
ADOPTION OF THE LONDON SOUTHEND AIRPORT AND ENVIRONS JOINT AREA ACTION PLAN

1 SUMMARY

- 1.1 This report seeks Members' approval to adopt the London Southend Airport and Environs Joint Area Action Plan (JAAP) (see Appendix 1 which has been circulated under separate covering letter) as a Development Plan Document forming part of the Development Plan for Rochford District.
- 1.2 The area addressed by the JAAP encompasses London Southend Airport and its environs; as defined within the JAAP itself. This area includes land both within Rochford District and Southend Borough. The JAAP has been prepared by Rochford District and Southend Borough Councils working in partnership.
- 1.3 Once adopted the JAAP will form part of the Council's Development Plan (alongside other Development Plan Documents, including the Rochford Core Strategy and Allocations Plan). Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 applications for planning permission must be determined in accordance with the Development Plan, unless there are material considerations that indicate otherwise.

2 INTRODUCTION AND BACKGROUND

- 2.1 The JAAP has been prepared by Rochford District Council and Southend-on-Sea Borough Council in response to the challenges and opportunities offered by London Southend Airport together with an airport related employment cluster. The plan integrates land use, transport, environmental and regeneration proposals with clear mechanisms for delivery.
- 2.2 The JAAP provides a clear basis for coordinating the actions of a range of partners with an interest in the airport and the surrounding environs, and establishes planning policies up to 2031 and beyond. It will:
 - Manage the level of growth and change in the area by establishing an approach to development and associated planning principles;
 - Safeguard areas and places sensitive to change;
 - Direct investment and provide key planning policies for regeneration in the area; and
 - Be effective and deliverable.
- 2.3 Policies within the adopted Southend-on-Sea Core Strategy and adopted Rochford Core Strategy provide the strategic context in which the JAAP proposals have been prepared, and it is important, in formulating development schemes and proposals, that account is taken of these documents.

- 2.4 The Rochford Core Strategy includes policies that support the JAAP. In particular, Policy ED2 states the following:
- “The Council will support the development potential of London Southend Airport as a catalyst for economic growth and employment generation. The Council will work with Southend on Sea Borough Council to prepare a Joint Area Action Plan for London Southend Airport and environs and will work with partners to see the airport’s economic potential realised, whilst having regard to local amenity and environmental issues. The Joint Area Action Plan will enable the Council to regulate the operation of the airport through balancing noise and environmental issues with residential amenity.”
- “The Council will support the development of a skills training academy around the airport to provide training to increase and enhance aviation-related skills in the local area and to meet local employment needs.”
- “Expansion of employment land to the north of the airport for the development of non aviation related industries will be supported to increase local employment opportunities within the District.”
- 2.5 In addition, the area to be addressed by the JAAP that lies within Rochford District is covered in the Allocations Plan (adopted February 2014).
- 2.6 The JAAP was accepted for pre-submission consultation, to be followed by submission to the Secretary of State, by Council on 18 December 2012 (Minute 274/2012). Pre-submission consultation took place between 25 February and 26 April 2013.
- 2.7 The Submission JAAP set a framework to facilitate the delivery of:
- The London Southend Airport forecasted growth based on a controlled mix of 53,000 air transport movements (ATMs)
 - 109,000 square metres of additional employment floorspace, including a new business park with 99,000 square metres and regeneration of existing employment areas
 - opportunities for new public open space to enhance the environment, as well as proposing detailed controls on the operation of the airport to ensure quality of life is maintained for residents
 - sustainable transport measures will be implemented to minimise traffic impacts and congestion
- 2.8 The approach to transport is intended to ensure that development within the JAAP is sustainable, and that there is integration with, and appropriate financial support for, proposals to improve the functioning of both the local and wider highway network (including improvements in Rochford District and

the A127 junctions at The Bell, Tesco and Kent Elms Corner) as well as provide internal solutions to movement and accessibility.

3 EXAMINATION

3.1 The JAAP was submitted to the Secretary of State in December 2013. This stage followed a number of stages of statutory plan preparation, which included public consultation in accordance with the relevant planning regulations. A planning inspector was then assigned to determine whether it was considered to be 'sound' and legally compliant. This comprised assessing whether a plan was deemed to be:

- 'Sound' - positively prepared i.e. looks to meet need, effective i.e. deliverable, justified i.e. based on robust and proportionate evidence and consistent with national policy; and
- Legally compliant – prepared in accordance with Southend and Rochford's Local Development Scheme and Statement of Community Involvement and has followed procedural requirements including the 'duty to co-operate' and preparation of sustainability appraisal and habitats regulations assessment.

3.2 The examination in public (EIP) took place on the 29, 30 April and 7 May 2014. The hearing sessions covered key issues including London Southend Airport, the new business parks, transport infrastructure, environmental concerns such as noise and flooding and the allocation of new open space. At the final session the Inspector verbally outlined a number of recommendations for areas where 'main modifications' may be made to improve the soundness of the plan.

3.3 A schedule of modifications to the JAAP was subsequently prepared by the Councils in response to these recommendations. These modifications were agreed for public consultation on 1 July 2014 (Minute 137/2014).

