

REPRESENTATIONS TO THE ROCHFORD DISTRICT REPLACEMENT LOCAL PLAN (SECOND DEPOSIT) DRAFT

Please note:

- All objections made during the Rochford District Replacement Local Plan (First Deposit Draft) remain in force, unless formally withdrawn.
- The text shown in the recommendations shows the approved text as normal. Any additions to this are shown as underlined text and any deletions are shown as ~~struckthrough~~ text.

CHAPTER	POLICY	TITLE
1 – Introduction & Objectives	CS3	Reducing the need to travel
<p>CS3 - REDUCING THE NEED TO TRAVEL</p> <p>Development that seeks to reduce the length, number and duration of motorised journeys (particularly at peak hours) and that encourages the use of alternative modes of transport to help protect the quality of the built and urban environment may <u>will</u> be permitted.</p>		
CHAPTER	POLICY	TITLE
2 - Housing	HP7	Energy Conservation
<p>Amend Policy HP7 by the inclusion of the words ‘water conservation’:</p> <p>POLICY HP7 – ENERGY CONSERVATION</p> <p>The Local Planning Authority will require developers to 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, <u>water conservation</u> and drainage. The statement must be submitted at the same time as the planning application.</p>		
CHAPTER	POLICY	TITLE
2 - Housing	HP8	Affordable housing
<p>That Policy HP8 be amended by changing the word “require” in the third paragraph to ‘seek’ and by the deletion of the last sentence:</p> <p>POLICY HP8 – AFFORDABLE HOUSING</p> <p>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>		

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 seek ~~require~~ the provision of a commuted sum towards off-site affordable housing in the district.

~~Affordable housing or commuted sums will be required on composite sites or those sites where development is piecemeal, where the total development exceeds the 12 dwelling threshold.~~

CHAPTER	POLICY	TITLE
2 - Housing	HP9	Rural Exceptions

No change:

POLICY HP9 – RURAL EXCEPTIONS

The LPA will consider proposals for the provision of affordable housing in rural areas subject to:

- i. It being demonstrated that there is an identified local need;
- ii. It not being possible to satisfy these needs in any other way;
- iii. There being access to local services; and
- iv. The housing being legally available for local people in perpetuity; and
- v. The protection of biodiversity interests on and surrounding the site.

CHAPTER	POLICY	TITLE
2 - Housing	HP13	Mobility housing

Amend Policy HP13 by the deletion of the word 'significant':

POLICY HP13 – MOBILITY HOUSING

The Local Planning Authority will require developers to include the provision of an ~~significant~~ element of 'lifetime' mobility housing within new estates.

CHAPTER	POLICY	TITLE
2 - Housing	HP17	Living over the shop

Amend Policy HP17 by replacing the word 'require' with the word 'encourage':

POLICY HP17 - LIVING OVER THE SHOP

The Local Planning Authority will ~~require~~ 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.

CHAPTER	POLICY	TITLE
3 – Rural Issues	R8	New agricultural buildings
That the policy be amended as follows:		
<p>POLICY R8 - NEW AGRICULTURAL BUILDINGS</p> <p>Where planning permission is required, the Local Planning Authority will be Whilst being mindful of the operational requirements of new agricultural buildings, but the Local Planning Authority will refuse buildings which are of a design, external appearance and siting that:-</p> <ul style="list-style-type: none"> i. Has an adverse visual impact in the landscape or on features of nature conservation interest; and, ii. Fails to respect the character and appearance of nearby buildings. 		
CHAPTER	POLICY	TITLE
4 – Employment	EB1	Existing sites and the allocation of new sites
Correct the policy as follows:		
<p>POLICY EB1- EXISTING SITES & THE ALLOCATION OF NEW SITES</p> <p>Within those areas proposed for use or currently used primarily for employment purposes as shown in table 4.2 and on the proposals maps, applications for development within classes B1 (Business), B2 (General Industrial) and B8 (Storage) of the Use Classes Order (1987) will be permitted, providing that the criteria in EB2 5 are met.</p>		
CHAPTER	POLICY	TITLE
4 – Employment	EB3	Making the best use of available land
The following amendment should be incorporated:		
<p>POLICY EB3 - MAKING THE BEST USE OF AVAILABLE LAND</p> <p>In determining proposals for development for business, industry and warehousing on sites which are not allocated on the proposals maps, the a sequential test contained within PPG6 will be applied.</p> <p>In applying this test the local planning authority will consider how the development will improve its surroundings, the appearance of buildings, screening, any harmful impacts on neighbouring uses, site access, layout <u>and the protection and enhancement of nature conservation interests.</u> and the ecological value of the site and adjoining land.</p>		

