Special Area of Conservation (either candidate or designated), Ramsar site or Special Protection Area will be subject to the most rigorous examination. Development not directly connected with or necessary to the management of the site, and which would have significant effects on the site (either singly or in combination with other plans and projects), will not be permitted unless it can be clearly demonstrated that there is no alternative solution and that the development is necessary for imperative reasons of overriding public interest.</p>		

CHAPTER	POLICY	TITLE
8 – NATURAL RESOURCES	NR7	SITES OF SPECIAL SCIENTIFIC INTEREST
RESPONDENT'S COMMENTS		
<p>One respondent supported this policy.</p> <p>42 – English Nature – suggest amendments to the policy: “Proposals for development which is likely to would have an adverse impact affect, either directly or indirectly, on a Site of Special Scientific Interest (SSSI) will be permitted...”</p> <p>61 – Environment Agency – state that the policy omits to mention the Countryside and Rights of Way Act 2000. Section 28g of this Act places a greater weight on decision making bodies to ensure the conservation and enhancement of flora, fauna, geological or physiological features by reason of which the site is of special interest. This also includes land outside a SSSI which would affect it.</p> <p>73 – RSPB – suggest an amendment to the policy: “<u>If there is a risk of damage to a designated site from a development that is clearly in the national interest the local planning authority...</u>”</p> <p>80 – GoEast – This policy addresses a matter already covered by legislation and PPG9. It should therefore be deleted in the interests of providing a shorter plan.</p> <p>129 – Essex Wildlife Trust (local group) – state that financial gain should not be allowed as a justification for development.</p>		
OFFICER'S COMMENTS		
<p>The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i>. The policy does indeed reflect current regulations and policy guidance, although mention could be made under the supporting text to the three pieces of primary legislation affecting the designation of SSSIs. Due to the element of duplication, it is therefore recommended that the policy be deleted. The lower case wording in the plan will explain the strict national and international controls over development in designated areas.</p>		
RECOMMENDATION		
<p>It is recommended that the policy is amended, thus:</p> <p>POLICY NR7 – SITES OF SPECIAL SCIENTIFIC INTEREST</p> <p>Proposals for development which would have an adverse affect, either directly or indirectly, on a Site of Special Scientific Interest (SSSI) will not be permitted unless the justification for the development clearly outweighs the national nature conservation importance of the site.</p> <p>If there is a risk of damage to a designated site from development the Local Planning Authority will endeavour to enter into a planning obligation with developers to secure future site management or to make compensatory provision elsewhere for any losses expected when development occurs.</p>		

CHAPTER	POLICY	TITLE
8 – NATURAL RESOURCES	NR8	LOCAL NATURE RESERVES AND WILDLIFE SITES
RESPONDENT'S COMMENTS		
<p>Three respondents supported this policy.</p> <p>42 – English Nature – suggest amendments to the policy:</p> <p>“Proposals for development which <u>is likely to</u> would adversely affect areas identified as Local Nature Reserves, Wildlife Sites <u>or Regionally Important Geological Sites</u>, will not be permitted ... and appropriate compensatory measures can be provided <u>which ensure that there is no net loss, and preferably a net gain in respect of the asset which has been harmed.</u>”</p> <p>191 – Ms Yeadell - states that she must object to this because of the council's failure to implement such a policy in the past.</p> <p>192 – Stambridge Parish Council – state that no mention is made of privately owned woods, which are useful wildlife corridors worthy of protection in the plan.</p>		
OFFICER'S COMMENTS		
<p>The natural resources chapter covers diverse policy elements relating to the natural environment and the way it is affected by human influences and <i>vice versa</i>. Whilst agreeing in principle with English Nature there is no statutory or policy guidance backing up their argument. Therefore it is recommended that their representation be partially implemented. The representation from Ms Yeadell is not relevant to the policy, which cannot be retrospective. With reference to Stambridge Parish Council's representation, woodlands are protected by the strengthened wording other policies in this chapter.</p>		
RECOMMENDATION		
<p>It is recommended that the policy is amended, thus:</p> <p>POLICY NR8 - LOCAL NATURE RESERVES AND WILDLIFE SITES</p> <p>Proposals for development which <u>is likely to</u> would adversely affect areas identified as Local Nature Reserves, or Wildlife Sites, <u>or Regionally Important Geological Sites</u> will not be permitted unless it can be demonstrated that the justification for the proposal clearly outweighs the need to safeguard the nature conservation value of the site and appropriate compensatory measures can be provided, <u>which ensure that there is no net loss of the asset which has been harmed.</u></p>		

CHAPTER	POLICY	TITLE
8 – NATURAL RESOURCES	NR9	LOCAL NATURE RESERVES AND WILDLIFE SITES
RESPONDENT'S COMMENTS		
<p>Four respondents supported this policy.</p> <p>42 – English Nature – suggest amendments to the policy: ...endeavour to, in keeping with the Habitat Regulations, 1994, protect the following landscape features <u>which are of major importance for wild fauna and flora</u> from loss or damage...</p> <p>...Development which may adversely affect, directly or indirectly, the landscape features listed above will only be permitted if it can be shown 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. Appropriate management of these features will be encouraged through the imposition of conditions on planning permissions where appropriate Where development is permitted that would involve... and / or the completion of a legal agreement to secure the provision of replacement feature(s) of equivalent value..."</p> <p>61 – Environment Agency – State that mention should be made of the Environment Agency's culverting policy.</p>		
OFFICER'S COMMENTS		
<p>The natural resources chapter covers diverse policy elements relating to the natural environment and the way it is affected by human influences and <i>vice versa</i>. It is accepted that both these representations have merit, although it is not appropriate to include the latter in the policy, it could be included in the supporting text. It is recommended that the general thrust of the representation from English Nature be incorporated.</p>		
RECOMMENDATION		
<p>It is recommended that the policy is amended, thus:</p> <p>POLICY NR9 - OTHER LANDSCAPE FEATURES OF IMPORTANCE FOR NATURE CONSERVATION</p> <p>When considering proposals for development the Local Planning Authority will endeavour to protect the following landscape features <u>which are of major importance for wild fauna and flora</u> from loss or damage:</p> <ul style="list-style-type: none"> • Hedgerows • Linear tree belts • Plantations and woodlands • Semi-natural grasslands • Marshes • Watercourses • Reservoirs • Lakes • Ponds • Networks or patterns of other locally important habitats 		

CHAPTER	POLICY	TITLE
8 – NATURAL RESOURCES	NR9	LOCAL NATURE RESERVES AND WILDLIFE SITES
<p>Where development is permitted that would involve the unavoidable loss of such features, the Local Planning Authority will impose conditions <u>Development which may 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. Appropriate management of these features will be encouraged through the imposition of conditions on planning permissions where appropriate and/or endeavour to achieve the completion of a legal agreement to secure the provision of a replacement feature(s) of equivalent value, and to ensure the future management thereof.</u></p>		

CHAPTER	POLICY	TITLE
8 – NATURAL RESOURCES	NR10	SPECIES PROTECTION
RESPONDENT'S COMMENTS		
<p>Two respondents supported this policy.</p> <p>32 – Essex Wildlife Trust – suggest inserting the word ‘exceptionally’ after “...development is...” in line 2 of the policy.</p> <p>80 – GoEast – This policy addresses a matter already covered by legislation and PPG9. It should therefore be deleted in the interests of providing a shorter plan.</p> <p>129 – Essex Wildlife Trust (local group) – state that reference should be made to R9 (The Re-Use and Adaptation of Existing Rural Buildings) and LT20 (Rural Tourism).</p> <p>191 – Ms Yeadell - states that she must object to this because of the council's failure to implement such a policy in the past.</p>		
OFFICER'S COMMENTS		
<p>The natural resources chapter covers diverse policy elements relating to the natural environment and the way it is affected by human influences and <i>vice versa</i>. The representation from Ms Yeadell is not relevant to the policy, which cannot be retrospective. The representations from the other parties are noted and it is recommended that this policy be deleted.</p>		
RECOMMENDATION		
<p>It is recommended that the policy is deleted:</p> <p>POLICY NR10 – SPECIES PROTECTION</p> <p>Planning permission will not be granted for development likely to cause harm to species protected under English and/or European Law. Where development is permitted that is likely to have an adverse affect upon the habitat of protected species, the local planning authority will impose conditions and/or seek the completion of a legal agreement in order to:</p> <p>i. secure the protection of individual members of the species;</p> <p>ii. minimise the disturbance to the species; and</p> <p>iii. provide adequate alternative habitats to sustain at least the current levels of population.</p>		

CHAPTER	POLICY	TITLE
8 – NATURAL RESOURCES	NR11	COASTAL PROTECTION BELT
RESPONDENT'S COMMENTS		
<p>One respondent supported this policy.</p> <p>42 – English Nature – suggest the addition of “or geological features” at the end of the policy.</p> <p>137 – CPREssex – suggest that the words “as shown on the proposal maps” need to be inserted between ‘Belt’ and ‘priority’ in the first line of the policy.</p> <p>149 – Barling Magna Parish Council – aligns itself with the comments made by CPREssex.</p> <p>150 – Sutton Parish Council – aligns itself with the comments made by CPREssex.</p>		
OFFICER'S COMMENTS		
<p>The natural resources chapter covers diverse policy elements relating to the natural environment and the way it is affected by human influences and <i>vice versa</i>. This continuation of an existing effective policy is strengthened by the representations made and it is recommended that these be incorporated.</p>		
RECOMMENDATION		
<p>It is recommended that the policy is amended:</p> <p>POLICY NR11 - COASTAL PROTECTION BELT</p> <p>Within the Coastal Protection Belt, <u>as defined on the proposals maps,</u> priority will be given to the protection of the rural and undeveloped coastline. Applications for development will not be granted planning permission unless it can be shown that the development would not adversely affect the open and rural character of the coastline, or its historic features, or wildlife <u>or geological features.</u></p>		

CHAPTER	POLICY	TITLE
8 – NATURAL RESOURCES	NR12	DEVELOPMENT WITHIN THE FLOODPLAIN
RESPONDENT'S COMMENTS		
61 – Environment Agency – state that the use of floodplain in the policy should be amended to flood risk areas, except for the area that is functional floodplain.		
OFFICER'S COMMENTS		
The natural resources chapter covers diverse policy elements relating to the natural environment and the way it is affected by human influences and <i>vice versa</i> . It is accepted that the terminology may give rise to confusion and it is recommended that the proposed changes be incorporated.		
RECOMMENDATION		
It is recommended that the policy is amended:		
<p>POLICY NR12 - DEVELOPMENT WITHIN THE FLOODPLAIN <u>FLOOD RISK AREAS</u></p> <p>Applications for development within flood <u>risk areas</u> plains will be accompanied by full flood risk assessments to enable the Local Planning Authority to properly consider the level of risk posed to the proposed development throughout its lifetime, and the effectiveness of flood mitigation and management measures.</p> <p>Within developed areas of <u>a the flood risk area</u> plains development may be permitted, subject to the conclusions of the flood risk assessment and the suitability of the flood mitigation and management measures recommended therein.</p> <p>Within sparsely developed and undeveloped areas of <u>a the flood risk area</u> plains, commercial, industrial and new residential development will not be permitted except in exceptional cases. Other applications (including applications for the replacement of existing dwellings on a one-for-one basis) will be considered on their merits, having regard to the conclusions of the flood risk assessment and the suitability of the flood mitigation and management measures recommended therein.</p> <p>Within the functional floodplain buildings will not be permitted except in wholly exceptional cases. Other applications will be considered on their merits, having regard to the conclusions of the flood risk assessment and the suitability of the flood mitigation and management measures recommended therein.</p>		

CHAPTER	POLICY	TITLE
8 – NATURAL RESOURCES	NR13	DEVELOPMENT WITHIN THE FLOODPLAIN
RESPONDENT'S COMMENTS		
One respondent supported this policy. 32 – Essex Wildlife Trust – suggest inserting at the beginning of the policy: “Sustainable drainage schemes will be encouraged in all development schemes.”		
OFFICER'S COMMENTS		
The natural resources chapter covers diverse policy elements relating to the natural environment and the way it is affected by human influences and <i>vice versa</i> . Whilst the aim of the proposed amendment is laudable, it would turn the policy towards a toothless statement of intent and it is therefore proposed that no alteration be made to the policy.		
RECOMMENDATION		
It is recommended that the policy is retained:		
<p>POLICY NR13 - SUSTAINABLE DRAINAGE SYSTEMS</p> <p>In cases where there is a perceived risk of flooding from surface water run-off arising from the development, 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 sustainable drainage systems to be incorporated in the development to ensure that any risk of flooding is not increased by surface water runoff arising therefrom.</p>		

CHAPTER 1 – INTRODUCTION & OBJECTIVES – PARAGRAPHS

CHAPTER	PARAGRAPH	TITLE
1 – INTRODUCTION & OBJECTIVES	Objective I2	
RESPONDENT'S COMMENTS		
<p>144 – PR Ellaway – state that the plan should be amended to cover the period to at least 2016 and preferable to 2021 – in line with emerging strategic guidance.</p> <p>154 – AW Squier Ltd – state that the plan should be amended to cover the period to at least 2016 and preferable to 2021 – in line with emerging strategic guidance.</p>		
OFFICERS COMMENTS		
<p>The Rochford District Replacement Local Plan (First Deposit Draft) is in step with the existing Replacement Structure Plan, which legally provides the strategic guidance and framework for the plan. A Statement of Conformity has been received demonstrating that the plan is consistent with this. The Government office for the Eastern Region has not objected the timescale of the plan. There is no need to tie the plan in with emerging guidance, as this would be premature, especially as the Planning Bill has been subject to delays and new Regional Planning Guidance will not be adopted before 2005. It is simply not possible to plan effectively or efficiently for an extended period, as no information is available regarding housing or employment land allocations for example.</p>		
RECOMMENDATION		
<p>It is recommended that the objective be retained:</p> <p>I2 To prepare a plan for the development of the district until 2011, to act as a framework for the determination of development control decisions.</p>		

CHAPTER	PARAGRAPH	TITLE
1 – INTRODUCTION & OBJECTIVES	1.3	Introduction
RESPONDENT'S COMMENTS		
<p>47 – AH Philpot & Sons & B Coker Esq – state that the plan should be amended to cover the period to at least 2016 and preferable to 2021 – in line with emerging strategic guidance.</p> <p>144 – PR Ellaway – state that the plan should be amended to cover the period to at least 2016 and preferable to 2021 – in line with emerging strategic guidance.</p> <p>154 – AW Squier Ltd – state that the plan should be amended to cover the period to at least 2016 and preferable to 2021 – in line with emerging strategic guidance.</p>		
OFFICERS COMMENTS		
<p>The Rochford District Replacement Local Plan (First Deposit Draft) is in step with the existing Replacement Structure Plan, which legally provides the strategic guidance and framework for the plan. A Statement of Conformity has been received demonstrating that the plan is consistent with this. The Government office for the Eastern Region has not objected the timescale of the plan. There is no need to tie the plan in with emerging guidance, as this would be premature, especially as the Planning Bill has been subject to delays and new Regional Planning Guidance will not be adopted before 2005. It is simply not possible to plan effectively or efficiently for an extended period, as no information is available regarding housing or employment land allocations for example.</p>		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained:</p> <p>“The Rochford District Local Plan was adopted on the 4th October 1988 and a First Review was adopted on the 11th April 1995. This replacement applies to the period 1996 - 2011. Once adopted, the development plan for the area will comprise the Essex and Southend-on-Sea Replacement Structure Plan [RSP] (adopted 9th April 2001) and the Rochford District Replacement Local Plan.”</p>		

CHAPTER	PARAGRAPH	TITLE
1 – INTRODUCTION & OBJECTIVES	1.33	Accessible and High Quality Housing and Services
RESPONDENT'S COMMENTS		
32 – Essex Wildlife Trust – suggest additional text for the final sentence: “...travel if not of value for nature conservation.”		
OFFICERS COMMENTS		
Whilst the intention of the amendment is justified, it is not thought that the word is quite right and an alternative version is suggested.		
RECOMMENDATION		
It is recommended that the paragraph be amended, thus: “Taking into account the above, choices had to be made for the location of housing. Housing on previously developed land (brownfield sites), are mainly located within the urban areas near to existing facilities and services. These are a sustainable option that may reduce the need to travel. <u>When utilising brownfield sites for development, care must be exercised as such land can be of significant ecological value.</u> ”		

CHAPTER	PARAGRAPH	TITLE
1 – INTRODUCTION & OBJECTIVES	1.37	Encouraging Economic Regeneration
RESPONDENT'S COMMENTS		
104 – English Heritage – state that it would be helpful if the text made reference to opportunities for conservation-led regeneration.		
OFFICERS COMMENTS		
The comment is noted and the paragraph is amended accordingly. The reading list at the end of the chapter also requires amendment to include the document <i>Heritage Dividend</i> produce jointly by English Heritage, East of England Development Agency and the Heritage Lottery Fund (1999).		
RECOMMENDATION		
<p>It is recommended that the paragraph be amended, thus:</p> <p>“Economic development includes the supply of employment land, the pattern of employment growth and the supply of labour and the skills of the workforce. The first two of these factors can be addressed through local plan policies. <u>Linking with other areas of the core strategy</u>, the Council recognises that regeneration can also be conservation-led as evidenced in the document <i>Heritage Dividend</i>.”</p>		

CHAPTER	PARAGRAPH	TITLE
1 – INTRODUCTION & OBJECTIVES	1.40	Encouraging Economic Regeneration
RESPONDENT'S COMMENTS		
32 – Essex Wildlife Trust – suggest additional text for the end of the paragraph: “...provided such land is not of value for nature conservation.”		
OFFICERS COMMENTS		
Whilst the comment is noted, no amendment is proposed as the paragraph could not be comprehensive enough to cover the examples where brownfield sites may not be suitable.		
RECOMMENDATION		
That the paragraph be retained: “Regeneration can also be aided by the provision of appropriate sites which can attract a more diverse range of business uses, from business parks, knowledge based industries and major logistics centres to meeting the needs of small businesses through incubation centre development throughout the Thames Gateway. There is a need to maximise the use of brownfield land and land within the urban areas.”		

CHAPTER	PARAGRAPH	TITLE
1 – INTRODUCTION & OBJECTIVES	1.48	Conserving and Enhancing Heritage
RESPONDENT'S COMMENTS		
104 – English Heritage – state that there should be the use of consistent terminology throughout the plan. The phrase “historic environment” should replace the confusing array of terms currently used.		
OFFICERS COMMENTS		
The point is accepted and proof reading of the amended plan will take this into account.		
RECOMMENDATION		
It is recommended that the phrase “historic environment” be used to reduce the number of similar phrases throughout the plan, for example: “One of the key objectives of sustainable development is effective protection of the environment and the prudent use of natural resources. This includes conservation and enhancement of the built and historic environment.”		