3.4 Public consultation on these modifications to the JAAP took place for eight weeks between 29 July and 25 September 2014. The modifications reflected discussions at the examination hearing sessions and the subsequent 'initial findings' provided by the Inspector. The Inspector has taken into account the responses to the consultation on the modifications in compiling the 'Inspectors Report' (Appendix 2, which has been circulated under separate covering letter). The responses received to the main modifications consultation may be found in Appendix 3 (which has been circulated under separate covering letter).

4 THE INSPECTOR'S REPORT

4.1 The Planning Inspector's Report was issued to the Councils on 25 November 2014.

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- 4.2 Subject to modifications being made, the Inspector concluded that the JAAP is sound and may be adopted by the Councils to guide development and planning applications in the JAAP area. These modifications are as per those previously agreed by Council for consultation on 1 July 2014 (Minute 137/2014) but – as noted in the Inspector’s Report – the Inspector has made minor amendments to the detailed wording, none of which significantly alter the content of the modifications as published for consultation or undermine the participatory processes and sustainability appraisal that has been undertaken.
- 4.3 Both Rochford District and Southend Borough Councils will need to adopt the JAAP to make it deliverable and effective as planning policy.
- 4.4 After adoption, the JAAP will form part of the Development Plan and will be used to determine planning applications in relation to the JAAP area. It will be kept under regular review and will be revised, as appropriate, to reflect any changing or new circumstances or objectives for the area. Any future revisions of the final plan will, of course, be subject to public consultation.
- 4.5 Southend Borough Council officers have prepared a similar report to their Full Council recommending adoption of the JAAP, which is scheduled to meet on the 11 December 2014. This has been put in place to ensure that Southend Borough Council will be in a position to agree the JAAP and publish it at the same time as Rochford District Council.

5 THE ROLE OF SUSTAINABILITY APPRAISAL

- 5.1 Sustainability Appraisal is an important part of the plan making process. It assesses the environmental, economic and social implications of policies and options in the production of plans. The Sustainability Appraisal forms part of the evidence base for the development of the JAAP and has been used, alongside other evidence, to aid decision-making.
- 5.2 Sustainability Appraisal of the JAAP that was submitted for examination found that, overall, the Plan would result in significant sustainability benefits.
- 5.3 An addendum to the Sustainability Appraisal was produced that considered the impact of the Schedule of Modifications. The conclusion of this addendum was as follows:

“The Schedule of Modifications will have a relatively modest impact on sustainability objectives. Overall, there are small positive impacts on the following sustainability objectives: to maintain the quality and setting of landscapes and townscapes (particularly in respect of cultural heritage); to ensure a high quality environment for local communities and other sensitive receptors. The Schedule of Modifications has the potential to have a negative impact on the sustainability objective to maximise economic benefits of the thriving airport (in that it, for example, places additional controls on new MRO operations) but any negative impact will

be nominal and certainly not undermine the JAAP's overall positive impact on this sustainability objective. “

- 5.4 The Sustainability Appraisal (Non-technical summary) of the JAAP is provided as Appendix 4 (circulated under separate covering letter). The Sustainability Appraisal Addendum is provided as Appendix 5 (circulated under separate covering letter).

6 ADOPTION

- 6.1 Once adopted the JAAP will form part of the Council's Development Plan (alongside other Development Plan Documents, including the Rochford Core Strategy and Allocations Plan). Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 applications for planning permission must be taken in accordance with the development plan, unless there are material considerations that indicate otherwise.
- 6.2 Any person who is aggrieved by the decision of the Council to adopt the JAAP may make an application to the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004 on the ground that:

- (a) the document is not within the appropriate power;
- (b) a procedural requirement has not been complied with.

Any application to the High Court must be made not later than six weeks from the date of adoption.

7 RESOURCE IMPLICATIONS

- 7.1 No resource implications arising directly out of the adoption of the Plan for the Council.

8 RISK IMPLICATIONS

- 8.1 Failure to adopt the JAAP would risk undermining the Council's strategic objective to realise the economic development potential of London Southend Airport and its environs, to the potential detriment of the local economy. It would also leave the District significantly less well placed to bid for infrastructure improvements that have the potential to benefit the District as a whole.
- 8.2 Failure to adopt the JAAP would lead to considerable uncertainty as to what development is considered appropriate within the identified area, undermining both the Council's ability to manage future development in and around the airport; and risking undermining the confidence of potential investors in the area.

9 ENVIRONMENTAL IMPLICATIONS

- 9.1 The JAAP will have an impact on the District's environment, as outlined within the document itself.
- 9.2 The JAAP has been subject to sustainability appraisal which, in addition to social and economic impacts, considers the impact of the proposed modifications on environmental objectives.

10 ALTERNATIVES

- 10.1 An alternative option would be for the Council not to adopt the JAAP in relation to detailed policies to direct and manage the future development of London Southend Airport and its environs including Saxon Business Park. This is not recommended as an up-to-date plan prepared using local evidence and guided by community consultation is the most appropriate guide for local planning decisions. Failure to have an adopted JAAP in place would lead to risks as outlined earlier in this report.

11 RECOMMENDATION

- 11.1 It is proposed that Council **RESOLVES** to adopt the London Southend Airport and Environs Joint Area Action Plan (the JAAP).



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Background Papers:-

None.

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