CHAPTER	PARAGRAPH	TITLE
1 – INTRODUCTION & OBJECTIVES	1.61	Emphasising the Value of Landscaping
RESPONDENT'S COMMENTS		
133 – House Builders Federation – state that the use of the word 'extensive' with regard to landscaping and open space in this paragraph is inappropriate. Such a requirement would only be a requirement if the scale of a development warranted it.		
OFFICERS COMMENTS		
The response is noted and the paragraph is amended to reflect this, without losing its general thrust.		
RECOMMENDATION		
<p>It is recommended that the paragraph be amended, thus:</p> <p>“The local planning authority will also use planning obligations under the <i>Town and Country Planning Act</i> (1990) to seek appropriate environmental improvements where these are necessary to support proposed development. Appropriate environmental improvements will include the provision of extensive landscaping and open space <u>of a size and layout appropriate to the development</u>.”</p>		

CHAPTER 2 – HOUSING – PARAGRAPHS

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING		General Comments
RESPONDENT'S COMMENTS		
<p>154 – AW Squier Ltd– Failure to allocate reserve housing land, suggest new policy, inclusion of land east of Rochford in policy, amend policy M1.</p> <p>177 – Mr Dudley Ball – Phrases in planning objectives not clear, for example, “existing built up areas”, leads to uncertainty in understanding the methodology of site selection and housing land availability.</p>		
OFFICERS COMMENTS		
<p>The replacement Local Plan seeks to provide sufficient housing land to meet the requirements of the adopted Essex and Southend Structure Plan, which has an end date of 2011. No ‘reserve’ land is required at this stage pending the preparation of the Local Development Framework.</p> <p>The reference to ‘existing built-up area’ is considered to be clear – this refers to the boundaries of the settlements in the district delineated by the green belt boundary.</p>		
RECOMMENDATION		
No alterations to the Replacement Local Plan, other than recommendations as per the report dealing with Housing Policies.		

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	HO2	
RESPONDENT'S COMMENTS		
103- Mr and Mrs Snell – Considered unrealistic as insufficient supply of land within built up areas to meet the supply obligations set out in the Essex Structure Plan policy H1.		
OFFICERS COMMENTS		
This representation refers to the second objective in the housing section of the plan, which aims to limit the development of new housing to the built-up areas of the district. The published urban capacity study shows that sufficient land is available to ensure the structure plan housing requirements to 2011 can be achieved without the release of green belt land.		
RECOMMENDATION		
It is recommended that the objective be retained:		
HO2	To limit the development of new market housing to the existing built-up areas of the district	

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	HO9	
RESPONDENT'S COMMENTS		
133 – House Builders Federation – Government advice reiterates the importance of tenure neutrality, therefore, inappropriate to single out 2 specific types of provision. Should delete words “including . . . Schemes”.		
OFFICERS COMMENTS		
This representation refers to one of the key objectives for the housing section of the plan. The authority's housing needs study demonstrates the requirement for affordable housing within the district. This aim does not preclude the provision of low cost market housing, though the majority of market housing in the district cannot be classified as affordable. The planning authority is committed to providing a mix of housing and a range of tenures, but the affordable element will usually need to be provided through an RSL or by way of shared ownership schemes, and this reference highlights the issue.		
RECOMMENDATION		
It is recommended that the objective be retained:		
HO9	To increase the supply of affordable housing in the district including homes for rent through Registered Social Landlords and through Shared Ownership Schemes	

CHAPTER	PARAGRAPH	TITLE																		
2 – HOUSING	TABLE 2.1																			
RESPONDENT’S COMMENTS																				
103 – Mr and Mrs Snell – Figures for intensification and sub-diversion should be revised downwards, and the figures for other sites revised upwards to reflect the need to identify further sites in response to points in Table 2.2. 133 – House Builders Federation – Objections relate to housing supply and its various components.																				
OFFICERS COMMENTS																				
The information in Table 2.2 [provides an accurate summary of the housing provision situation at the time of drafting the plan. The plan seeks to ensure that, taking into account outstanding provisions and allocations, together with a reasonable allowance for intensification, windfalls, etc. that sufficient land is available to meet the structure plan housing allocation. The figures for intensification and sub-division are modest and in any event, the overall figures demonstrate an excess of provision over the structure plan allocation.																				
RECOMMENDATION																				
It is recommended that the Table be retained:																				
<table><tr><th colspan="2">TABLE 2.1 URBAN CAPACITY HOUSING PROVISION TO 2011</th></tr><tr><th>Housing category</th><th>No. of units</th></tr><tr><td>Intensification</td><td>250</td></tr><tr><td>Sub-division</td><td>50</td></tr><tr><td>Other sites (See Note a)</td><td>391</td></tr><tr><td>LOTS</td><td>12</td></tr><tr><td>Rural</td><td>62</td></tr><tr><td>Total</td><td>765</td></tr><tr><td colspan="2">Note a: The ‘other’ sites listed in Table 2.1 include sites allocated for residential development in Policy HP2.</td></tr></table>			TABLE 2.1 URBAN CAPACITY HOUSING PROVISION TO 2011		Housing category	No. of units	Intensification	250	Sub-division	50	Other sites (See Note a)	391	LOTS	12	Rural	62	Total	765	Note a: The ‘other’ sites listed in Table 2.1 include sites allocated for residential development in Policy HP2.	
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LOTS	12																			
Rural	62																			
Total	765																			
Note a: The ‘other’ sites listed in Table 2.1 include sites allocated for residential development in Policy HP2.																				

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	TABLE 2.2	
RESPONDENT'S COMMENTS		
<p>89 – George Wimpey East London Ltd – Components are over optimistic, revised with more reasonable assumptions on the components of housing land supply.</p> <p>103 – Mr and Mrs Snell – The estimates for supply are unrealistically high, completed dwellings are likely to be much lower. Suggest identifying additional sites including 57 High Road, Hockley.</p> <p>133 – House Builders Federation – Need to examine in detail the latest Residential Land Availability Survey and UCS. Our experience the UCS will fail to discount identified capacity adequately or at all, therefore produces a theoretical urban capacity.</p> <p>144 – PR Ellaway – A discount of 10-20% should be applied to cater for shortfall in actual supply. Review of HP2 sites to ensure appropriateness. Land at Pudsey Hall Lane should be allocated to allow for any shortfall.</p> <p>154 – A W Squier Ltd – A discount of 10-20% should be applied to cater for shortfall in actual supply. Review of HP2 sites to ensure appropriateness. Land east of Rochford should be allocated to allow for any shortfall.</p>		
OFFICERS COMMENTS		
The provision figures taken from the UCS have been substantially discounted and reflect a modest and prudent approach to housing provision in the district. It is considered there is no requirement to include any further sites to achieve the structure plan housing allocation.		
RECOMMENDATION		
It is recommended that the Table be retained:		
	TABLE 2.2	
	SUMMARY OF HOUSING PROVISION 1996 – 2011	
	Housing Provision	No. of units (net)
	Completions 1996 – 2001	1830
	All sites with planning permission (2001 and availability statement)	620
	All sites without planning permission (2001 and availability statement)	129
	Urban capacity study sites in addition to land availability statement sites expected to be developed in plan period.	765
	TOTAL	3344
	Structure Plan Provision (Policy H1)	3050

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	2.4	Structure Plan Requirements
RESPONDENT'S COMMENTS		
89 – George Wimpey East London Ltd – Policies C3 and C4 of the RSP seek a review of the Green Belt Boundaries, replace with a paragraph that accurately reflects Policies C3 and C4.		
OFFICERS COMMENTS		
The principles of Policy C3 require the green belt boundaries around towns and villages to be drawn by reference to foreseen long-term expansion acceptable within the stated purposes of the green belt. This policy must also be set against other policies in the structure plan including future housing allocations. Rochford District Council has published detailed criteria against which the inner green belt boundary in the district can be assessed. However, there is no requirement for any significant adjustments to the green belt boundary to reflect a requirement for future housing or employment provision in the period to 2011. Until future housing allocations, if any, are clear beyond 2011, there can be no justification for any substantive alterations to the green belt boundary in the district.		
RECOMMENDATION		
It is recommended that the paragraph be retained: “The Structure Plan makes no attempt to allocate or require land to be safeguarded for residential development beyond 2011. Instead, the plan makes clear that housing provision post 2011 will be considered by a review of the plan in the context of new regional planning guidance (RPG14 Regional Planning Guidance for the East of England). Therefore, this local plan, as explained in housing objective HO1, makes no provision for housing post 2011. Future allocations will be dependent then on the outcome of a review of a review of the Structure Plan.”		

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	2.7	Rochford's Approach to "Plan, Monitor and Manage"
RESPONDENT'S COMMENTS		
<p>144 – P R Ellaway – Timeframe for the RDRLP is out of step with other strategic guidance needs to be extended to 2016 or 2021.</p> <p>154 – A W Squier Ltd – Timeframe should be at least 2016 and preferable 2021 in line with emerging strategic guidance.</p>		
OFFICERS COMMENTS		
<p>The local plan is entirely in accordance with the requirements of the Essex and Southend-on-Sea Structure plan, the adopted strategic plan for Essex. Until such time as revised strategic guidance is adopted, there can be no justification for the local plan to conjecture on requirements beyond 2011.</p>		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained:</p> <p>"The local plan allocates land for development in the period 1996 – 2011 in accordance with the overall housing provision figure in Structure Plan Policy H1."</p>		

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	2.9	Rochford's Approach to "Plan, Monitor and Manage"
RESPONDENT'S COMMENTS		
<p>144 – PR Ellaway – Recommend including a new policy identifying reserve housing sites, including Pudsey Hall Lane and clarify M1.</p> <p>154 – A W Squier Ltd – Recommend including a new policy identifying reserve housing sites, including land east of Rochford, clarify in M1.</p>		
OFFICERS COMMENTS		
Monitoring shows there is no requirement for additional housing sites to fulfil the structure plan housing allocation.		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained:</p> <p>"If monitoring did indicate that adjustments were required to the planned provision of new housing, then a policy is included in this local plan which explains the authority's commitment to undertake an urgent review of the situation."</p>		

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	2.11	Urban Capacity
RESPONDENT'S COMMENTS		
103 Mr and Mrs Snell – There is not enough land available within the existing built up areas of the district to meet the obligations set out in RSP policy H1.		
OFFICERS COMMENTS		
The UCS demonstrates there is sufficient land available to fulfil future housing allocations to 2011.		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained:</p> <p>“The study concluded that there is certainly sufficient capacity within the urban areas to accommodate the District’s dwelling requirement to 2011 and that there should be no requirement to allocate greenfield sites for development.”</p>		

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	2.14	Housing Provision
RESPONDENT'S COMMENTS		
161 – Mr A Judge – The figures provided may not be met and there is no guarantee that they will be.		
OFFICERS COMMENTS		
The point is noted, but analysis shows the housing allocation can be achieved.		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained:</p> <p>“These figures show clearly that, taking into account a very conservative level of housing provision from the urban capacity study figures, the structure plan housing provision figure of 3050 units will be satisfied. There is no requirement for sites to be released from the Green Belt in the period 1996-2011.”</p>		

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	2.23	Design and Layout
RESPONDENT'S COMMENTS		
191 – Ms G Yeadell – Mums need children in reasonable back garden in safety where they can keep an eye on the same.		
OFFICERS COMMENTS		
The point is noted. Private amenity space is a prerequisite for family housing.		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained:</p> <p>“PPG1 recognises that the appearance and character of a development is a material consideration and particular attention should be focused on the setting of buildings and the treatment of spaces between and around them.”</p>		

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	2.30	Affordable Housing
RESPONDENT'S COMMENTS		
105 – Westbury Homes (Holdings) Ltd – Ignores the role of low cost market housing. Contrary to advise in circular 6/98.		
OFFICERS COMMENTS		
<p>There is no doubt that low cost market housing is an important component of overall housing provision in the district, and the planning authority supports housing schemes that include a mix of different sized units including those at the lower end of the market. However, given the cost of housing in the district, it is far from clear that low cost market housing is affordable when assessed against average income levels.</p> <p>It is absolutely essential that a component of new housing in the district, including specifically new family housing is affordable and the only way this can be achieved is with an element of subsidy being included. Therefore, whilst it is accepted that low cost market housing will be an important component of housing provision, affordability levels mean that provision with an element of subsidy, either shared ownership of for rent through an RSL is crucial and is the main focus of the affordable housing policy. It should also be noted that Policy HP7 does not specifically exclude low cost market housing.</p>		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained:</p> <p>“In this Local Plan, ‘affordable housing’ is defined as housing that is provided, with subsidy, for local people who are unable to resolve their housing needs in the private sector because of the relationship between housing costs and incomes. Planning Policy Guidance Note No.3 indicates that the provision of affordable housing is a material consideration to be taken into account when formulating development plan policies. Authorities must negotiate with developers for the inclusion of an element of affordable housing provision on larger sites, either through provision on the site or through a contribution so that houses can be provided elsewhere in the district where a need has been identified.”</p>		

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	2.33	Affordable Housing
RESPONDENT'S COMMENTS		
89 – George Wimpey East London Ltd – Amend paragraph to comply with Circular 6/98.		
OFFICERS COMMENTS		
<p>It is absolutely essential that a component of new housing in the district, including specifically new family housing is affordable and the only way this can be achieved is with an element of subsidy being included. Therefore, whilst it is accepted that low cost market housing will be an important component of housing provision, affordability levels mean that provision with an element of subsidy, either shared ownership or for rent through an RSL is crucial and is the main focus of the affordable housing policy. However, it should be noted that Policy HP7 does not specifically exclude low cost market housing.</p>		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained:</p> <p>“Low cost market housing is cited by the government as part of the ‘affordable housing’ equation. It may very well be that smaller units of accommodation (flats and terraced housing) cost less to purchase on the open market. However, the Housing Needs Study demonstrated that the relationship between income levels of a significant segment of the population and the market value of smaller units meant that they could not be classified as ‘affordable’. Therefore, whilst the LPA will require developers to provide a mix of dwelling sizes on new developments, smaller units will not be considered as a contribution to the affordable housing required by the policy. The key is that an element of subsidy is included.”</p>		

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	2.67	Caravan Parks for Mobile Homes
RESPONDENT'S COMMENTS		
32 – Essex Wildlife Trust – Holding objection to year round use, as site of International Importance (SPA/Ramsar), concerned about human/dog disturbance to over wintering wildfowl.		
OFFICERS COMMENTS		
It is considered that the very limited restrictions that exist on some sites compared to full time residential occupation are insignificant and will make little if any additional impact on the protected coastline and wildlife areas. The sites are not within protected areas.		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained:</p> <p>“The difference between residential caravan parks and holiday caravan parks in planning terms is the application of a planning condition requiring holiday homes to be vacated for a number of days or weeks every year. There is no standard approach and sites have different occupation conditions, the result of decisions taken over a number of years. Since there is little difference between sites, there is no justification to maintain a policy difference between residential sites and holiday sites. Therefore, the existing sites shown on the Proposals Map are simply called caravan parks.”</p>		

CHAPTER	PARAGRAPH	TITLE
2 – HOUSING	2.68	Caravan Parks for Mobile Homes
RESPONDENT'S COMMENTS		
32 – Essex Wildlife Trust – Holding objection to year round use, as site of International Importance (SPA/Ramsar), concerned about human/dog disturbance to over wintering wildfowl.		
OFFICERS COMMENTS		
It is considered that the very limited restrictions that exist on some sites compared to full time residential occupation are insignificant and will make little if any additional impact on the protected coastline and wildlife areas. The sites are not within protected areas.		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained:</p> <p>“If an owner applies to the local planning authority for the removal of the restricted occupancy conditions, consent would then in principle be forthcoming. However, in order for the site to then be operated on a residential basis, the operator would be required to satisfy a more onerous series of conditions under the provisions of the caravan site licence.”</p>		

CHAPTER 3 – RURAL ISSUES - PARAGRAPHS

CHAPTER	PARAGRAPH	TITLE
3 – RURAL ISSUES	GENERAL COMMENTS	
RESPONDENT'S COMMENTS		
<p>2 respondents were in general support of this chapter.</p> <p>137 – CPREssex – state that chapter should be renamed The Green Belt to reflect the district's characteristics.</p> <p>149 – Barling Magna Parish Council – aligns itself with the comments made by CPREssex.</p> <p>150 – Sutton Parish Council – aligns itself with the comments made by CPREssex.</p> <p>154 – AW Squier Ltd – state that the plan has failed to identify safeguarded land and has therefore failed to comply with Replacement Structure Plan policy C4. Land to the east of Rochford should then be allocated as safeguarded land.</p> <p>179 – Trustees of Edward Kingston (dcd) – state that the inner green belt boundary should be reviewed to allow for the long or short-term development of their site (land off Spring Gardens, Rayleigh).</p>		
OFFICER'S COMMENTS		
<p>The LPA does not believe that any of the representations are worthy of action. The comments made by CPREssex and aligned parties are not recommended for action as previously there has been too much emphasis on the green belt, as perceived by the Inspector at the last local plan inquiry.</p> <p>It has not been thought to be prudent to allocate safeguarded land for residential or employment purposes for the simple reason that the targets cascaded to the LPA from Essex County Council are both well in reach and there is no need for excess land to be held in reserve.</p>		
RECOMMENDATION		
That the chapter be amended as recommended in the separate report dealing with the policies and the paragraphs as shown subsequently.		

CHAPTER	PARAGRAPH	TITLE
3 – RURAL ISSUES	OBJECTIVE RI1	
RESPONDENT'S COMMENTS		
81 – Southend-on-Sea Borough Council – state that the objective is a mis-application of the purposes of the green belt, as set out in PPG2 and it fails to take a sufficiently strategic view of the green belt and sustainability issues in south east Essex.		
OFFICER'S COMMENTS		
<p>The Local Plan has been issued with a Statement of Conformity with the Replacement Structure Plan and therefore can be expected to take a strategic view insofar as it is expected so to do. This is reinforced by the fact that neither Essex County Council nor GoEast have made representations on this point. The green belt has five principle purposes as outlined in PPG2, the first three of these are:</p> <p>“... - 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;...”</p> <p>All of these are aided by the robust objective spelt out in RI1.</p>		
RECOMMENDATION		
It is recommended that the objective be retained:		
RI1 To prevent the further expansion of the built-up areas of adjacent districts.		

CHAPTER	PARAGRAPH	TITLE
3 – RURAL ISSUES	3.2 – 3.5	The Metropolitan Green Belt
RESPONDENT'S COMMENTS		
<p>14 – Lansbury Holdings Ltd – state the land held by this company (off Cherry Orchard Way, Rochford) has not been included for employment purposes and therefore the green belt boundary is neither logical nor defensible.</p> <p>89 – George Wimpey East London – state that the paragraph should be deleted and that a thorough review of the long-term green belt boundaries should be undertaken, including only such land as meets the objectives of PPG2.</p> <p>95 – Barratt Eastern Counties – state that no mention is made of actual changes that have taken place since the publication of the adopted local plan. The publication of the Inner Green Belt Boundary Study would also be useful.</p> <p>139 – Mr & Mrs SF Adkins – state that despite the green belt boundary having been assessed, small areas of land which do not logically belong there and do not truly meet green belt objectives should be removed.</p> <p>144 – PR Ellaway – states that the Council's Inner Green Belt Boundary Study was not undertaken with any intention of establishing a long-term defensible boundary. The plan is therefore contrary to Replacement Structure Plan policy C4. The plan does not identify any safeguarded land either.</p> <p>154 – AW Squier Ltd - states that the Council's Inner Green Belt Boundary Study was not undertaken with any intention of establishing a long-term defensible boundary. The plan is therefore contrary to Replacement Structure Plan policy C4. The plan does not identify any safeguarded land either.</p> <p>161 – Mr A Judge – states that his land (east of Newton Hall Gardens and north of Canewdon View Road, Ashingdon) has not been adequately considered for release from the green belt.</p>		
OFFICER'S COMMENTS		
<p>The review of the inner green belt boundary has been carried out in accordance with Replacement Structure Plan policy C4 and having due regard to PPG2. However, only the methodology of the study has been released into the public domain. The results and recommendations of the study were considered 'behind closed doors' by the council out of concern for the impact such decisions could have had on landowners. However, the boundary of the green belt is generally considered defensible, based upon the long history of successful defences at appeal.</p>		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained:</p> <p>“In accordance with Policy C4 of the Replacement Structure Plan, the Council has carried out a full review of the District's inner Green Belt boundaries. A number of modifications to the boundaries have been made in response to this study, both to remove small areas of land from the Green Belt that did not logically belong within it (having regard to the five purposes of Green Belts set out in Planning Policy Guidance Note 2: Green Belts), and to take other parcels of land into the Green Belt that did. It is considered that the resulting Green Belt boundaries are both logical and defensible in the long term.</p> <p>The Council's overall objectives in applying the five basic Green Belt purposes will continue to be as follows:</p>		

CHAPTER	PARAGRAPH	TITLE
3 – RURAL ISSUES	3.2 – 3.5	The Metropolitan Green Belt
<ul style="list-style-type: none"> • To prevent the further expansion of the built-up areas of adjacent districts. • To prevent the process of coalescence of the settlements within Rochford District with Southend-on-Sea or settlements in adjacent districts. • To prevent the process of coalescence of the towns and villages within Rochford District. • To preserve the character of the historic towns of Rochford and Rayleigh, and the villages of Great Wakering, Canewdon, Paglesham Eastend and Paglesham Churchend. • To promote the process of urban regeneration in settlements within Rochford District and within the urban areas of neighbouring districts. <p>The application of the Green Belt purposes through the objectives identified above will have the combined effect of protecting the historic fabric of the district, preventing the further encroachment of development into the countryside and of safeguarding the countryside to provide for recreational needs and the protection of the natural features, flora, fauna and their habitats.</p> <p>The Council also recognises that by diverting development and population growth away from rural areas to existing urban areas, Green Belt policy also assists in the achievement of sustainability objectives.”</p>		

CHAPTER	PARAGRAPH	TITLE
3 – RURAL ISSUES	3.7 & 3.8	Rural Settlement Areas
RESPONDENT'S COMMENTS		
139 – Mr & Mrs SJ Adkins – state that the paragraph specifically excludes the Plotlands, without any modification or exploration of individual merits. They wish to have their land (plots 135 and 136 on the Ashingdon Park Estate) considered for residential purposes. They believe that the Estate should be completed for the benefit of residents.		
OFFICER'S COMMENTS		
The Inner Green Belt Boundary Study considered areas such as the respondents', indeed the area around the Ashingdon Park Estate was investigated as part of this study. The LPA does not accept the respondents' comments. The site in question is not on the boundary of the green belt, but is located well into the green belt is a rural location, unsuitable for further development.		
RECOMMENDATION		
<p>That the paragraphs be retained:</p> <p>“Development in many settlements and hamlets within the Green Belt (e.g. Rawreth, Battlesbridge, Paglesham Eastend and the Plotlands) is considered to be of such a sporadic nature that to allow any new dwellings would have a detrimental effect on the visual appearance of the Green Belt and the existing open character of such settlements.</p> <p>There are, however, several areas / ribbons of residential development that are already fairly built-up and have little scope for infilling or rounding-off. In the Local Plan First Review such areas were not subject to the fairly restrictive policy relating to extensions that applied elsewhere in the Green Belt, but to a policy regime more similar to that applied in residential areas. Green Belt control was, however, maintained in all other respects and applications for the replacement of dwellings were considered on their merits. This approach has proved effective in practice, and a similarly worded policy relating to extensions is set out below:”</p>		

CHAPTER	PARAGRAPH	TITLE
3 – RURAL ISSUES	3.15	Agriculture and Forestry Dwellings
RESPONDENT'S COMMENTS		
176 – NFU – state that there is no explanation as to the derivation of the 140m ³ figure quoted in the paragraph. There is also no flexibility in the policy.		
OFFICER'S COMMENTS		
The LPA believe that flexibility exists by virtue of the last part of the final sentence and so discounts this part of the respondent's submission. The LPA believe 140m ³ to be equivalent to a reasonable sized dwelling and an appropriate threshold on which to base the policy.		
RECOMMENDATION		
<p>That the paragraph be retained:</p> <p>"In practice, however, it has proved difficult to arrive at an appropriate size of dwelling with applicants on the basis of this rather loosely worded guidance. Therefore, to avoid ambiguity, and provide a policy that is reasonable and can be consistently applied, the policy below requires that new farm dwellings should not exceed a gross habitable floorspace of 140sq.m., unless it can be demonstrated that the functional need of the holding truly requires a larger property."</p>		

CHAPTER	PARAGRAPH	TITLE
3 – RURAL ISSUES	3.39	Agricultural Buildings
RESPONDENT'S COMMENTS		
176 – NFU – state that the paragraph should be amended by deleting "...and their sheer size makes them difficult to assimilate into the District's flat rural landscape."		
OFFICER'S COMMENTS		
The LPA believe that this representation is acceptable and the wording of the paragraph can be amended to reflect this.		
RECOMMENDATION		
<p>That the paragraph be retained:</p> <p>"The advent of mechanised agriculture twinned with the need to handle bulk produce has led to vast changes in the design and scale of agricultural buildings. Whereas 'traditional' timber and brick buildings were of attractive design and human scale, modern buildings are generally of utilitarian, quasi-industrial appearance and their sheer size makes them difficult <u>good design is required</u> to assimilate <u>them</u> into the District's flat rural landscape. It is, therefore, crucial that careful consideration is given to <u>the issue of scale and to matters of design and siting</u> to ensure that the visual impact of such buildings is minimised. Whilst it is common practice to group buildings together in order to reduce their visual impact, attention should be paid to the appearance and character of the existing buildings. If the existing buildings are attractive, traditional buildings of timber or brick, it may not be appropriate to site a large, steel-clad building next to them. This could appear discordant, and detract from the character of the existing group. Detailed advice on matters of design and siting is in provided in Annex D of PPG7."</p>		

CHAPTER	PARAGRAPH	TITLE
3 – RURAL ISSUES	3.43	The Re-Use and Adaption of Existing Rural Buildings
RESPONDENT'S COMMENTS		
176 – NFU – state that the last sentence of the paragraph should be deleted.		
OFFICER'S COMMENTS		
The LPA believe that this representation is not acceptable and the wording of the paragraph be retained.		
RECOMMENDATION		
<p>That the paragraph be retained:</p> <p>“PPG7 states that preference should be given to the re-use of buildings for business purposes. In addition to assisting rural enterprise, such uses can also provide a source of employment close to home, thus reducing the travel to work distance for those living in the more remote settlements. It should be made clear, however, that proposals that rely upon the use of adjoining land (e.g. builders yards, haulage depots, etc.) will not be permitted.”</p>		

CHAPTER 4 – EMPLOYMENT – PARAGRAPHS

CHAPTER	PARAGRAPH	TITLE
4 – EMPLOYMENT	OBJECTIVE E1	
RESPONDENT'S COMMENTS		
<p>144 – Mr PR Ellaway – states that the objective is out of step with emerging Regional Planning Guidance, which will overtake the plan process, providing a new framework for development. Accordingly the plan period should be extended to 2016 or 2021.</p> <p>154 – AW Squier – states that the plan period should be extended to cover the period until at least 2016 as it will be out of step with Regional Planning Guidance before it is adopted.</p>		
OFFICER'S COMMENTS		
<p>The employment chapter is one of the key front-end chapters that need to be implemented effectively for the plan to be successful. Whilst understanding the both respondents' approach, it is not believed that their points are worthy of altering the plan. A new Planning Bill is going through Parliament, when enacted it will provide a new framework. Also new regional Planning Guidance is being prepared, for adoption at some stage in 2005. In any event, the local plan has to conform to the replacement Structure Plan, not with a draft guidance note, nor with a system that has yet to come about.</p> <p>The LPA has taken the view that it should expedite the production of the local plan to cover the period – concordant with the Replacement Structure Plan – until 2011. It is therefore recommended that the objective be retained.</p>		
RECOMMENDATION		
<p>It is recommended that the objective be retained:</p> <p>E1 To make provision between 1996-2011 for sufficient employment land to meet the requirements of the Essex and Southend-on-Sea Replacement Structure Plan.</p>		

CHAPTER	PARAGRAPH	TITLE
4 – EMPLOYMENT	OBJECTIVE E3	
RESPONDENT'S COMMENTS		
14 – Lansbury Holdings Ltd – suggest that the objective be amended to: “To ensure that a mix of sizes and types of land and unit are available to meet the needs of businesses in the district and to encourage inward investment.”		
OFFICER'S COMMENTS		
The employment chapter is one of the key front-end chapters that need to be implemented effectively for the plan to be successful. It is recommended that the points made by the respondent are included in an amended objective.		
RECOMMENDATION		
It is recommended that the objective be amended, thus:		
E3 <u>To ensure that a mix of sizes and types of land and unit are available to meet the needs of businesses in the district and to encourage inward investment, particularly the requirement for <u>with regard to</u> small starter units.</u>		

CHAPTER	PARAGRAPH	TITLE
4 – EMPLOYMENT	4.1	Economic Development Strategy
RESPONDENT'S COMMENTS		
14 – Lansbury Holdings Ltd – state that it is inappropriate to base the Employment chapter on an audit that was compiled in 2000. The audit should be updated to include the district's changing profile in the light Thames Gateway proposals.		
OFFICER'S COMMENTS		
The employment chapter is one of the key front-end chapters that need to be implemented effectively for the plan to be successful. The Council has based its Economic Development Strategy upon the audit and this more up to date, having been adopted by the Council in July 2003. The points made by the respondent have been taken on board in the preparation of the Economic Development Strategy. It is recommended that the paragraph be amended removing the reference to the economic audit.		
RECOMMENDATION		
<p>It is recommended that the objective be amended, thus:</p> <p>The Council carried out a comprehensive economic audit of the District in 2000. Following a careful analysis of the audit report, <u>has prepared an Economic Development Strategy</u> was prepared which explains the aspirations for employment and business in the district <u>between 2003 and 2007 over the next 5 years.</u> The objectives of this section of the Local Plan are designed to complement the Economic Development Strategy and to contribute towards its implementation. The key themes and objectives of the strategy are outlined in Box 1.</p>		

CHAPTER	PARAGRAPH	TITLE
4 – EMPLOYMENT	BOX 4.1	
RESPONDENT'S COMMENTS		
14 – Lansbury Holdings Ltd – suggest that the Economic Development Strategy be amended to reflect the opportunities for strategic inward investment as a result of the changing profile of the district.		
OFFICER'S COMMENTS		
The employment chapter is one of the key front-end chapters that need to be implemented effectively for the plan to be successful. The Council's Economic development Strategy was adopted in July 2003 and does take account of the changing profile of the district. It is recommended that the contents of Box 4.1 be updated to include the current key objectives contained with the Economic Development Strategy.		
RECOMMENDATION		
It is recommended that the objective be amended, thus:		
[BOXED TEXT] BOX 4.1		
The aim of the Council's Economic Development Strategy is to:		
"work with partners to maximise the economic prospects of businesses in the area, making the district a better place to work"		
<u>The seven key objectives of the Council's Economic Development Strategy are to:</u>		
<ol style="list-style-type: none"> 1. Work in partnership to support the needs of the business community in areas such as skills development and infrastructure development. 2. Encourage sustainable development of the local economy to maintain low levels of unemployment in the district. Specifically we will encourage those jobs that add value to the local economy. 3. Support town centre enhancement initiatives aimed at improving the environment and competitiveness of our town centres. 4. Facilitate business support for small and medium sized businesses in the area, with particular focus on the needs of the rural economy. 5. Facilitate developments in local transport infrastructure that add value to businesses and improve access to jobs. 6. Develop tourism and heritage opportunities which provide local employment opportunities and visitor attractions aimed at improving access to recreation facilities and preserving the district's heritage for future generations. 7. Taking advantage of inward investment opportunities. These are likely to be small scale and local relocations. 		
<ol style="list-style-type: none"> 1. <u>Work in partnership to support the needs of the business community in the area, to enable it to develop and grow and thus contribute to the economic prosperity of the District.</u> 		

CHAPTER	PARAGRAPH	TITLE
4 – EMPLOYMENT	BOX 4.1	
<ol style="list-style-type: none"> 2. <u>Working with partners, develop the skills of the local workforce to meet the needs of businesses now and in the future, to maintain low levels of unemployment in the District and encourage jobs that add value to the local economy.</u> 3. <u>Support town centre and industrial estate enhancement initiatives aimed at improving the environment ensuring the area is economically prosperous and competitive.</u> 4. <u>Work with partners to ensure that businesses, including rural businesses have access to quality and effective business support initiatives locally.</u> 5. <u>Facilitate appropriate local transport and infrastructure developments which balance businesses needs whilst respecting local environmental constraints.</u> 6. <u>Develop tourism and heritage initiatives which provide new local employment and wealth generation opportunities, and visitor attractions aimed at improving access to recreation facilities and preserving the Districts' heritage for future generations.</u> 7. <u>Taking advantage of inward investment opportunities to secure the future economic prosperity of the District.</u> 		

CHAPTER	PARAGRAPH	TITLE
4 – EMPLOYMENT	TABLE 4.1	Industrial Land Availability
RESPONDENT'S COMMENTS		
<p>14 – Lansbury Holdings Ltd – states that the plan fundamentally overestimates the amount of both commitments / undeveloped land and Rochford District Local Plan (First Review) allocations.</p> <p>18 – House Builders Federation – states that there is a need for LPAs to reassess their employment needs to in order to boost housing supply levels.</p>		
OFFICER'S COMMENTS		
<p>The employment chapter is one of the key front-end chapters that need to be implemented effectively for the plan to be successful. With regard to Lansbury Holdings Ltd representation, it is not believed that the LPA has overestimated the amount of land allocated by the plan, nor the amount allocated by the current adopted local plan. The land allocated within the Rochford District Replacement Local Plan (First Deposit Draft) was derived from the Industrial Land Availability in the Rochford District (dated September 2001) and the mathematics are believed to be correct, although the smaller of these two sites is now de-allocated, as planning permission has been implemented for an alternative use. The commitments / undeveloped land are also believed to be accurate and the mathematics, again, are believed to be correct. With regard to the House Builders Federation representation, it is not considered that any of the sites allocated are suitable for residential uses and no change is considered necessary.</p>		
RECOMMENDATION		
It is recommended that the table be amended, thus:		
Table 4.1 INDUSTRIAL LAND AVAILABILITY¹		
	<div>Hectares</div> <div>RSP provision 35.00</div> <div>Completions (1995-2001) 9.59</div> <div>Commitments / undeveloped land 13.99</div> <div>RDLP First Review allocations 13.6400</div>	
	<div>TOTAL 37.22</div> <div>COMPARISON TO RSP PROVISION +2.22</div>	

⁴ Taken from *Industrial Land Availability in the Rochford District* (2001)

CHAPTER	PARAGRAPH	TITLE
4 – EMPLOYMENT	TABLE 4.2	Employment Land Allocations
RESPONDENT'S COMMENTS		
<p>14 – Lansbury Holdings Ltd – states that the 2 further sites should be added to the table, in the section entitled RDLP First Review Allocations. These two sites are Cherry Orchard Way (27.8ha) and Land Adjoining Purdeys Way Industrial Estate (1.6ha). The representation also seeks the alteration of a number of other parts of the table.</p> <p>61 – Environment Agency – state that two of the sites listed in the table Aviation Way and Purdeys Way Industrial Estates both contain areas of flood risk. Part of the Purdeys Way allocation may be contaminated land and at risk from landfill gas. Prior to the development of these sites, further investigative work will be required.</p> <p>180 – House Builders Federation – states that there is a need for LPAs to reassess their employment needs to in order to boost housing supply levels.</p> <p>140 – Essex Chambers of Commerce – state that both Stambridge Mills and Baltic Wharf should be included in the table.</p>		
OFFICER'S COMMENTS		
<p>The employment chapter is one of the key front-end chapters that need to be implemented effectively for the plan to be successful. The representations made by the Environment Agency are noted, although the table is not the appropriate place to indicate such development specific information. With regard to the House Builders Federation representation, it is not considered that any of the sites allocated are suitable for residential uses and no change is considered necessary.</p> <p>The representation made by the Essex Chambers of Commerce is duly noted, but it is felt that the two sites mentioned are not appropriate to be allocated in the table. This is because employment use at Baltic Wharf is covered by policy EB11 and supporting text and that Stambridge Mill is allocated for housing purposes. The representation made by Lansbury Holdings concerns an area of land for which a temporary permission exists as a brickworks, which requires the site to be restored to a greenfield use following the end of this use and for which part is allocated as country park. The other site is open farmland adjoining Purdeys Way site, which forms part of the buffer around this site. It is recommended that the minor factual amendment be made regarding the de-allocation of one small site, which still leaves the allocation in excess of that required by Essex County Council.</p>		
RECOMMENDATION		
It is recommended that the table be amended, thus:		
Table 4.2 EMPLOYMENT LAND ALLOCATIONS		
	COMPLETIONS (1996-2001) Aviation Way Industrial Estate Brook Road Industrial Estate Eldon Way / Hockley Foundry Industrial Estate Purdeys Industrial Estate Rawreth Industrial Estate	Hectares 0.64 0.59 0.38 6.31 0.50

CHAPTER		PARAGRAPH	TITLE
4 – EMPLOYMENT		TABLE 4.2	Employment Land Allocations
	Star Lane Industrial Estate		0.41
	Sutton Wharf		0.76
	COMMITMENTS / UNDEVELOPED LAND		
	Aviation Way Industrial Estate		3.35
	Purdeys Industrial Estate		8.22
	Rawreth Industrial Estate		0.56
	Sutton Wharf		1.86
	RDLP FIRST REVIEW ALLOCATIONS		
	Adj. Imperial Park Industrial Estate (Rawreth Lane)		0.64
	Aviation Way		13.00
	TOTAL		36.58

CHAPTER	PARAGRAPH	TITLE
4 – EMPLOYMENT	4.7	Making the Best Use of Available Land
RESPONDENT'S COMMENTS		
130 – Federation of Small Businesses – state that they are concerned that the Thames Gateway Initiative is not seen to include the district as an integral part of the scheme so far as businesses are concerned.		
OFFICER'S COMMENTS		
The employment chapter is one of the key front-end chapters that need to be implemented effectively for the plan to be successful. The Council is represented on the Thames Gateway South Essex Partnership and on a number of sub-groups. Although only part of the district is included within the Thames Gateway (London Southend Airport and adjacent industrial land), the district is actively participating in the Thames Gateway and intends to fulfil its cultural, education and tourism potential. This is therefore reflected in the Council's approach, which is summed up by paragraph 4.7. It is recommended that no change is necessary to this paragraph.		
RECOMMENDATION		
It is recommended that the paragraph be retained:		
<p>“The Thames Gateway project is the largest regeneration project in the UK and encompasses parts of East London, North Kent and the north Thames corridor. In 2001 the government decided to extend the Gateway across South Essex to Thurrock, Basildon, Southend and parts of Rochford. The regeneration of this area is both a national and regional priority. The initiative is not about economic growth for its own sake but improving the quality of life and range of opportunities for residents. The desire to reduce out-commuting, by attracting new businesses and jobs to the area, will also involve investment in transport infrastructure and facilities.”</p>		

CHAPTER	PARAGRAPH	TITLE
4 – EMPLOYMENT	4.36	Making the Best Use of Available Land
RESPONDENT'S COMMENTS		
140 – Essex Chambers of Trade – state that reference to the past financial history of the site are not relevant and should be removed.		
OFFICER'S COMMENTS		
The employment chapter is one of the key front-end chapters that need to be implemented effectively for the plan to be successful. It is recommended that the paragraph be amended to take account of the representation.		
RECOMMENDATION		
<p>It is recommended that the paragraph be amended, thus:</p> <p>“Commercial shipping has used the River Crouch for many years. Baltic Wharf consists of wharfage facilities together with open and covered storage. Whilst bulk cargoes arrive without causing many problems, the distribution of such cargoes by heavy goods vehicles from the site has amenity implications. However, the revenue from Baltic Wharf plays an important role in the ability of the Crouch Harbour Authority to manage its navigation and the Council values the employment role provided by the site. The site has been in receivership twice over the last ten years. Despite this, the number of vessels visiting the facility has shown a small increase over the last five years.”</p>		

CHAPTER 5 – TRANSPORT – PARAGRAPHS

CHAPTER	PARAGRAPH	TITLE
5 – TRANSPORT	5.15	The Local Context
RESPONDENT'S COMMENTS		
166 – Essex County Council (Planning) – suggest changing the phrase ‘traffic management’ to ‘movement patterns’.		
OFFICER'S COMMENTS		
The Transport chapter represented a change in approach from the adopted Rochford District Local Plan (First Review), which was largely scheme based. The new chapter is intended to be theme based, centred on the objectives stated in Chapter 1. It is recommended that the paragraph be amended to more accurately reflect the objective of the report.		
RECOMMENDATION		
That the paragraph be amended, thus: “However, the district lies within the Thames Gateway and development may come forward from government to tackle regeneration and congestion issues. A report into traffic management <u>movement patterns</u> in South Essex has been commissioned by the Thames Gateway South Essex Partnership.”		

CHAPTER	PARAGRAPH	TITLE
5 – TRANSPORT	5.21	The Local Context
RESPONDENT'S COMMENTS		
<p>66 – Essex County Council (Planning) – state that the Replacement Structure Plan does make reference to proposals for a major transport scheme in South Essex. Reference to the Structure plan should therefore be removed from the first sentence.</p> <p>137 – CPRESsex – state that the paragraph refers to a limited bypass from Brays Lane to Southend. Putting this link in would open the door for a relief road, east of Rochford to the Rettendon Turnpike. Such a road would bring massive destruction to the countryside and should be vigorously opposed.</p> <p>149 – Barling Magna Parish Council – aligns itself with the comments made by CPRESsex.</p> <p>150 – Sutton Parish Council – aligns itself with the comments made by CPRESsex.</p> <p>154 – AW Squier – states that the Rochford Eastern Bypass is excluded from the chapter and it should be included. An additional policy has been submitted by the respondent to this effect. Consequential amendments to this paragraph and the proposals maps would be needed if the principle of an Eastern Bypass were accepted.</p> <p>192 – Stambridge Parish Council – state that further details regarding the Brays Lane bypass should be included in the paragraph or in the plan.</p>		
OFFICER'S COMMENTS		
<p>The Transport chapter represented a change in approach from the adopted Rochford District Local Plan (First Review), which was largely scheme based. The new chapter is intended to be theme based, centred on the objectives stated in Chapter 1. It is recommended that the paragraph be amended to more accurately reflect the objective of the report. The representation made by Essex County Council is a factual one and it is recommended that an amendment be made in the light of this. With regard to the representation made by AW Squier, the LPA's position is clear in the policy – it is supportive of a limited bypass. However, the LPA is not supportive of expanding development from Rochford and Ashingdon into the Metropolitan Green Belt as part of such a scheme. The representation received from Stambridge Parish Council is also not accepted. There is no preferred route and there could not be a preferred route until an assessment of the options had been undertaken, including an environmental assessment and a flood risk assessment. The representations from CPRESsex and Barling Magna and Sutton Parish Councils are noted, but it is not believed that the policy would in fact open the door as the proposal for any major scheme are rebutted in paragraph 5.20. It is recommended that the policy be amended to give further clarification.</p>		
RECOMMENDATION		
<p>That the paragraph be amended, thus:</p> <p>“Indeed neither the current Essex Local Transport Plan nor the Replacement Structure Plan contain proposals <u>for any major scheme in the district, nor policies that would support such a scheme that support such a policy.</u> The 1995 Local Plan also considered these issues and concluded that there was merit in supporting the principle of a local bypass for Rochford and Ashingdon, running from Brays Lane to Southend. No route was safeguarded for such a proposal and the current local plan does not make any provision to safeguard an identifiable route. However, the Council is supportive of proposals to create a limited bypass enabling traffic to avoid Rochford town centre to the benefit of the district's residents.”</p>		

CHAPTER	PARAGRAPH	TITLE
5 – TRANSPORT	5.37	Provision for Horse Riding
RESPONDENT'S COMMENTS		
32 – Essex Wildlife Trust - suggest additional text to be added to the paragraph: “The impact on the ecological value of the grass verge will need to be considered.”		
OFFICER'S COMMENTS		
The Transport chapter represented a change in approach from the adopted Rochford District Local Plan (First Review), which was largely scheme based. The new chapter is intended to be theme based, centred on the objectives stated in Chapter 1.		
RECOMMENDATION		
That the paragraph be amended, thus: “This situation is obviously unsatisfactory and causes danger to both drivers and riders alike. In order to try to improve the position, the District Council will support the creation by the Highways Authority, where practicable, of new bridleways and grass verges to assist in making provision for horse riding. <u>The impact on the ecological value of the grass verge will also need to be considered.</u> Horse riding facility provision is dealt with in more detail in Leisure and Tourism policy LT16 and its explanatory text.”		

CHAPTER	PARAGRAPH	TITLE
5 – TRANSPORT	5.48	London Southend Airport
RESPONDENT'S COMMENTS		
104 – English Heritage – state that the paragraph is expanded to take account of the views of Southend-on-Sea Borough Council and the difficulties in relation to St. Lawrence Church.		
OFFICER'S COMMENTS		
The Transport chapter represented a change in approach from the adopted Rochford District Local Plan (First Review), which was largely scheme based. The new chapter is intended to be theme based, centred on the objectives stated in Chapter 1.		
RECOMMENDATION		
That the paragraph be amended, thus: <p>“The only possible solution preferred identified by the airport operator is to move the demolition of the Grade 1 listed St Lawrence Church to beyond the safety zone and to the extension of the runway across Eastwoodbury Lane, thereby enabling threshold areas to be repositioned, to allow the repositioning of the thresholds. The land for the runway extension and the church, both lie within Southend-on-Sea Borough Council's area.”</p>		

CHAPTER	PARAGRAPH	TITLE
5 – TRANSPORT	5.48	London Southend Airport
RESPONDENT'S COMMENTS		
14 – Lansbury Holdings Ltd – state that the original local plan excluded 4 hectares from general employment use, under the designation as an Area of Special Restraint. There is no logic therefore for including the land within the Public Safety Zone of the airport.		
OFFICER'S COMMENTS		
The Transport chapter represented a change in approach from the adopted Rochford District Local Plan (First Review), which was largely scheme based. The new chapter is intended to be theme based, centred on the objectives stated in Chapter 1. The representation is not accepted, as the land is available for industrial use, albeit restricted. This fits in with the approach adopted, and agreed by Essex Council, in the provision of the Council's Industrial Land Availability Statements. It is therefore recommended that no change be made.		
RECOMMENDATION		
That the paragraph be retained:		
“An area of some 4 hectares of land was shown in the original local plan, at Purdeys Industrial Estate, as an <i>Area of Special Restraint</i> . Since this land is in the Public Safety Zone for the airport, its use is restricted to open storage and low employment generating uses. However, there may be potential for waste transfer, processing or recycling uses. No change to the <i>Area of Special Restraint</i> is currently considered necessary.”		

CHAPTER 6 – LEISURE & TOURISM – PARAGRAPHS

CHAPTER	PARAGRAPH	TITLE
6 – LEISURE & TOURISM	6.1	INTRODUCTION
RESPONDENT'S COMMENTS		
143 – Sport England – supports work done by RDC in working towards local standards for open space provision but wants specific policy setting out standards and linked to Policy LT4.		
OFFICER'S COMMENTS		
Thank Sport England for their support. Specific standards are set out in 'An Assessment of Playing Pitches in the Rochford District (October 2002)' and LT4 will become a generic policy for the whole plan.		
RECOMMENDATION		
It is recommended that the paragraph be retained as policy LT4 will become generic policy as a response to other representations:		
<p>"The aim of the Plan is to provide sport and recreation facilities in sufficient quantity and in the right locations, whilst at the same time protecting existing sport, open space and recreation facilities. Without this foundation accessibility is limited and would curtail the District Council's objective of improving and promoting excellence in chosen activities as well as providing ready access to informal open space."</p>		

CHAPTER	PARAGRAPH	TITLE
6 – LEISURE & TOURISM	6.26	NEW COUNTRY PARK
RESPONDENT'S COMMENTS		
14 – Lansbury Holdings Ltd. – object to their land holding falling within proposed Country Park.		
OFFICER'S COMMENTS		
<p>The Council has a long standing aim to develop the Country Park for the benefit of the whole community and therefore does not agree to remove any land identified for that purpose from the proposed designation.</p> <p>At a meeting of the Environment Overview & Scrutiny Committee on 20th November 2003, it was resolved to add text to this paragraph explaining that the Council will look at opportunities for enhancing the park for the enjoyment of the public.</p>		
RECOMMENDATION		
<p>It is recommended that the paragraph be amended, thus:</p> <p>“In September 2001 Essex County Council handed over ownership of Blatches Farm to Rochford District Council securing the future use of the site in public ownership. It is the District's aim, in accordance with the Countryside Act 1968, to establish a Country Park of the 100 acre (41 ha) piece of land. The Park, which has been named <i>Cherry Orchard Jubilee Country Park</i>, is set within the Roach Valley and will not only be important as a recreational resource, but also for its wildlife habitats and valued landscape. <u>The Council will continue to investigate opportunities for enhancing the Country Park for the enjoyment of the public.</u> The Council is provisionally looking to purchase additional land which will provide vehicular access to the park. The two areas are Earls Hall Park in the west and land adjacent to Cherry Orchard Way (B1013) in the east.”</p>		

CHAPTER	PARAGRAPH	TITLE
6 – LEISURE & TOURISM	6.43	WATER RECREATION
RESPONDENT'S COMMENTS		
137 - CPRESsex - No such Policy as EB14. 149 – Barling Magna Parish Council – aligns itself with the comments made by CPRESsex. 150 – Sutton Parish Council – aligns itself with the comments made by CPRESsex.		
OFFICER'S COMMENTS		
Agree should read 'EB12'		
RECOMMENDATION		
<p>It is recommended that the policy be amended, thus:</p> <p>The Rivers Crouch and Roach and the areas through which they flow are an important part of the character of the District. The Council, whilst recognising the importance of the rivers for water recreation, will have regard to nature conservation and the protection of the largely undeveloped nature of the coast. The Structure Plan recognises that due to the largely undeveloped coastline virtually all coastal recreational development will have to be located in existing built up areas. However, proposals for further recreational development will also be assessed against policy EB12 and its supporting text."</p>		

CHAPTER	PARAGRAPH	TITLE
6 – LEISURE & TOURISM	6.44	WATER RECREATION FACILITIES
RESPONDENT'S COMMENTS		
61 - Environment Agency – want reference to 'nature conservation interests' added.		
OFFICER'S COMMENTS		
Agree to add reference to 'nature conservation interests'.		
RECOMMENDATION		
<p>Paragraph amended to:</p> <p>In order to keep the volume of water recreation on the Rivers Crouch and Roach to a minimum the Council will look inland for additional facilities. Sport England identifies the main opportunity for further areas of water for recreational purposes in Essex, to be through the restoration of mineral workings to 'wet pits'. These wet pits can have potential for specialised sports such as wind surfing, sub aqua, rowing and canoe racing, as well as fishing <u>and nature conservation interests</u>. At the current time there are no appropriate wet pits within the district.</p>		

CHAPTER	PARAGRAPH	TITLE
6 – LEISURE & TOURISM	6.56	TOURING CARAVANS AND TENTS
RESPONDENT'S COMMENTS		
137 - CPRE - Environmental improvements mentioned in paragraph not carried through to policy.		
OFFICER'S COMMENTS		
Agree to add reference to environmental improvements in policy.		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained, as the policy has been altered under policy representations:</p> <p>“It is important to retain the existing sites in their current use and not allow them to be developed for other purposes including housing as the tourist industry is an important source of income and employment. To this end the Council wishes to encourage environmental improvements to the sites. The development of new sites for touring caravans outside development boundaries would be contrary to the efforts of the District Council to promote the area's remote landscape characteristics.”</p>		

CHAPTER 7 – BUILDING CONSERVATION & ARCHAEOLOGY – PARAGRAPHS

CHAPTER	PARAGRAPH	TITLE
7 – BUILDING CONSERVATION & ARCHAEOLOGY	OBJECTIVE B1	
RESPONDENT'S COMMENTS		
104 – English Heritage – suggest additional text be added to the objective “...scheduled ancient monuments <u>and other nationally important monuments</u> ” also that the setting of listed buildings should be mentioned.		
OFFICER'S COMMENTS		
The Building Conservation and Archaeology chapter is important in the plan because of the wealth of historic buildings within the district. The chapter aims to provide a framework for the Council to fulfil its statutory duty to preserve and enhance Conservation Areas and to protect Listed Buildings, Scheduled Ancient Monuments and other sites of archaeological importance. It is not recommended that the representation be incorporated into the objective, as there is no definition as to what an ‘other nationally important monument’ might be.		
RECOMMENDATION		
That the objective be amended, thus:		
B1 To protect and enhance the historic character of settlements, particularly within the conservation areas and to ensure the retention of all listed buildings, and <u>their settings</u>, Scheduled Ancient Monuments.		

CHAPTER	PARAGRAPH	TITLE
7 – BUILDING CONSERVATION & ARCHAEOLOGY	7.14	Archaeology
RESPONDENT'S COMMENTS		
<p>66 – Essex County Council (Planning) – suggest alternative wording more in line with PPG16:</p> <p>“Archaeological sites are a finite and non-renewable resource. In many cases they are highly fragile and vulnerable to damage or destruction. These sites contain information about our past, are part of our sense of place and are valuable for their own sake and for their role in education, leisure and tourism. As a result it is important to ensure that they are not needlessly or thoughtlessly destroyed.”</p>		
OFFICER'S COMMENTS		
<p>The Building Conservation and Archaeology chapter is important in the plan because of the wealth of historic buildings within the district. The chapter aims to provide a framework for the Council to fulfil its statutory duty to preserve and enhance Conservation Areas and to protect Listed Buildings, Scheduled Ancient Monuments and other sites of archaeological importance. It is recommended that the representation be incorporated.</p>		
RECOMMENDATION		
<p>That the paragraph be amended, thus:</p> <p>“Archaeological remains are a finite and fragile <u>non-renewable</u> resource. <u>In many cases they are highly fragile and vulnerable to damage or destruction.</u> These sites remain contain information about our past, are part of our <u>sense of place</u> national identity and are valuable for their own sake and for their role in education, leisure and tourism. As a result it is important to ensure that archaeological remains are not needlessly or thoughtlessly destroyed.”</p>		

CHAPTER	PARAGRAPH	TITLE
7 – BUILDING CONSERVATION & ARCHAEOLOGY	7.15	Archaeology
RESPONDENT'S COMMENTS		
<p>66 – Essex County Council (Planning) – suggest alternative wording more in line with PPG16:</p> <p>“Within Rochford approximately 350 sites of archaeological interest are recorded on the Heritage Conservation Record (HCR), of which 5 are Scheduled Ancient Monuments. The sites range from Palaeolithic flint axes through a variety of prehistoric, Roman, Saxon and medieval settlements to post-medieval/modern industrial sites and World War II/Cold War monuments. However the HCR records represent only a small fraction of the total. Many important sites remain undiscovered and unrecorded.”</p>		
OFFICER'S COMMENTS		
<p>The Building Conservation and Archaeology chapter is important in the plan because of the wealth of historic buildings within the district. The chapter aims to provide a framework for the Council to fulfil its statutory duty to preserve and enhance Conservation Areas and to protect Listed Buildings, Scheduled Ancient Monuments and other sites of archaeological importance. It is recommended that the representation be incorporated.</p>		
RECOMMENDATION		
<p>That the paragraph be amended, thus:</p> <p><u>“More than 350 200 sites of archaeological interest are recorded on the Heritage Conservation Record (HCR), of which 5 are including four Scheduled Ancient Monuments are recorded on the Sites and Monuments Record (SMR) for the Rochford district. It is undoubtedly the case that many other sites remain to be discovered and recorded, both within the historic cores of Rochford and Rayleigh and elsewhere across the District. The sites range from Palaeolithic flint axes through a variety of prehistoric, Roman, Saxon and medieval settlements to post-medieval/modern industrial sites and World War II/Cold War monuments. However the HCR records represent only a small fraction of the total. Many important sites remain undiscovered and unrecorded.”</u></p>		

CHAPTER	PARAGRAPH	TITLE
7 – BUILDING CONSERVATION & ARCHAEOLOGY	7.15	Archaeology
RESPONDENT'S COMMENTS		
66 – Essex County Council (Planning) – suggest adding to the end of the paragraph: “The planning authority will expect applicants to adopt the procedures set out in central government planning policy guidance 16: Archaeology and Planning (PPG16).”		
OFFICER'S COMMENTS		
The Building Conservation and Archaeology chapter is important in the plan because of the wealth of historic buildings within the district. The chapter aims to provide a framework for the Council to fulfil its statutory duty to preserve and enhance Conservation Areas and to protect Listed Buildings, Scheduled Ancient Monuments and other sites of archaeological importance. It is recommended that the representation be added.		
RECOMMENDATION		
That the paragraph be amended, thus: “Prospective developers are advised to undertake an initial assessment of whether a site is known or likely to contain archaeological remains as part of their initial research into its development potential. The local planning authority will expect any proposal that would affect a known site of archaeological importance to be accompanied by sufficient information to assess the level of disturbance posed by the development. Developers are urged to discuss their proposals with the local planning authority prior to submitting planning applications to agree the level of information to be provided. <u>The LPA will expect applicants to adopt the procedures set out in by central government in PPG16: Archaeology and Planning.</u> ”		

CHAPTER 8 – NATURAL RESOURCES (PARAGRAPHS)

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	GENERAL	
RESPONDENT'S COMMENTS		
196 – Hockley Residents Association – state that the respondent is concerned that no reference could be found to Landscape Improvement Areas.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . However, the designation of Landscape Improvement Areas are not backed up by government planning policy, which seeks to reduce the number of non-statutory designations affecting the use of land.		
RECOMMENDATION		
It is recommended that the chapter be retained subject to the changes proposed in a separate report regarding the policies of this chapter and the changes proposed in the rest of this report regarding the paragraphs.		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.4	Landscape, trees and agricultural land
RESPONDENT'S COMMENTS		
<p>137 – CPREssex – state that the designation regarding Landscape Improvement Areas can be found on the maps and it is mentioned in this paragraph, but is not mentioned elsewhere. If it does not exist, it should be removed from the maps.</p> <p>149 – Barling Magna Parish Council – aligns itself with the comments made by CPREssex.</p> <p>150 – Sutton Parish Council – aligns itself with the comments made by CPREssex.</p>		
OFFICER'S COMMENTS		
<p>The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i>. However, the designation of Landscape Improvement Areas are not backed up by government planning policy, which seeks to reduce the number of non-statutory designations affecting the use of land.</p>		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained and the maps altered to remove the defunct designation.</p> <p>“In previous Local Plans, the Local Planning Authority has sought to protect and enhance its rural landscapes by designating large tracts of land as Special Landscape Areas, Landscape Improvement Areas and Nature Conservation Zones.”</p>		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.6	Landscape, trees and agricultural land
RESPONDENT'S COMMENTS		
192 – Stambidge Parish Council – state that a number of policies have replaced Landscape Improvement Areas.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . The LPA agrees with the respondent, but believes no change to the paragraph his necessary. However, a minor factual alteration is required, as it is unlikely a further local plan will be produced.		
RECOMMENDATION		
<p>It is recommended that the paragraph be amended, thus:</p> <p>“The Local Planning Authority will carry out a landscape character assessment (LCA) of the district, which will be incorporated into the <u>Council's Local Development Framework</u> next review of the Plan. It is considered appropriate, in the absence of a comprehensive LCA, to maintain the District's three Special Landscape Areas in accordance with Policy NR4 of the Replacement Structure Plan. However, it will be noted that a number of other policies have been introduced to replace Landscape Improvement Areas and Nature Conservation Zones.”</p>		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.7	Landscape, trees and agricultural land
RESPONDENT'S COMMENTS		
129 – Essex Wildlife Trust (Local Group) – suggest that an additional requirement be added to the paragraph stating that landscaping should use appropriate species having due regard to the local area and native species.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . The LPA agrees with the respondent and an amendment to the text is recommended.		
RECOMMENDATION		
<p>It is recommended that the paragraph be amended, thus:</p> <p>“The Local Planning Authority will seek throughout the landscape high standards of development, including the location, siting, design and materials used, as well as ensuring that the proposal will contribute to the enhancement or, where appropriate, improvement of the character of the area in which it is proposed. Tree planting and landscaping schemes, <u>using native species appropriate to their location</u>, will be an important part of the majority of new development.”</p>		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.10	The Historic Landscape
RESPONDENT'S COMMENTS		
129 – Essex Wildlife Trust (Local Group) – suggest that a list of 14 ancient woodlands should be added to the paragraph.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . In the interests of reducing the amount of text and for inclusivity it is not thought appropriate to list all the ancient woodlands. Were this to be done all the other historic landscape features would have to be identified in a similar fashion.		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained:</p> <p>“In addition, there are 14 ancient woodlands in Rochford District, defined by the Nature Conservancy Council (now English Nature) as being woodlands over 2 hectares in size, known to have existed in 1600. These areas have evolved unique characteristics and qualities throughout the centuries and are vital for their scientific and amenity importance. The Council recognises that appropriate management is the key to their future success. The Council is committed to the Essex Biodiversity Action Plan objectives and targets relating to ancient woodlands, which seek to ensure that they are satisfactorily protected and managed.”</p>		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.11	Tree Protection
RESPONDENT'S COMMENTS		
<p>42 – English Nature – suggest an additional sentence to commence the paragraph “Trees are fundamental to the landscape, particularly in urban areas. They provide valuable visual and nature interest to the streetscape.”</p> <p>129 – Essex Wildlife Trust (Local Group) – state that the paragraph should be expanded to make it clear where the authority for making Tree Preservation Orders lies within the Council and the procedures required for making such an Order.</p>		
OFFICER'S COMMENTS		
<p>The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i>. It is recommended that the additional text suggested by English Nature be included. It is not thought to be appropriate for the representation by the Essex Wildlife Trust to be included in the local plan. However, the need for the process to be transparent and accessible will be passed on to the Council's Woodland & Environmental Officer.</p>		
RECOMMENDATION		
<p>It is recommended that the paragraph be amended, thus:</p> <p><u>“Trees are fundamental to the landscape, particularly in urban areas. They provide valuable visual and nature interest to the streetscape. The Council will serve Tree Preservation Orders (TPO's) on woodlands, groups and individual trees where they are considered to be at risk and where their removal would be considered to have an adverse effect on the local environment. Many trees in Conservation Areas are protected and any intention to fell must be notified to the LPA.”</u></p>		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.18	Nature Conservation
RESPONDENT'S COMMENTS		
129 – Essex Wildlife Trust (Local Group) – state that the Rochford Biodiversity Action Plan should be included in the plan.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . The Biodiversity Action Plan is available and accessible. It will soon be available on the Council's website. It is not thought to be appropriate to include the document within the local plan or as Supplementary Planning Guidance. It is not recommended that the suggestion made by the Essex Wildlife Trust be included in the local plan.		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained:</p> <p>“The local framework is provided by the Essex Biodiversity Action Plan (BAP) which includes a list of habitats and species where action can be focused. Rochford's BAP translates the Essex BAP into more local actions. In deciding applications for planning permission the Council will take into account the effects upon nature conservation regarding habitats and species identified in these Biodiversity Action Plans.”</p>		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.25	International Sites
RESPONDENT'S COMMENTS		
61 – Environment Agency – state that as SSSIs are not international sites, they should be removed from this paragraph.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . It is recommended that the final sentence of this paragraph be amended to reflect the representation made.		
RECOMMENDATION		
<p>It is recommended that the paragraph be amended, thus:</p> <p>“The aim of Special Areas of Conservation (SAC) is to maintain the diversity of European wildlife and to protect rare and threatened habitats and its associated flora and fauna; Foulness and the Crouch and Roach Estuaries are part of the Essex Estuaries candidate SAC. It should <u>will</u> be noted that these areas are also SSSIs in recognition of their international importance.”</p>		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.32	Local Nature reserves & Wildlife Sites
RESPONDENT'S COMMENTS		
129 – Essex Wildlife Trust (Local Group) – state that if Wildlife Sites are to be given protection then they should be listed in the Plan.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . It is recommended that the paragraph be amended to reflect the representation made.		
RECOMMENDATION		
It is recommended that the paragraph be amended, thus: “Wildlife Sites (previously referred to as SINC's) are non-statutory sites of local nature conservation importance. They are given protection by their inclusion in the Local Plan. The following sites lie within the district and can be found on the Proposals Maps: <u>WOODLAND SITES</u> <u>Bartonhall Grove, Beckney Wood, Belchamps Camp (Hockley Woods), Bett's Wood, Blounts Wood, Buller's Grove, Cottons Wood, Folly Wood, Great Hawkwell New Wood, Great Hawkwell Plantation, Grove Woods, Gustedhall Wood, Hambro Hill Wood, Hockley Woods SSSI, Hockleyhall New Wood, Hockleyhall/Crabtree Woods, Hullbridge Wood, Hyde Wood, Kingley Wood, Marylands Wood, New England Wood, Plumberow Wood, Potash Wood, Primrose Wood, Rawreth-hall Wood, Sloppy Wood, The Finches EWT Nature Conservation Area, The Scrubs, Trinity Wood, Whitbred's Wood & Winks Wood Complex.</u> <u>GRASSLAND SITES</u> <u>A127 Special Roadside Verge, Butler's Farm Field, Edwards Hall Fields, Great Wakering Common, Mucking Hall Marsh, Sutton Ford Bridge Pasture & The Dome Grasslands.</u> <u>MOSAIC SITES</u> <u>Blounts Mosaic, Creeksea Road Pits, Doggetts Pond, Eastwood Rise Lake, Rouncefall and Magnolia Fields & Star Lane Pits.</u> <u>FRESHWATER AQUATIC SITES</u> <u>Butts Hill Pond EWT Nature Conservation Area & Stannetts Lake and Creek.</u> <u>COASTAL SITES</u> <u>Brandy Hole Marsh Extension, Canewdon Special Roadside Verge, Foulness SSSI Lion Creek Seawall EWT Reserve, Lower Raypits Farm Seawall/Saltings part of EWT Reserve, Paglesham Seawall, River Crouch Marshes SSSI & Wallasea Seawall.”</u>		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.33	Other Features of Nature Conservation Importance
RESPONDENT'S COMMENTS		
129 – Essex Wildlife Trust (Local Group) – state that the control of replacement features needs to be stated. The requirement that native species should be used and the location of replacement features also need covering.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . The representation made is partially acceptable. It is not possible to cover the locational aspects as stated, but the requirement for native species, appropriate to the locality, is. It is recommended that the paragraph be amended to reflect this part of the representation made.		
RECOMMENDATION		
<p>It is recommended that the paragraph be amended, thus:</p> <p>“Features such as ponds, hedgerows and tree belts have a vital role to play both in supporting biodiversity and contributing to the quality and appearance of the local environment. Some important hedgerows are also protected by the Hedgerow Regulations. The Council will require developers to integrate existing features such as these into development schemes and to provide replacement features, <u>using appropriate native species</u>, in cases where the removal of existing features proves unavoidable.”</p>		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.34	Species Protection
RESPONDENT'S COMMENTS		
129 – Essex Wildlife Trust (Local Group) – state that the wording should be changed to reflect the fact English Nature is the authority for all translocation issues.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . The representation made is acceptable and it is recommended that the paragraph be amended to reflect the representation made.		
RECOMMENDATION		
<p>It is recommended that the paragraph be amended, thus:</p> <p>“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. English Nature is the responsible agency authority <u>responsible for providing advice on protected species and for licensing survey work, species management and in some cases translocation schemes.</u>”</p>		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.42	Flood Risk
RESPONDENT'S COMMENTS		
180 – Hockley Parish Council – state that the paragraph needs to contain stronger wording to ensure that development in areas of flood risk, will be resisted.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . It is believed that the policies and text regarding this issue make a stance concordant with central government guidance and more local advice received from the Environment Agency. It is not considered appropriate to amend the paragraph and it is recommended that the policy be retained.		
RECOMMENDATION		
It is recommended that the paragraph be retained: “The responsibility for ensuring the safe and secure development of a site lies with the developer of the site. The local planning authority will require the applicant for any scheme within the floodplain to provide a relevant flood-risk assessment evaluating whether the scheme is likely to be affected by flooding and whether it will increase flood risk elsewhere, as well as demonstrating appropriate mitigation and management measures. Appendix F of PPG25 provides guidance on carrying out a flood risk assessment.”		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.45	Flood Risk
RESPONDENT'S COMMENTS		
61 – Environment Agency – state that they do not prepare maps correlating areas at risk of flooding with the land type.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . The recommendation made by the Environment Agency relates to a matter of fact and it is recommended that the policy be amended accordingly.		
RECOMMENDATION		
It is recommended that the paragraph be amended, thus: “A series of floodplain maps are produced by the EA. <u>The LPA will produce maps, taking advice from the Environment Agency, showing</u> Also indicated on the maps are the areas of the floodplain considered to be developed, sparsely developed and undeveloped, and functional floodplain, to which the policy below applies. The floodplain maps are indicative only and do not distinguish between the defended and undefended floodplain. It should be noted that where areas of the floodplain are proven to be defended, these are areas where flood defences reduce, not remove, the risk of flooding.”		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.48	Flood Risk
RESPONDENT'S COMMENTS		
61 – Environment Agency – state that whilst supporting the paragraph in principle, the current wording does not reflect the guidance given in Table 1 of PPG25 (Development and Flood Risk), where the land in question would be defined as 'High risk / Sparsely developed'.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . It is recommended that the paragraph be amended to tie in with the guidance of PPG25.		
RECOMMENDATION		
<p>It is recommended that the paragraph be amended, thus:</p> <p>“The 1988 Local Plan saw the introduction of a policy permitting in principle further permanent residential properties in the riverside settlement of Kingsmans Farm Road, which was also continued in the 1995 First Review Local Plan. However, since then the Environment Agency has identified inadequacies in the defences protecting the existing properties. This led to a planning application in 2001 for tidal defence improvement works in order to meet the minimum standard required for this particular area. <u>The settlement is defined in line with Table 1 of PPG25, as being High risk / Sparsely developed.</u> However due to the fact that the settlement is not considered a densely developed area t The proposed defences will not be to the necessary standard as to allow for further residential development, as advocated in the recently published PPG25.”</p>		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.49	Sustainable Drainage Systems
RESPONDENT'S COMMENTS		
129 – Essex Wildlife Trust (Local Group) – state that additional text is requiring developers to ensure that proposals do not alter the water catchments of local watercourses.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . It is recommended that the paragraph be amended in line with the representation.		
RECOMMENDATION		
<p>It is recommended that the paragraph be amended, thus:</p> <p>“Surface water run off from new development can also lead to an increased risk of flooding. Where it is understood that any proposal will increase the flood risk the LPA will require the developer to provide a flood risk assessment to consider the level of risk posed and the intended mitigation and management measures. <u>The LPA will also seek to ensure that development does not adversely affect the water catchments of existing watercourses.</u>”</p>		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.52	Sustainable Drainage Systems
RESPONDENT'S COMMENTS		
129 – Essex Wildlife Trust (Local Group) – state that additional text is requiring developers to ensure that proposals do not alter the water catchments of local watercourses.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . It is recommended that the paragraph be retained, as amendments have been recommended previously.		
RECOMMENDATION		
It is recommended that the paragraph be retained: “Such measures should be employed at all available opportunities and incorporated into development schemes in consultation with the Environment Agency, Local Planning Authority and Local Highway Authority at the earliest possible stage.”		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.54	Creation of Intertidal Habitats
RESPONDENT'S COMMENTS		
61 – Environment Agency – state that references to 'managed retreat' should be changed to 'managed realignment'.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . It is recommended that the paragraph be amended in line with the representation made.		
RECOMMENDATION		
<p>It is recommended that the paragraph be amended, thus:</p> <p>“The LPA will support the (re-)creation of coastal habitats provided that there will be a clear public benefit such as making a contribution to the achievement of Government biodiversity targets. One way to re-create coastal habitats is by allowing sections of the sea wall, which have been identified as having no economic justification for continued maintenance, to be breached by the sea through a process often referred to as managed retreat <u>realignment</u>.”</p>		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.55	Creation of Intertidal Habitats
RESPONDENT'S COMMENTS		
61 – Environment Agency – state that references to 'managed retreat' should be changed to 'managed realignment'.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . It is recommended that the paragraph be amended in line with the representation made.		
RECOMMENDATION		
It is recommended that the paragraph be amended, thus: "The Environment Agency, who have a regulatory and supervisory duty for flood defence matters recognise that there are sea walls where retreat <u>realignment</u> schemes could be a possibility as shown in their report Essex Sea Wall Management (1998)."		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.56	Creation of Intertidal Habitats
RESPONDENT'S COMMENTS		
61 – Environment Agency – state that the word 'environmentally' be added before 'sustainable' in the second sentence of the paragraph.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . It is recommended that the paragraph be amended in line with the representation made.		
RECOMMENDATION		
<p>It is recommended that the paragraph be amended, thus:</p> <p>“The Environment Agency is developing an Estuary Flood Management Strategy for the Rivers Roach and Crouch. This Flood Management Strategy Plan will identify the most socio-economic, hydrodynamic and <u>environmentally</u> sustainable means of providing flood management measures throughout the estuary as a whole, whilst also ensuring that the legal obligations to protect and enhance protected environmental sites and habitats are met.”</p>		

CHAPTER	PARAGRAPH	TITLE
8 – NATURAL RESOURCES	8.58	Creation of Intertidal Habitats
RESPONDENT'S COMMENTS		
61 – Environment Agency – state that references to 'managed retreat' should be changed to 'managed realignment'.		
OFFICER'S COMMENTS		
The natural resources chapters covers diverse policy elements relating to the natural environment and the way in which the natural environment is affected by human influences and <i>vice versa</i> . It is recommended that the paragraph be amended in line with the representation made.		
RECOMMENDATION		
It is recommended that the paragraph be amended, thus: "The retreat <u>realignment</u> of sea defences would lead to the loss of other land types, which could include agricultural land or other habitats. The Council will take into consideration the retention of the best and most versatile agricultural land in accordance with Policy NR4 and also the nature conservation value of the land in accordance with Policies NR6 to NR10 (inclusive)."		

CHAPTER 9 – SHOPPING, ADVERTISEMENTS & TOWN CENTRES – PARAGRAPHS

CHAPTER	PARAGRAPH	TITLE
9 – SHOPPING, ADVERTISEMENTS & TOWN CENTRES	GENERAL	
RESPONDENT'S COMMENTS		
141 – Alsop Verrill – state that the combined effect of a number of policies and paragraphs would be to preclude opportunities for appropriate retail development and investment in the district.		
OFFICER'S COMMENTS		
The policy forms part of a chapter that seeks to ensure that new and existing development is sustainable and that the vitality and viability of existing town centres. The chapter also seeks to ensure that the urban environment reinforces these aims. It is certainly not the LPA's intention to preclude any appropriate opportunities. However, it is likely that what developers may wish to see and what the LPA considers to be appropriate may be at odds with one another.		
RECOMMENDATION		
It is recommended that the chapter be retained subject to the changes proposed in a separate report regarding the policies of this chapter.		

CHAPTER	PARAGRAPH	TITLE
9 – SHOPPING, ADVERTISEMENTS & TOWN CENTRES	9.4	Shopping & Town Centres
RESPONDENT'S COMMENTS		
192 – Stambridge Parish Council – The Thames Gateway proposals should be included and detailed. Airport / Sewage / Waste issues should also be included and detailed.		
OFFICER'S COMMENTS		
<p>The policy forms part of a chapter that seeks to ensure that new and existing development is sustainable and that the vitality and viability of existing town centres. The chapter also seeks to ensure that the urban environment reinforces these aims. The aims of the Thames Gateway for the district are spelt out in the text box. There are no firm proposals that affect land use planning at this stage. With regard to the second part of the representation, the airport is dealt with elsewhere in the plan. Sewage issues are a particular local problem and possibly are worthy of mention, but not in this section. The third point regarding waste would be more appropriately dealt with in the Waste Local Plan prepared by Essex County Council. It is recommended therefore that the paragraph be retained.</p>		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained:</p> <p>“The Thames Gateway South East Partnership, in which the local authority is an active player, was launched in September 2001. It then issued a <i>Vision Statement</i>², which broke the partnership area into three distinct local authority areas. Southend and Rochford were joined to provide a focus on culture and education. <u>The vision has been updated by the more recent document <i>Delivering the Future</i>³. This states that the key priorities for Rochford are</u> e Vision states:</p> <p>[TEXT BOX]</p> <p><u>In the context of the Thames Gateway South Essex, the key priorities include:</u></p> <ul style="list-style-type: none"> • <u>With Southend Borough Council, resolving the future of London Southend Airport and its environs</u> • <u>Developing and extending the green grid concept across the District and, in particular, in association with the development and expansion of Cherry Orchard Jubilee Country Park</u> • <u>Promoting the leisure and tourism potential of the District and securing new hotel provision in the area</u> • <u>Promoting the enhancement of Rochford Town as a centre for ‘Arts and Crafts’</u> • <u>Conserving and enhancing the District’s heritage, particularly in the centers of Rochford and Rayleigh</u> • <u>Enhancing rail/bus interchange facilities across the District</u> • <u>Securing high value-added employment</u> 		

² *A Vision for the Future* (2001) Thames Gateway South East

³ *Delivering the Future* (2003) Thames Gateway South East

CHAPTER	PARAGRAPH	TITLE
9 – SHOPPING, ADVERTISEMENTS & TOWN CENTRES	9.4	Shopping & Town Centres
<p>VISION FOR SOUTHEND AND ROCHEFORD</p> <ul style="list-style-type: none"> • To transform Southend into a thriving cultural hub for South Essex, by developing its cultural strategy, beach facilities, resort and tourism facilities and leisure attractions, and the overall environmental quality of Southend and its environs; • to develop university facilities, expanding upon the new Southend town centre campus to provide a sustainable and accessible facility for South Essex; and • to improve the accessibility of Southend and Rochford by improving surface access, by road and rail, and upgrading London Southend Airport to support stronger business links with Europe.” 		

CHAPTER 10 – UTILITIES, HEALTH & SOCIAL SERVICES – PARAGRAPHS

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.2	Water – Supply
RESPONDENT'S COMMENTS		
61 – Environment Agency – state that the paragraph is confusing as it infers that no problems will occur with supply. However, whilst Essex & Suffolk Water has to provide water, this may cause problems within the Essex Supply Zone, as this zone is already in deficit (greater demand than supply). The respondent suggests further communication between the LPA and Essex & Suffolk Water to work out a better wording for the paragraph.		
OFFICER'S COMMENTS		
The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The comments made by the respondent are worthy of consideration.		
RECOMMENDATION		
It is recommended that further consultation take place with Essex and Suffolk Water to devise a clearer, more accurate reflection of the situation. The resultant paragraph should then be included in the plan for scrutiny in the production of the Second Deposit Draft.		

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.3	Water – Supply
RESPONDENT'S COMMENTS		
61 – Environment Agency – state that changing weather patterns do not have a guaranteed beneficial impact on water resources for the Essex Supply Zone. Reference should be made to the Catchment Abstraction Management Strategy for South Essex.		
OFFICER'S COMMENTS		
The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The comments made by the respondent are worthy of inclusion.		
RECOMMENDATION		
<p>That the paragraph be amended as shown below:</p> <p>“At the time of the First Review there were problems with reservoir levels due to low rainfall resulting in restrictions on water usage. However, changing weather patterns since the mid-1990s have led to the recharging of groundwater supplies and reservoirs and this, coupled to less water wastage have alleviated the need for restrictions.</p> <p><u>However, changing weather patterns only affect the short-term availability of water and cannot be guaranteed to have a beneficial affect. Therefore c</u>Consideration will be given to all measures that would ensure a continuous and plentiful water supply. The Essex and Suffolk Water Company foresees no requirements for new or extended sites or land during the plan period.</p> <p><u>Developers should also pay regard to the Environment Agency's Catchment Abstraction Management Strategy for South Essex, as this will play a major role in determining the future availability and accessibility of water resources for development. The local planning authority will pay due regard to this important document when considering applications for development.”</u></p>		

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.4	Water – Drainage
RESPONDENT'S COMMENTS		
61 – Environment Agency – suggest additional text to be added at the end of the second sentence "...for all storm events up to that of a 1% annual probability of occurrence (1 in 100 years)."		
OFFICER'S COMMENTS		
The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The comments made by the respondent are worthy of inclusion.		
RECOMMENDATION		
<p>That the paragraph be amended as shown below:</p> <p>PPG 25 requires adequate flow restriction arrangements to be made for surface water drainage in all cases where flood risk may be increased. Surface water discharges from newly developed sites should therefore be attenuated to current run-off rates <u>for all storm events up to that of a 1% annual probability of occurrence (1 in 100 years)</u>. It may be possible to overcome the need for mechanical surface water attenuation devices by the use of Sustainable Drainage Systems, provided that ground conditions are suitable. These should always be investigated as the primary method of flow restriction and mitigation.</p>		

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.5	Water – Drainage
RESPONDENT'S COMMENTS		
61 – Environment Agency – state that the paragraph should be amended to show that on-site attenuation is considered as the primary method of dealing with drainage, rather than relying on off-site works.		
OFFICER'S COMMENTS		
The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The comments made by the respondent are worthy of inclusion.		
RECOMMENDATION		
<p>That the paragraph be amended as shown below:</p> <p>“The Environment Agency will assist by advising on these techniques and scoping the options, which may include mechanical methods where ground conditions necessitate. Development adversely affecting flood risk may be required to carry out on- and off-site works to alleviate any detriment. <u>However, on-site attenuation must be considered as the primary method of dealing with surface water drainage issues.</u>”</p>		

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.6	Water – Drainage
RESPONDENT'S COMMENTS		
61 – Environment Agency – state that the paragraph should have text added at the end of the first sentence stating that "...and all details should be included as part of the planning application to prove that the development will not be at risk of flooding nor increase the risk of flooding off-site."		
OFFICER'S COMMENTS		
The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The comments made by the respondent are worthy of inclusion.		
RECOMMENDATION		
<p>That the paragraph be amended as shown below:</p> <p>"The publication of Planning Policy Guidance Note 25 (Development and Flood Risk) has strengthened the consideration of flooding and drainage issues <u>and all details should be included as part of the planning application to prove that the development will not be at risk of flooding nor increase the risk of flooding off-site</u>. There is now considerable emphasis placed on such issues as flood risk assessment and sustainable urban drainage. The local planning authority will determine applications in floodplains on the basis of policies in Chapter 8 - Natural Resources and PPG25. The local planning authority will also require developers to show that they have considered sustainable urban drainage schemes in their design proposals as a move towards sustainable development."</p>		

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.7	Water – Drainage
RESPONDENT'S COMMENTS		
61 – Environment Agency – state that the paragraph should have text added stating that “It should be noted that the prior written consent of the Environment Agency for works within 9 metres of the top of the bank of a main river or a tidal or fluvial flood defence (under the terms of the <i>Water Resources Act 1991</i> and the <i>Land Drainage Byelaws</i>).”		
OFFICER'S COMMENTS		
The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The comments made by the respondent are worthy of inclusion.		
RECOMMENDATION		
That the paragraph be amended as shown below: “As a general rule, the Environment Agency requires a strip of land 9 metres in width adjacent to all <i>main river watercourses</i> to give clear, unobstructed access for heavy plant and machinery required for maintenance or improvement purposes. <u>It should be noted that the prior written consent of the Environment Agency for works within 9 metres of the top of the bank of a main river or a tidal or fluvial flood defence (under the terms of the <i>Water Resources Act 1991</i> and the <i>Land Drainage Byelaws</i>).</u> ”		

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.14	Electricity
RESPONDENT'S COMMENTS		
31 – National Grid plc – suggest that the final sentence of the paragraph should be deleted and replaced with “Effective siting of new development can yield amenity benefits to potential occupiers and the local community. Existing apparatus must therefore be taken into account when planning new development.”		
OFFICER'S COMMENTS		
The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The comments made by the respondent are worthy of inclusion.		
RECOMMENDATION		
That the paragraph be amended as shown below:		
<p>“No significant land requirements are anticipated by National Grid (e.g. for major transformer sites), but land for sub-stations (3m x 3m) will be required in new building projects, details of which should be established at an early stage by individual developers. Cable routes must also be allowed for and arrangements must be made with National Grid to move or divert any existing apparatus that is affected by new development. <u>Effective siting of new development can yield amenity benefits to potential occupiers and the local community. Existing apparatus must therefore be taken into account when planning new development.</u>”</p>		

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.15	Electricity
RESPONDENT'S COMMENTS		
<p>31 – National Grid plc – suggest that paragraph should be amended, thus: “...and Landscape Improvement Areas. The Local Planning Authority will seek the co-operation of National Grid in providing for the undergrounding of electricity cables wherever possible. <u>In view of the substantial practical, technical and cost disadvantages involved, the undergrounding of high voltage power lines (275kV and above) will only be sought in exceptional circumstances. Careful line routeing will usually be the most appropriate way to minimise the impact of high voltage power lines.</u></p>		
OFFICER'S COMMENTS		
<p>The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The comments made by the respondent are worthy of inclusion.</p>		
RECOMMENDATION		
<p>That the paragraph be amended as shown below:</p> <p>“Environmental improvements are to be encouraged, especially in the Conservation Areas, town and village centres, Nature Conservation Zones, Special Landscape Areas and Landscape Improvement Areas. The Local Planning Authority will seek the co-operation of National Grid in providing for the undergrounding of electricity cables wherever possible. <u>In view of the substantial practical, technical and cost disadvantages involved, the undergrounding of high voltage power lines (275kV and above) will only be sought in exceptional circumstances. Careful line routeing will usually be the most appropriate way to minimise the impact of high voltage power lines.</u> National Grid will be encouraged to dismantle all disused overhead line systems and their associated supporting structures.</p>		

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.17	Renewable Energy
RESPONDENT'S COMMENTS		
<p>127 – Department of Trade & Industry – suggest that the first sentence of the paragraph should be reworded, thus:</p> <p>“Energy conservation is the efficient use of energy and the generation of energy from renewable resources will all contribute towards the achievement of more sustainable forms of development.”</p>		
OFFICER'S COMMENTS		
<p>The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The comments made by the respondent are worthy of inclusion.</p>		
RECOMMENDATION		
<p>That the paragraph be amended as shown below:</p> <p>“Energy conservation and the efficient use of energy are the principal themes in the drive to sustainable development. Energy conservation is the efficient use of energy and the generation of energy from renewable resources will all contribute towards the achievement of more sustainable forms of development.” In February 2000, the Government published its initial conclusions on its new policy for renewable energy in the UK. In February 2003, the Government published its White Paper on Energy - <i>Our energy future - creating a low carbon economy</i>⁴. The Government's policy focus is the need for energy efficiency and the increased use of renewable energy.</p>		

⁴ *Our energy future - creating a low carbon economy* - Her Majesty's Government (2003)

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.18	Renewable Energy
RESPONDENT'S COMMENTS		
127 – Department of Trade & Industry – state that the paragraph should contain a link between the national targets and the local level by making reference to the findings of the East of England Sustainable Development Round Table. This report, entitled “ <i>Making renewable energy a reality – Setting a challenging target for the East of England</i> ” (2001), recommended a regional target of 14% and a target for Essex of 9%.		
OFFICER'S COMMENTS		
The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The comments made by the respondent are worthy of inclusion.		
RECOMMENDATION		
That the paragraph be amended as shown below: “The Government has an initial 10 year strategy ⁵ , in collaboration with industry, to help meet its aims. Specifically, it is proposing that 5% of UK electricity needs should be met from renewables by the end of 2003 and 10% by 2010, as long as the cost to consumers is acceptable. These targets are intended to act as a stimulus to industry and provide milestones for progress monitoring. However, the East of England Sustainable Development Round Table published a report in 2001 ⁶ setting a target for the East of England of 14% and one for Essex of 9% for the same period.”		

⁵ *New and Renewable Energy - Prospects for the 21st Century*, Department of Trade & Industry (2000)

⁶ *Making renewable energy a reality – Setting a challenging target for the East of England*. East of England Sustainable Development Round Table (2001)

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.20	Renewable Energy
RESPONDENT'S COMMENTS		
<p>127 – Department of Trade & Industry – state that the paragraph should include a statement that the LPA will balance the potential benefits of schemes against any adverse affects on local amenity that may arise.</p> <p>132 – National Windpower Ltd – state that there is an over-emphasis of the visual impact of wind farms, which are usually minimal in appropriately designed cases. The wording should therefore be amended to refer to ...”other local impacts in some cases...”</p>		
OFFICER'S COMMENTS		
<p>The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The representations received from both parties are accepted and recommended for implementation.</p>		
RECOMMENDATION		
<p>That the paragraph be amended as shown below:</p> <p>“Whilst recognising the contribution made by renewable energy, such forms of generation as wind turbines can have significant visual impacts, as well as other <u>local impacts, in some cases</u>, on the natural environment. <u>The LPA will seek to balance the potential benefits of schemes against any adverse affects on local amenity that may arise.</u> The location of such developments therefore needs to be carefully considered. The location of visually intrusive structures within the Coastal Protection Belt, Special Landscape Areas or Areas of Ancient Landscape will be inappropriate.”</p>		

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.25	Mobile Telecommunications – Health
RESPONDENT'S COMMENTS		
28 – Orange Personal Communications Ltd – suggest that the words "...and concerns about them" be added to the end of the paragraph.		
OFFICER'S COMMENTS		
The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The representation received is accepted and recommended for implementation.		
RECOMMENDATION		
<p>That the paragraph be amended as shown below:</p> <p>"These guidelines state that clear exclusion zones should be in place around all base stations and parents and schools should be reassured that base stations near schools operate within the guidelines. All new base stations are expected to meet ICNIRP guidelines and providing applications are accompanied by a certificate to that effect, it is the government's view that the planning system has no need to further consider the health implications of any proposal <u>and concerns about them</u>."</p>		

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.29	Royal Mail
RESPONDENT'S COMMENTS		
28 – Royal Mail Group plc – state that the second sentence in the paragraph should be deleted and that the first sentence is amended to state “The Royal Mail foresees no significant requirements for new or extended sites or land during the plan period.”		
OFFICER'S COMMENTS		
The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The representation received is accepted and recommended for implementation.		
RECOMMENDATION		
That the paragraph be amended as shown below: “The Royal Mail foresees no <u>significant</u> requirements for new or extended sites or land during the plan period. However, some limited development may be necessary within the boundaries of the existing site in Rochford. ”		

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.36	Healthcare
RESPONDENT'S COMMENTS		
14 – Lansbury Holdings Ltd – state that it is not acceptable for the Council to adopt such an ambiguous stance as contained within the paragraph.		
OFFICER'S COMMENTS		
The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The representation received is accepted and recommended for implementation. It is recommended that the paragraph be deleted, as the proposed Diagnostic and Treatment Centre will not be coming to the Cherry Orchard site. The potential need for this site gave rise to the ambiguity in the paragraph.		
RECOMMENDATION		
That the paragraph be deleted:		
“Site selection for community care buildings is primarily a matter for healthcare providers, but any opportunities arising from land and premises previously used for health service purposes but becoming available as surplus should be fully examined. Proposals will not normally qualify for acceptance in the Green Belt, except on accessible, brownfield sites.”		

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.37	Education
RESPONDENT'S COMMENTS		
78 – Essex County Council (Education) – state that although no additional sites are envisaged, additional land may be required dependent on how windfall housing sites occur. They recommend that the Council should adopt supplementary planning guidance relating to developer contributions for education.		
OFFICER'S COMMENTS		
The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The representation received is accepted and recommended for implementation in due course. Supplementary Planning Guidance is being prepared on this issue and this will be brought before the committee early in 2004. It is recommended that the paragraph be amended to refer to Supplementary Planning Guidance.		
RECOMMENDATION		
<p>That the paragraph be amended:</p> <p>“Essex County Council have proposed to erect a new primary school on part of the Park School site, but no need is foreseen for other new sites during the plan period. <u>However, the LPA will adopt Supplementary Planning Guidance on developer contributions to ensure appropriate contributions are made towards new education provision.</u> The redevelopment of the Park School site for a mixed use development incorporating a new primary school means that Rawreth Primary School will become redundant at some stage. The current school lies in the Metropolitan Green Belt where there would be restrictions on the types of use and development that may be appropriate.”</p>		

CHAPTER	PARAGRAPH	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	10.38	Education
RESPONDENT'S COMMENTS		
78 – Essex County Council (Education) – state that the preferred use for St. Nicholas' School for special needs or other non-mainstream education should not be stated in the plan. The majority of the school accommodation is temporary and would be unsuitable for continued use. Part of the cost of relocation could be formed of the sale of the site at residential land value. The paragraph should therefore be deleted.		
OFFICER'S COMMENTS		
The policy forms part of a wide-ranging chapter that seeks to ensure that new and existing development are sustainable and that community and healthcare facilities are located appropriately. The representation received is partially accepted, but the need to remove the policy is not, as the LPA believes that the hierarchy of preferred uses is worthy of inclusion.		
RECOMMENDATION		
That the paragraph be amended: “The most appropriate use for the school would be continued educational use, perhaps for special needs or other non-mainstream needs. Following this type of use, some form of community use would be the preferred option. The redevelopment of the site for residential purposes is regarded as a last resort, only to be explored once all other options have been investigated, <u>given the green belt location of the site.</u> ”		

CHAPTER 11 – POLLUTION – PARAGRAPHS

CHAPTER	PARAGRAPH	TITLE
11 – POLLUTION	CHAPTER – GENERALLY	
RESPONDENT'S COMMENTS		
191 – Ms G Yeadell – states that she must object to this because of the council's failure to implement such a policy in the past.		
OFFICER'S COMMENTS		
This chapter covers a new subject and it recognises the issues and challenges of appropriate development, which have come forwards since the adoption of the Rochford District Local Plan (First Review). Whilst supporting the aims of the chapter the respondent uses the opportunity to discuss previous scheme. The comments are therefore not relevant.		
RECOMMENDATION		
That no action be taken in respect of this representation.		

CHAPTER	PARAGRAPH	TITLE
11 – POLLUTION	11.3	Development and contaminated land
RESPONDENT'S COMMENTS		
61 – Environment Agency – state that the policy refers to Welsh guidance – the Welsh equivalent of PPGs are Technical Advice Notes (TANs). It is therefore incorrect to refer to Welsh guidance.		
OFFICER'S COMMENTS		
<p>This chapter covers a new subject and it recognises the issues and challenges of appropriate development, which have come forwards since the adoption of the Rochford District Local Plan (First Review). The document referred to in the paragraph is a supporting document to PPG23. Its role to give further advice on a specific area of the PPG – in this case contaminated land. The introduction to the document states [own emphasis added]:</p> <p>“This advice note revises and updates advice on land contamination originally provided in PPG23: Planning and Pollution Control (1994). It takes into account the statutory arrangements for contaminated land introduced on 1 April 2000. It applies to England.”</p>		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained.</p> <p>“Contaminated land is an issue that has come to the forefront of the development process in recent years. The draft <i>Technical Advice Note – Development on Land Affected by Contamination</i>⁷ states that the key planning objectives for land which may be affected by contamination are:</p> <p>[BOXED TEXT]</p> <ul style="list-style-type: none"> • to encourage the redevelopment and beneficial re-use of previously-developed land, and also to reduce unnecessary development pressures on greenfield sites; and • to ensure, that any unacceptable risks to human health, buildings and the environment from contamination are identified and properly dealt with, as new development and land-uses proceed.” 		

⁷ *Technical Advice Note – Development on Land Affected by Contamination* - Office of the Deputy Prime Minister (2002)

CHAPTER	PARAGRAPH	TITLE
11 – POLLUTION	11.17	Planning & Noise
RESPONDENT'S COMMENTS		
191 – Ms G Yeadell		
OFFICER'S COMMENTS		
This chapter covers a new subject and it recognises the issues and challenges of appropriate development, which have come forwards since the adoption of the Rochford District Local Plan (First Review). Whilst supporting the aims of the chapter the respondent uses the opportunity to discuss previous scheme. The comments are therefore not relevant.		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained.</p> <p>“The Council will impose controls to limit the overall amount of noise that can be generated by new developments and restrict the hours of operation so that the amenities of adjoining neighbours and residents are not adversely affected.”</p>		

CHAPTER	PARAGRAPH	TITLE
11 – POLLUTION	11.18	Planning & Noise
RESPONDENT'S COMMENTS		
191 – Ms G Yeadell		
OFFICER'S COMMENTS		
This chapter covers a new subject and it recognises the issues and challenges of appropriate development, which have come forwards since the adoption of the Rochford District Local Plan (First Review). Whilst supporting the aims of the chapter the respondent uses the opportunity to discuss previous scheme. The comments are therefore not relevant.		
RECOMMENDATION		
<p>It is recommended that the paragraph be retained.</p> <p>“The impact of noise upon new residential schemes can be reduced by the careful design of the scheme including the appropriate siting of garages and gardens, maximising the distances between dwellings and noise sources, and orientating living accommodation away from potential noise. In some cases it may be necessary to limit the type of housing permitted to ensure that family houses which require the enjoyment of outside amenity space are not permitted in areas with high levels of ambient noise.”</p>		

CHAPTER 12 – MONITORING – PARAGRAPHS

CHAPTER	PARAGRAPH	TITLE
12 – MONITORING	12.9	MONITORING
RESPONDENT'S COMMENTS		
80 - GoEast - Chapter should acknowledge the need for local monitoring systems, indicator definitions, etc. to support the regional annual monitoring report produced by East of England Regional Assembly (EERA)		
OFFICER'S COMMENTS		
Agree chapter should acknowledge the need for local monitoring systems...(as above)		
RECOMMENDATION		
It is recommended that the paragraph be amended thus:		
12.9	The following policy embodies the Local Planning Authority's position with regard to monitoring. <u>Information obtained from the monitoring exercises outlined above will be used to support the regional annual monitoring report produced by EERA.</u>	

PROPOSALS MAPS

CHAPTER	MAP NUMBER	TITLE
PROPOSALS MAPS	General	General Comments on Maps
RESPONDENT'S COMMENTS		
<p>9 - Maldon District Council – Map extends into Maldon District Council and Southend on Sea Borough Council. Should be amended to extend only as far as the administration area of Rochford District.</p> <p>40 – Health & Safety Executive – Notifiable Installations and pipelines should be marked on maps.</p> <p>42 – English Nature – County Wildlife sites are not indicated on the Maps and the key does not correspond with the designations.</p> <p>80 - Go East – Appears to be no scales on the proposal. Inset maps are clearly details on the large proposals maps rather than being blankly boxed out with “see Inset Map for details”, contrary to Regulation 6(3) and PPG12 (paragraph 26 of Annex A).</p> <p>81 – Southend on Sea Borough Council – Maps and Keys are unclear, does not clearly delineate the boundary between Rochford District and the Borough of Southend, does not clearly differentiate between land and premises within Rochford and Southend, contains unclear notations are not reflected in the key, extends Plan notations across land and premises not within the Plan area including Southend.</p> <p>95- Barrett Eastern Counties – Form and scale of the map makes it extremely difficult to determine locations and designations. Designations do not appear and the colours do not match the key. Policies notes against the Metropolitan Green Belt and Landscape Improvement Area on the key do not have corresponding policy in the Local Plan. This could apply to other policies and key notations.</p> <p>104 – English Heritage – Difficulty in reading the maps, (colours and hatchings do not correspond with the key), Important historic features like Scheduled Ancient Monuments are not shown.</p> <p>129 – Essex Wildlife Trust (Southend and Rochford Local Group) – The internet and printed versions do not agree on pages or paragraphs. Colouring of maps is not according to legend or normal standards.</p> <p>147 – The Woodland Trust – Ancient woodlands are not shown.</p> <p>180 – Hockley Parish Council – Disappointing Hockley is on 2 pages. Could the map be folded vertically as well as horizontally. Omissions and errors on the settlement and Town Centre inset maps and notation for Nature Reserve is not shown on the Marylands Nature Reserve.</p> <p>196 – Hockley Residents Association – Hockley is on 2 pages would be better on one page for clarity. Map 5 Broad Parade Green” should be “public open space” not residential “Marylands Nature Reserve” should be denoted in accordance with the key in Policy 8. Map3 “Laburnham Play Space” should be taken out of “Residential” to denote “Public Open Space”. Hockley Town Centre – The parish hall should be denoted “community use”. The “United Reformed Church” in Bramerton Road is incorrectly titled. These maps should be checked or referred to the parish council for other possible errors and omissions.</p>		
OFFICERS COMMENTS		
<p>These general comments are noted. They relate to minor drafting errors that will be corrected prior to the publication of the 2nd Deposit version of the Local Plan.</p>		
RECOMMENDATION		
<p>Subject to comments from Members, the minor errors/omissions identified in the representations be taken into account in the preparation of the proposals map to accompany the 2nd deposit of the replacement Local Plan.</p>		

CHAPTER	MAP NUMBER	TITLE
PROPOSALS MAPS	Map 1	Southern Rayleigh
RESPONDENT'S COMMENTS		
<p>42 – English Nature – Map key does not accurately represent Map locations as numbers and locations of maps are incorrect and the actual boundaries on the key do not represent the actual areas covered by the maps.</p> <p>173 – J T Byford and Sons – definition of Inner Boundary Green Belt.</p>		
OFFICERS COMMENTS		
<p>The representation by English Nature is accepted. The representation by JT Byford & Sons regarding the Inner Green Belt Boundary is not accepted for reasons laid out in the Rural Issues chapter – there is no requirement for any change to the Green belt boundary.</p>		
RECOMMENDATIONS		
<p>The minor error pointed out by English Nature be resolved in the preparation of the Proposals Map to accompany the 2nd deposit of the replacement Local Plan.</p>		

CHAPTER	MAP NUMBER	TITLE
PROPOSALS MAPS	Map 2	Rawreth, Battlesbridge and western Rayleigh
RESPONDENT'S COMMENTS		
42 – English Nature – Most of Pottton Island has been wrongly included as SSSI, SPA and Ramsar site.		
OFFICERS COMMENTS		
This representation is accepted and the boundary will be amended accordingly.		
RECOMMENDATIONS		
The Proposals Map be amended to show the correct boundary of the SSI, SPA and Ramsar site.		

CHAPTER	MAP NUMBER	TITLE
PROPOSALS MAPS	Map 3	Hullbridge, northern Rayleigh and western Hockley
RESPONDENT'S COMMENTS		
<p>42 – English Nature – Southend urban area is not shown but the colour is coded as SSSI/N4K site, which is obviously wrong. It would be better to leave it blank.</p> <p>170 – Mr H Snell – Definition of Inner Boundary of Green Belt.</p> <p>171 – Mr D Hammond – Definition of Inner Boundary of Green Belt.</p> <p>175 – Spencer Welsh and Peter Clive Welsh – Removal of land at Hullbridge Road/Lower Road, Hullbridge from Residential Planning.</p> <p>180 – Hockley Parish Council – Laburnham playspace should be taken out of Residential and denoted as public open space (play area).</p>		
OFFICERS COMMENTS		
<p>The representations received from English Nature and Hockley Parish Council are accepted. The representations from Mr Snell and Mr Hammond regarding the Inner Green Belt Boundary are not accepted for reasons laid out in the Rural Issues chapter. The representation made by Spencer Welsh and Peter Clive Welsh is accepted and is an error, which will be amended during the preparation of a Second Deposit Draft.</p>		
RECOMMENDATIONS		
<p>The minor errors/omissions identified in the representations be taken into account in the preparation of the proposals map to accompany the Rochford District Replacement Local Plan (Second Deposit Draft).</p>		

CHAPTER	MAP NUMBER	TITLE
PROPOSALS MAPS	Map 4	Southern and eastern Rayleigh
RESPONDENT'S COMMENTS		
<p>42 – English Nature – Map 4 Grove Wood CWS and Rawreth Hall Wood CWS, not marked.</p> <p>153 – Mr and Mrs D Poole – Amend to take Limehouse and land adjoining from the allocated Green Belt. Allocate for future housing development under HP2.</p> <p>156 – H G Smith – Land at the eastern end of Sandhills Road, Eastwood should be taken out of the Green Belt and be allocated for residential development.</p> <p>42 – English Nature – Map 5 Trinity Woods CWS, Beckney Woods CWS and Magnolia Nature Park LNR are not marked. Unclear if area of green hatching at bottom SW corner is NE corner of Hockley Woods, LNR, SSSI. Does not correspond with the Map Key.</p>		
OFFICERS COMMENTS		
<p>The representations regarding the Inner Green Belt Boundary are not accepted for reasons laid out in the Rural Issues chapter. The County Wildlife Sites are now listed in the plan as 'Wildlife Sites', which is the accepted revised terminology, and will be shown, on the proposals maps.</p>		
RECOMMENDATIONS		
<p>The minor errors/omissions identified in the representations be taken into account in the preparation of the proposals map to accompany the Rochford District Replacement Local Plan (Second Deposit Draft).</p>		

CHAPTER	MAP NUMBER	TITLE
PROPOSALS MAPS	Map 5	Hockley, Ashingdon and South Fambridge
RESPONDENT'S COMMENTS		
<p>42 – English Nature – Map 5 Trinity Woods CWS, Beckney Woods CWS and Magnolia Nature Park LNR are not marked. Unclear if area of green hatching at bottom SW corner is NE corner of Hockley Woods, LNR, SSSI. Does not correspond with the Map Key.</p> <p>XX – Ian Edwards Associates – Land adjacent to 62 Park Gardens is incorrectly shown as public open space.</p>		
OFFICERS COMMENTS		
The representation from English Nature and Ian Edwards Associates will be resolved in the preparation of the Second Deposit Draft maps.		
RECOMMENDATIONS		
The minor errors/omissions identified in the representations be taken into account in the preparation of the proposals map to accompany the Rochford District Replacement Local Plan (Second Deposit Draft).		

CHAPTER	MAP NUMBER	TITLE
PROPOSALS MAPS	Map 6	Eastwood, southwestern Rochford and Cherry Orchard Jubilee Country Park
RESPONDENT'S COMMENTS		
<p>14 – Lansbury Holdings Limited – Green Belt Designation around their land should be removed and reallocated as an employment site under new Policy EB13.</p> <p>137 – CPREssex – R12 Hall Road Cemetery is shown as R13.</p> <p>149 – Barling Magna Parish Council – aligns itself with the comments made by CPREssex.</p> <p>150 – Sutton Parish Council – aligns itself with the comments made by CPREssex.</p>		
OFFICERS COMMENTS		
<p>The representations made by Lansbury Holdings regarding the Inner Green Belt Boundary are not accepted for reasons laid out in the Rural Issues and Leisure & Tourism chapters. The representations from CPREssex and aligned parties are noted and will be resolved in the second deposit draft.</p>		
RECOMMENDATIONS		
<p>The minor errors/omissions identified in the representations be taken into account in the preparation of the proposals map to accompany the Rochford District Replacement Local Plan (Second Deposit Draft).</p>		

CHAPTER	MAP NUMBER	TITLE
PROPOSALS MAPS	Map 8	Eastern Rochford and Purdeys Way Industrial Estate
RESPONDENT'S COMMENTS		
42 – English Nature – Doggetts Pond CWS is indicated on the map only as existing open space.		
OFFICERS COMMENTS		
The representation from English Nature will be resolved in the preparation of the second Deposit Draft maps.		
RECOMMENDATIONS		
The Proposals Map be amended to show Doggetts Pond as a Wildlife Site.		

CHAPTER	MAP NUMBER	TITLE
PROPOSALS MAPS	Map 9	Paglesham, Baltic Wharf and Essex Marina
RESPONDENT'S COMMENTS		
109 – Baltic Distribution Ltd – Inconsistency between maps which refer to “Baltic Wharf Policy EB13” and policy (in Chapter 4 – Employment) stating “Policy EB11 – Baltic Wharf”.		
OFFICERS COMMENTS		
This error will be corrected during the preparation of maps for the Second Deposit Draft.		
RECOMMENDATIONS		
That the policy references to Baltic Wharf be corrected.		

CHAPTER	MAP NUMBER	TITLE
PROPOSALS MAPS	Map 16	Eastwood, southwestern Rochford and Cherry Orchard Jubilee Country Park
RESPONDENT'S COMMENTS		
42 – English Nature – Map 16 What is black line across Maplin Sands (GIS artefact, should be removed).		
OFFICERS COMMENTS		
This minor error will be corrected during the preparation of maps for the Second Deposit Draft.		
RECOMMENDATIONS		
That the minor drafting error be corrected.		

CHAPTER	MAP NUMBER	TITLE
PROPOSALS MAPS	Map 17	Northeastern Foulness Island
RESPONDENT'S COMMENTS		
42 – English Nature – Ask whether this map includes all the area under Rochford District Council jurisdiction.		
OFFICERS COMMENTS		
A minor amount of land below sea level is excluded. This error will be corrected during the preparation of maps for the Second Deposit Draft.		
RECOMMENDATIONS		
That the boundary shown on the Proposals Map be corrected.		

NEW POLICIES

CHAPTER	Policy	TITLE
3 – RURAL ISSUES	NEW	MAJOR DEVELOPED SITES IN THE GREEN BELT
RESPONDENT'S COMMENTS		
152 – Chichester Hotel – state that a new policy should be introduced to deal with major developed sites in the green belt. This proposed new policy would have the Chichester Hotel and Chichester Hall designated as such.		
OFFICER'S COMMENTS		
The LPA considered the designation of major developed sites in the green belt as a possible policy approach, as shown in Planning Policy Guidance Note 2 – Green Belts. However, it was considered that the most appropriate approach would be to cover the three major developed sites in the green belt using site specific policies. The three sites deemed worthy of this approach are Baltic Wharf, Essex Marina and London Southend Airport. The smallest of these is more than double the size of the representation site. It is considered that the representation site is not a major developed site as per Annex C of PPG2.		
RECOMMENDATION		
It is recommended that no additional policy be added to the plan as a result of this representation.		

CHAPTER	Policy	TITLE
4 – EMPLOYMENT	NEW	GREEN BELT LAND RELEASE
RESPONDENT'S COMMENTS		
<p>14 – Lansbury Holdings Ltd – state that a new policy should be included allowing for land to be released adjacent to Cherry Orchard Way. They suggest:</p> <p>“Land is proposed to be released from the Green Belt at the following locations in order to meet the long-term development requirements of the district:</p> <ul style="list-style-type: none"> i. Land west of Cherry Orchard Way (formerly Cherry Orchard Farm, Rochford); ii. Land east of Cherry Orchard Way (including the former brick works site, Rochford) <p>The release of these sites from the green belt will be subject to the criteria outlined with site specific policy EBXX.”</p>		
OFFICER'S COMMENTS		
<p>There is no justification either on employment grounds or on green belt grounds for the release of this land.</p>		
RECOMMENDATION		
<p>It is recommended that no additional policy be added to the plan as a result of this representation.</p>		

CHAPTER	Policy	TITLE
4 – EMPLOYMENT	NEW	GREEN BELT LAND RELEASE
RESPONDENT'S COMMENTS		
<p>14 – Lansbury Holdings Ltd – state that a new policy should be included allowing for land to be released adjacent to Purdeys Way Industrial Estate. They suggest:</p> <p>“Land is proposed to be released from the green belt adjoining the western boundary of Purdeys Industrial Estate in order to provide further employment opportunities within the district.”</p>		
OFFICER'S COMMENTS		
<p>There is no justification either on employment grounds or on green belt grounds for the release of this land.</p>		
RECOMMENDATION		
<p>It is recommended that no additional policy be added to the plan as a result of this representation.</p>		

CHAPTER	Policy	TITLE
4 – EMPLOYMENT	NEW	GREEN BELT LAND RELEASE
RESPONDENT'S COMMENTS		
<p>14 – Lansbury Holdings Ltd – state that a new policy should be included allowing for land to be released adjacent to Cherry Orchard Way. This is the policy referred to as EPXX in a previous representation. They suggest:</p> <p>“Land at Cherry Orchard Way is primarily allocated to meet the requirements of existing businesses wishing to relocate to larger premises, and inward investors seeking unconstrained sites, which would make a positive contribution to the employment profile of the district. In addition to the advice contained within policy EB4, the Council will expect development proposals to make provision for B2 uses, which cannot easily be accommodated elsewhere within the district. The Council's full expectations for the development of this land will be issued within supplementary planning guidance.”</p>		
OFFICER'S COMMENTS		
<p>There is no justification either on employment grounds or on green belt grounds for the release of this land.</p>		
RECOMMENDATION		
<p>It is recommended that no additional policy be added to the plan as a result of this representation.</p>		

CHAPTER	Policy	TITLE
5 – TRANSPORT	NEW	GENERAL AVIATION
RESPONDENT'S COMMENTS		
183 – General Aviation Awareness Council – state they wish to see a general aviation policy included within the plan. They set out the policy that they wish to see included.		
OFFICER'S COMMENTS		
Given that general aviation is catered for within the district by a level of such activity at London Southend Airport, it is not considered appropriate to include a new policy. The suggested policy would cover a form of development that is considered, within PPG2 guidance to be an inappropriate use within the green belt. Sites outside the green belt within the district are likely to be unacceptable because of their impact on statutory sites or because of their adverse impact on residential amenity.		
RECOMMENDATION		
It is recommended that no additional policy be added to the plan as a result of this representation.		

CHAPTER	Policy	TITLE
5 – TRANSPORT	TP12	LONDON SOUTHEND AIRPORT
RESPONDENT'S COMMENTS		
63 – London Southend Airport – state that the following additional policy be added: “Within the Safeguarding Zone around Southend Airport, development, which adversely affects the operational integrity or safety of the airport, will not normally be permitted.”		
OFFICER'S COMMENTS		
It is considered that the general thrust of the policy is acceptable, although the need for a new policy is not accepted, nor is the use of the word ‘normally’. The recommendation is in line with the Council’s approach to development on this land.		
RECOMMENDATION		
It is recommended that extra wording be added to Policy TP12, thus:		
<p>POLICY TP12 – LONDON SOUTHEND AIRPORT</p> <p>The Council will support the operation of London Southend Airport as a regional air transport and aircraft maintenance facility and the full realisation of its potential by increases in passenger and freight traffic, <u>subject to no detriment to the environment.</u></p> <p><u>Development proposals within the Safeguarding Zone around Southend Airport, which adversely affect the viability or safety of the airport, will not be permitted.</u></p> <p><u>The Council will not refuse appropriate development directly related to the aviation facility. Proposals for development directly related to the operation of the aviation facility will be considered favourably by the LPA provided a suitable transport assessment is carried out. Future expansion and development plans for the airport will require a full transport impact assessment and the preparation of a Surface Access Strategy.</u></p>		

CHAPTER	Policy	TITLE
5 – TRANSPORT	NEW	NEW ROAD LINK
RESPONDENT'S COMMENTS		
<p>136 – Rochford & District Chamber of Trade & Commerce – state that there is no policy to reflect Planning Objective T4, regarding improvements to the highway network.</p> <p>193 – Rochford Parish Council – state that there should be a clear policy on the outer bypass and any preferred route should be included.</p>		
OFFICER'S COMMENTS		
<p>It is not considered appropriate to include an actual policy detailing any major new road link. Advice given in <i>Planning Policy Guidance Note 12 – Development Plans</i>, paragraph 5.17 states that “Authorities should, however, only include proposals in plans which are firm, with a reasonable degree of certainty of proceeding within the plan period and should be identified as such in the local transport plan.” As there is currently no realistic prospect of a new link road being constructed during the timescale of the plan, nor is there any proposal contained within the Local Transport Plan, it is not considered appropriate to include a policy for an unidentified route.</p> <p>The Rochford District Replacement Local Plan (First Deposit Draft) sets the context for transport planning in the district with the first 24 paragraphs and no significant change is deemed necessary to these.</p>		
RECOMMENDATION		
It is recommended that no change be made with regard to this representation.		

CHAPTER	Policy	TITLE
6 – LEISURE & TOURISM	NEW	PROTECTION OF EXISTING SPORTS & LEISURE FACILITIES
RESPONDENT'S COMMENTS		
143 – Sport England – state that there should be a policy that protects existing sports and leisure facilities, unless it can be demonstrated that there is no longer a demand or that replacement facilities can be provided in an alternative location.		
OFFICER'S COMMENTS		
It is not considered suitable to have an additional policy in what is already the longest chapter in the plan. It is thought to be more appropriate to include extra text in policy LT9, which currently deals only with safeguarding open space.		
RECOMMENDATION		
It is recommended that policy LT9 be amended to take account of the representation:		
<p>POLICY LT9 – SAFEGUARDING OPEN SPACE & EXISTING SPORTS & LEISURE FACILITIES Areas of public and private open space in towns and villages that play an important key role in the street scene, have a high townscape value, <u>are of importance for nature conservation</u> or are intrinsic to the character of the area, will be safeguarded. Planning applications for the development of such sites that would be detrimental to these features will be refused.</p> <p><u>Development proposals that will lead to the loss of existing sports and leisure facilities will be refused unless it can be proven that there is no need for the facility or that an alternative facility can be provided in an appropriate location in the district.</u></p>		

CHAPTER	Policy	TITLE
6 – LEISURE & TOURISM	NEW	ALLOTMENTS
RESPONDENT'S COMMENTS		
<p>137 – CPRESsex – state that an additional policy should be inserted with regard to allotments and they suggest a form of words for such a policy.</p> <p>149 – Barling Magna Parish Council – aligns itself with the comments made by CPRESsex.</p> <p>150 – Sutton Parish Council – aligns itself with the comments made by CPRESsex.</p>		
OFFICER'S COMMENTS		
<p>Allotments are protected under amended policy LT8 – Public and Private Open Space and LT9 – Safeguarding Open Space. It is recognised in these policies and supporting text that allotments are worthy of protection and that they contribute to amenity. It is not thought that a further policy would serve any useful purpose.</p>		
RECOMMENDATION		
<p>It is recommended that no change be made with regard to these representations.</p>		

CHAPTER	Policy	TITLE
6 – LEISURE & TOURISM	NEW	BRIDLEWAY & FOOTPATH PROVISION
RESPONDENT'S COMMENTS		
180 – Hockley Parish Council – suggest that an extra policy should be provided to enable the encouragement of the provision of new public rights of way.		
OFFICER'S COMMENTS		
The Parish Council make their representation under the Leisure & Tourism chapter heading, but the local plan makes provision for this subject within the Transport Chapter. Within this chapter amended policy TP6 – Safeguarding & the Promotion of Walking, Horseriding and Cycling Routes would cover this issue.		
RECOMMENDATION		
It is recommended that no additional policy be added to the plan as a result of this representation.		

CHAPTER	Policy	TITLE
7 – BUILDING CONSERVATION & ARCHAEOLOGY	NEW	REGISTERED PARKS & GARDENS
RESPONDENT'S COMMENTS		
104 – English Heritage – state that it would be useful to include a policy dealing with Registered Parks and Gardens.		
OFFICER'S COMMENTS		
At the present time there are no Registered Parks and Gardens lying within the District and it is not known whether there are any sites, which are likely to become designated within the lifetime of the plan.		
RECOMMENDATION		
It is recommended that negotiations take place between English Heritage and officers to gain more information as to the future likelihood and necessity of a policy covering such a designation, but that at this stage, no policy be included in the plan.		

CHAPTER	Policy	TITLE
7 – BUILDING CONSERVATION & ARCHAEOLOGY	NEW	ADDITIONAL BUILT CONSERVATION POLICIE S
RESPONDENT'S COMMENTS		
104 – English Heritage – state that there should be a further policy dealing holistically with built conservation covering regeneration, historic landscapes, farm buildings, locally listed buildings and the use of all available powers.		
OFFICER'S COMMENTS		
The LPA believes that chapter 7 is robust in its amended form and that no further catch-all policy is necessary.		
RECOMMENDATION		
It is recommended that no additional policy be added to the plan as a result of this representation.		

CHAPTER	Policy	TITLE
7 – BUILDING CONSERVATION & ARCHAEOLOGY	NEW	LOCAL LIST
RESPONDENT'S COMMENTS		
<p>137 – CPREssex – state that current policy from the Rochford District Local Plan (First Review) UC8, together with Appendix 8, should be included in the Rochford District Replacement Local Plan. This policy states:</p> <p>“POLICY UC8 – LOCAL LIST</p> <p>OWNERS OF BUILDINGS INCLUDED IN THE LOCAL LIST IN APPENDIX 8 WILL BE ENCOURAGED TO AVOID DEMOLITION, UNSYMPATHETIC ALTERATION OR CHANGES WHICH WILL DIMINISH THE VALUE OF THEIR BUILDINGS IN ARCHITECTURAL, HISTORIC OR TOWNSCAPE TERMS. THE LOCAL PLANNING AUTHORITY WILL REVIEW THE LIST ON A REGULAR BASIS AND TAKE EVERY OPPORTUNITY TO PROMOTE BUILDINGS TO FULL LISTED STATUS UNDER THE PROVISIONS OF THE PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990.”</p> <p>145 – Rayleigh Civic Society – makes a representation requesting the same as CPREssex.</p> <p>149 – Barling Magna Parish Council – aligns itself with the comments made by CPREssex.</p> <p>150 – Sutton Parish Council – aligns itself with the comments made by CPREssex.</p>		
OFFICER'S COMMENTS		
<p>It is not considered appropriate to retain this policy. Planning Policy Guidance Note 15 – Planning and the Historic Environment – states in paragraph 2.7 that:</p> <p>“Local plans and the second part of unitary development plans should set out more detailed development control policies for an authority's area: they should include both the policies which will apply over the area as a whole, and any policies and proposals which will apply to particular neighbourhoods.” There is no mention in the current guidance of supplementary lists for conservation purposes.</p>		
RECOMMENDATION		
It is recommended that no change be made with regard to these representations.		

CHAPTER	Policy	TITLE
9 – SHOPPING, ADVERTISEMENTS & TOWN CENTRES	NEW	NEW LOCAL SHOPPING POLICY
RESPONDENT'S COMMENTS		
<p>178 – Somerfield Stores Ltd – suggest an additional policy on local shops. It states that: “Retail development under 500sqm (gross) that is not subject to policy SAT1 will only be permitted if:</p> <ul style="list-style-type: none"> i. the proposal will serve an identifiable local need ii. it is of a size appropriate to the scale and character of the neighbourhood iii. it would not adversely affect the vitality of the neighbourhood or other centres iv. it would be readily accessible by public transport, bicycle or on foot” 		
OFFICER'S COMMENTS		
<p>There would seem to be no justification for such a policy. The floorspace figure of 500sqm is not grounded in policy and would seem to be arbitrary. In any event paragraphs 4.2, 4.3 <i>et seq.</i> of Planning Policy Guidance Note 6 – Town Centres and Retail Developments, provide guidance in dealing with the type of development proposal intended to be covered by this policy. The local plan should not regurgitate government guidance or legislation and there is, therefore, no role for the additional policy.</p>		
RECOMMENDATION		
<p>It is recommended that no additional policy be added to the plan as a result of this representation.</p>		

CHAPTER	Policy	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	NEW	EDUCATION POLICIES
RESPONDENT'S COMMENTS		
193 – Rochford Parish Council – state that there is no clear guidance within the plan with regard to education and in particular, there should be clear policies on the access arrangements for King Edmund school.		
OFFICER'S COMMENTS		
<p>Education is a county matter in the main, with little input – outside of planning – into the process. The issue regarding the details of educational provision is primarily a matter for the provider (Essex County Council generally) and it is considered more appropriate to deal with this using Supplementary Planning Guidance. This is being prepared at county level and will be considered for adoption by the LPA in due course.</p> <p>Access to King Edmund school has been a challenge for a number of years, particularly since so many pupils arrive by bus. Alternative access arrangements could be put in place by the school if finances allowed. Given the nature of other policies in the plan and government guidance, a development scheme that allowed for better pedestrian and cycle access, without leading to inappropriate development in the green belt, may be favourably received. However, it is not considered that this subject is worthy of an additional policy.</p>		
RECOMMENDATION		
It is recommended that no additional policy be added to the plan as a result of this representation.		

CHAPTER	Policy	TITLE
10 – UTILITIES, HEALTH & SOCIAL SERVICES	NEW	PRISON SITE
RESPONDENT'S COMMENTS		
HM Prison Service – state that there should be a policy and an allocation within the plan allowing for a new prison.		
OFFICER'S COMMENTS		
Although there is considerable suggested weight to argument for a policy and even an allocation, it is considered that were HM Prison Service to bring forward proposals for as new prison in the green belt that it may well be considered as benefiting from very special circumstances, given the needs of the service. It is also considered inappropriate to contain an allocation or a policy within the plan that has little prospect of being implemented. Such an approach would be contrary to current central government planning guidance.		
RECOMMENDATION		
It is recommended that negotiations take place between HM Prison Service and officers to gain more information as to their proposed favoured locations and timescale for the provision of a new prison and to see whether a compromise policy or allocation can be made.		

CHAPTER	Policy	TITLE
11 – POLLUTION	NEW	WASTE ISSUES
RESPONDENT'S COMMENTS		
<p>137 – CPREssex – state that there are no policies relating to waste minimisation, recycling or waste reprocessing and suggest a form of words to cover these three policy areas taken from the Braintree District Local Plan.</p> <p>149 – Barling Magna Parish Council – aligns itself with the comments made by CPREssex.</p> <p>150 – Sutton Parish Council – aligns itself with the comments made by CPREssex.</p>		
OFFICER'S COMMENTS		
The LPA considers that such issues are a matter for the County Council, who are responsible for waste planning matters throughout the county.		
RECOMMENDATION		
It is recommended that no change be made with regard to these representations.		

NEW PARAGRAPHS

CHAPTER	PARAGRAPH	TITLE
8 - NATURAL RESOURCES	NEW	Nature Conservation
RESPONDENT'S COMMENTS		
42 – English Nature – suggest new paragraphs to replace the text at present covered by paragraphs 8.17 – 8.26. These have been copied verbatim – except for the first and third paragraphs – into the recommendation and are not repeated here.		
OFFICER'S COMMENTS		
The representation received from English Nature is a more comprehensive form of words than is used at present and it is appropriate for inclusion.		
RECOMMENDATION		
It is recommended that the following paragraphs be inserted following paragraph 8.19 as indicated below:		
<p>If there is uncertainty regarding the potential impact of development planning permission will not be given until the effects are clearly understood. In deciding proposals for development that might have potential adverse impacts the Council will require the submission of an ecological assessment, to include details of mitigation and / or enhancement measures. Site management details may also be required to clarify how this will be achieved. It should also be noted that certain developments require an environmental assessment through statutory provisions.</p> <p><u>A detailed ecological assessment will be required from developers when submitting proposals for development on brownfield sites, or other sites thought to be of significance for nature conservation, where these are not already covered by an Environmental Impact Assessment. In the absence of such information the Council will refuse planning consent.</u></p> <p><u>As well as greenfield land, previously developed land can support considerable biodiversity interest because:</u></p> <ul style="list-style-type: none"> <u>they offer opportunities for wildlife to colonise;</u> <u>much of the farmed countryside is in poor ecological condition; and</u> <u>quasi-natural niches are rare in the wider environment (e.g. bare ground, lack of pesticides/herbicides/fertilisers)</u> <p><u>Where development on previously developed land with nature conservation interest is permitted, the creation of compensatory habitat(s) will be required under the provisions of the nature conservation policy PPG whatever the number.</u></p> <p><u>The LPA will consult with English Nature, the body responsible for advising local government on a wide range of nature conservation issues. The LPA will also consult with the relevant local and voluntary nature conservation bodies, including the Essex Wildlife Trust and the Essex Amphibian and Reptile Group, who can also assist with the provision of specialist advice on biodiversity conservation.</u></p>		

CHAPTER	PARAGRAPH	TITLE
8 - NATURAL RESOURCES	NEW	Nature Conservation
<p><u>Developers will be required to incorporate measures into the layout and design of their development schemes to facilitate and encourage biodiversity. This could be through or in addition to appropriately landscaped areas within the development site. The Council, where appropriate, will impose planning conditions or endeavour to enter into a planning obligation to secure management agreements to help sustain and enhance the ecological value of sites. It is recognised that it will not be possible to incorporate such measures into all development schemes, but it is anticipated that exceptions to the policy will be rare.</u></p> <p>[BOXED TEXT – POLICY NR5 – BIODIVERSITY ON DEVELOPMENT SITES]</p> <p>INTERNATIONAL SITES</p> <p>The District's coast and estuaries are protected under international statutes and obligations. Large parts of the District are covered by the Essex Estuaries European Marine Site (Habitats Regulations 1994). These sites are often referred to as the marine equivalent of National Parks.</p> <p>Ramsar sites are also known as Wetlands of International Importance Especially as Waterfowl Habitat. Special Protection Areas (SPA's) are designated habitat areas for the protection, management and control of wild birds. Rochford has two sites that have been confirmed as both SPA and Ramsar sites:</p> <ul style="list-style-type: none"> i. Foulness on 4 October 1996 – supports internationally important breeding populations, wintering population species, assemblage of wildfowl and waders, populations of regularly occurring migratory species; ii. Crouch and Roach Estuaries (incorporating River Crouch Marshes) on 29 June 1998 – supports an internationally important assemblage of wildfowl and waders and populations of regularly occurring migratory species. <p>The aim of Special Areas of Conservation (SAC) is to maintain the diversity of European wildlife and to protect rare and threatened habitats and its associated flora and fauna; Foulness and the Crouch and Roach Estuaries are part of the Essex Estuaries candidate SAC. It will be noted that these areas are also SSSI's in recognition of their international importance.</p> <p>The local planning authority is required to consult English Nature on all planning applications which would be likely to have an impact on SAC's, SPA's or SSSI's. When an application is made that affects recognised nationally or internationally important sites, the Local Planning Authority will apply the most rigorous standards, in consultation with English Nature the responsible agency to ensure that there is no significant, detrimental effect to the nature conservation interests.</p> <p><u>The Districts coast and estuaries are protected under international statutes and obligations.</u></p>		

CHAPTER	PARAGRAPH	TITLE
8 - NATURAL RESOURCES	NEW	Nature Conservation

Ramsar Sites

Ramsar sites are named after an international conference held on wetland and wildfowl conservation at Ramsar in Iran, in 1971. The UK Government ratified the Convention on Conservation Wetlands of International Importance in 1976. The UK accepted responsibility to promote the conservation of wetlands of international significance within its territory with respect to birds, plants and animals they support. They also qualify because they regularly support over 20,000 waterfowl as well as internationally important popular populations of several species of waterfowl (over 1% of individuals in a population). There are two listed Ramsar sites in Rochford District: Foulness and Crouch and Roach Estuaries.

Special Protection Areas (SPAs)

Special Protection Areas are designated specifically for their importance to wild birds. Under the European Community Directive on the Conservation of Wild Birds adopted in April 1979, the UK Government is required to take special measures to conserve the habitats of rare or vulnerable species listed in the Directive and all regularly occurring migratory species. Member states are required to designate suitable areas as Special Protection Areas and to protect these areas from damaging development (see policy NR6). The boundaries of the SPA's run landward down to the mean low water mark.

Rochford has two sites that have been confirmed as SPAs:

1. The Crouch and Roach Estuaries SPA qualifies under Article 4.2 of the EU Birds Directive by supporting:
 - Internationally important assemblage of waterfowl (wildfowl and waders)
 - Internationally important populations of regularly occurring migratory species.
2. Foulness SPA qualifies under Article 4.1 of the EU Birds Directive by supporting:
 - internationally important breeding populations of regularly occurring Annex 1 species: sandwich tern (*Sterna sandvicensis*), common tern (*Sterna hirundo*), little tern (*Sterna albifrons*) and avocet (*Recurvirostra avosetta*); and
 - internationally important wintering population of the Annex 1 species hen harrier (*Circus cyaneus*). The habitat for this species to feed does not occur within the Essex Estuaries European Marine Sites.

Foulness SPA also qualifies under Article 4.2 of the EU Birds Directive by supporting:

- internationally important assemblage of waterfowl (wildfowl and waders); and
- internationally important populations of regularly occurring migratory species; and
- nationally important breeding populations of a regularly occurring migratory species: ringed plover (*Charadrius hiaticula*).

Special Areas of Conservation

SAC's are intended to protect natural habitat of European importance and the habitats of threatened species of wildlife under Article 3 of the Habitats Directive (EC Council Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora, 1992). Member states are required to designate suitable areas as Special Areas of Conservation and to protect these areas from damaging development (see policy NR6).

CHAPTER	PARAGRAPH	TITLE
8 - NATURAL RESOURCES	NEW	Nature Conservation
<p>The Essex Estuaries candidate SAC (cSAC) covers the whole of the Foulness and Crouch and Roach Estuaries from the point of the highest astronomical tide out to sea. As such it relates to the seaward part of the coastal zone. The Essex Estuaries have been selected as a cSAC for the following habitat features:</p> <ul style="list-style-type: none"> • <u>Pioneer saltmarsh</u> • <u>Cordgrass swards</u> • <u>Atlantic salt meadows</u> • <u>Mediterranean saltmarsh scrubs</u> • <u>Estuaries</u> • <u>Intertidal mudflats and sandflats</u> • <u>Subtidal sandbanks</u> <p><u>The Essex Estuaries European Marine Site</u></p> <p><u>Where a SPA or cSAC is continuously or intermittently covered by tidal waters, or includes any part of the sea in or adjacent to the UK, the site is referred to as a European Marine Site. The marine components of the Essex SPAs and cSACs are being treated as a single European Marine Site called the Essex Estuaries Marine site (EEEMS). This extends along the coast from Jaywick near Clacton, to Shoeburyness near Southend-on-Sea and from the line of the highest astronomical tide out to sea. It includes the Maplin and Buxey Sands.</u></p> <p><u>Effectively the whole of the District coastline is within the EEEMS, although terrestrial parts of the SPAs (i.e. freshwater grazing marshes inside the sea walls) are not included as they occur above the highest astronomical tide.</u></p> <p><u>Local authorities are “relevant authorities” under the Habitats Regulations and along with other statutory authorities are responsible for the conservation and management of European Marine Sites. The District is represented on the management group of the Essex Estuaries Scheme of Management. The Management Scheme document will be a material consideration when considering proposals, which may impact on the European Marine Site.</u></p> <p><u>The Conservation (Natural Habitats etc) Regulations</u></p> <p><u>The Conservation (Natural Habitats) Regulations 1994 places new responsibilities on local authorities – that in the exercise of any of their functions, they are to have regard to the requirements of the Habitats Directives, so far as they may be affected by the exercise of those functions. These will have significant impacts on planning in the coastal zone. Every planning application which is likely to have a significant effect, either directly or indirectly on the cSAC, SPA or Ramsar sites needs to be assessed for its “in combination” effects and for its cumulative impacts. Whilst each individual case may not be harmful, the combined effects could be harmful to the European and internationally important sites. Therefore, individual proposals may be refused in order to avoid setting a precedent for further development.</u></p> <p><u>[BOXED TEXT – POLICY NR6 – EUROPEAN AND INTERNATIONAL SITES]</u></p>		

CHAPTER	PARAGRAPH	TITLE	
10 – UTILITIES, HEALTH & SOCIAL SERVICES	NEW	Notifiable Installations	
RESPONDENT’S COMMENTS			
40 – Health & Safety Executive – suggest an additional 2 paragraphs on notifiable installations. These have been copied verbatim into the recommendation and are not repeated here.			
OFFICER’S COMMENTS			
The representation received from the Health and Safety Executive covers an area of work that fits into this chapter and is appropriate for inclusion.			
RECOMMENDATION			
It is recommended that the following paragraphs be inserted at the end of this chapter (following paragraph 10.42).			
NOTIFIABLE INSTALLATIONS			
<p><u>Certain sites and pipelines are designated as notifiable installations by virtue of the quantities of hazardous substance present. The siting of such installations will be subject to planning controls, for example under the Planning (Hazardous Substances) Regulations 1992, aimed at keeping these separated from housing and other land uses with which such installations might be incompatible from the safety viewpoint. In accordance with Department of Environment, Transport and the Regions, circular 04/2000 the Local Authority will consult the Health and Safety Executive, as appropriate, about the siting of any proposed notifiable installations.</u></p> <p>The area covered by this Local Plan already contains a number of installations handling notifiable substances, including pipelines. Whilst they are subject to stringent controls under existing health and safety legislation, it is considered prudent to control the kinds of development permitted in the vicinity of these installations. For this reason the planning Authority has been advised by the Health and Safety Executive of consultation distances for each of these installations. In determining whether or not to grant planning permission for a proposed development within these consultation distances the Planning Authority will consult the Health and Safety Executive about risks to the proposed development from the notifiable installation in accordance with Department of the Environment, Transport and the Regions Circular 04/2000.</p>			
NOTIFIABLE SITES			
HSE Reference	Occupier	CD (m)	
HL/07/29	Hanson Brick Ltd, Cherry Orchard Lane, Rochford	275	
HL/07/110	BG Transco, Gasholder Station, Klondyke Avenue, Rayleigh	30	
PIPELINES			
HSE Reference	Operator	Pipeline Name	CD (m)
Various	BG TRANSCO	Various	Various