CHAPTER	POLICY	TITLE
4 – Employment	EB8	Baltic Wharf
To amend the policy as follows:		
<p>POLICY EB8 – BALTIC WHARF Applications for the further development of this site will be considered on their own merits. However, proposals that include expansion, intensification, or significant impacts on the Coastal Protection Zone, Metropolitan Green Belt, Special Landscape Area, <u>Crouch Estuary SSSI, Ramsar Site and Special Protection Area</u> or other designated sites or increases in traffic impact will be refused. Development proposals, which are not in line with PPG2 and not for either storage and wharfage will also be refused.</p>		
CHAPTER	POLICY	TITLE
4 – Employment	EB9	Essex Marina
That the policy be amended as follows:		
<p>POLICY EB9 – ESSEX MARINA Applications for the further development of this site will be considered on their own merits. However, proposals that include expansion, intensification, or significant impacts on the Coastal Protection Zone, Metropolitan Green Belt, Special Landscape Area, <u>Crouch Estuary SSSI, Ramsar Site and Special Protection Area</u> or other designated sites or increases in traffic impact will be refused. Development proposals which are not in line with PPG2 and not related to the main marine uses (defined as being mooring, and maintenance, <u>leisure and tourism</u>) will also be refused.</p>		
CHAPTER	POLICY	TITLE
4 – Employment	EB10	Stambridge Mills
That the policy and paragraph be changed as follows:		
<p>POLICY EB10 – STAMBRIDGE MILLS Development at Stambridge Mills will be restricted to class B1 (<u>Business light industrial</u>) uses, as defined by the Use Classes Order 1987. Development proposals must be accompanied by a flood risk assessment and traffic impact assessment. High quality design will be required given the prominent waterfront location of this site <u>and the biodiversity interest of the area</u>. Applications for demolition will not be granted unless accompanied by an acceptable redevelopment scheme.</p> <p>4.37 The Local Planning Authority believes that the site is suitable for B1 (light industrial) uses. Such a development would require the removal of the unsightly buildings on the site and their replacement with well designed units, which would be adequately protected from the risk of flooding. Any development proposals must be accompanied by a flood risk assessment and a traffic impact assessment.</p> <p>4.38 <u>The site is upriver of the Crouch and Roach Estuaries SPA and Ramsar site, and is likely to be in direct hydrological connectivity with the habitats of the upper Roach and its riparian land. Therefore any application will need to adequately considered biodiversity interests in and around the site.</u></p>		

CHAPTER	POLICY	TITLE
5 – Transport	TP4	Heavy lorry routes
<p>Change the policy as follows:</p> <p>POLICY TP4 - HEAVY LORRY ROUTES The Council will refuse applications for development likely to create significant adverse traffic impacts, including heavy vehicle movements that are on sites outside existing or proposed industrial estates or that would give rise to other adverse environmental impacts.</p>		
CHAPTER	POLICY	TITLE
5 – Transport	TP6	Safeguarding & the promotion of walking, cycling & horseriding routes.
<p>The additional word will be added.</p> <p>POLICY TP6 – SAFEGUARDING & THE PROMOTION OF WALKING, CYCLING & HORSERIDING ROUTES</p> <p>Planning permission will not be granted for development affecting existing cycling, walking and horseriding routes unless the proposals include either the maintenance or diversion of the route, to one which is no less attractive, safe and convenient for public use.</p> <p>Cycling and walking will be promoted as an alternative to using the car especially for shorter distance trips. Development must ensure the:-</p> <ol style="list-style-type: none"> 1. Provision of a safe and convenient network of <u>dedicated</u> cycle and pedestrian routes linking homes, workplaces, community facilities and transport interchanges and also the provision of secure cycle parking at centres of attraction; 2. Use of traffic management measures to improve conditions for pedestrians, the mobility impaired and cyclists; 3. Provision in new development and transport schemes for pedestrians, the mobility impaired and cyclists; 4. Provision of good access and secure cycle parking facilities at public transport interchanges. 		
CHAPTER	POLICY	TITLE
5 – Transport	TP9	Car parking standards
<p>Change the policy as follows:</p> <p>POLICY TP9 - CAR PARKING STANDARDS In considering applications for new development the Council will expect as a general rule the provision of car parking spaces in accordance with the maximum standards set out below and as shown more fully in LPSPG1 and LPSPG2 and contained in individual policies as may be amended from time to time. In addition, adequate space for loading and unloading and turning of vehicles will be required within the application site.</p>		

USE:	STANDARD:	JUSTIFICATION:
A1	Shops – food	1 space per 14m ²
	Non-food	1 space per 20m ²
A2	Financial and Professional Services	1 space per 20m ²
A3	Take away outlets	1 space per 20m ²
	Pubs and Clubs	1 space per 5m ²
	Restaurants	1 space per 5m ²
	Roadside Restaurants	1 space per 5m ²
	Transport Cafes	1 lorry space per 2m ²
B1	Business	1 space per 30m ²
B2	General Industrial	1 space per 50m ² .
B8	Storage or Distribution	1 space per 150m ²
C2	Hotels	1 space per bedroom (guest or staff)
	Residential Care Homes	1 space per resident staff + 1 space per 3 bed spaces/dwelling units
	Hospitals	1 space per 4 staff + 1 space per 3 daily visitors.
C3	Residential Education Establishments	1 space per resident staff + 1 space per 2 other staff.
	Residential:	
	Main urban areas/good access to public transport	1 space per dwelling,
	Urban location with poor off peak public transport services	2 spaces per dwelling,
	Rural/suburban locations	2 spaces per dwelling for 3 bedroom properties 3 spaces per dwelling for 4 bedroom properties.
D1	Medical Centres	1 space per full-time staff, + 2 spaces per consulting room.
	Day Care Centre	1 space per full-time staff, + 1 space per 4 persons attending.
	Crèches/Nurseries	1 space per full-time staff, + waiting facilities where appropriate.
	Schools (Primary and Secondary Education)	1 space per 2 daytime teaching staff.
	Schools (Primary and Secondary Education)	1 space per 2 daytime teaching staff, + 1 space per 15 students.
	Art Galleries/Museums/Public Halls	1 space per 25m ² .
	Places of Worship/Libraries/ Reading Rooms	1 space per 10m ²
D2	Cinemas	1 space per 5 seats.
	Other Uses (Assembly and Leisure)	1 space per 22m ² .

CHAPTER	PARAGRAPH	TITLE
5 – Transport	5.48	London Southend Airport
The Environment Overview & Scrutiny Committee agreed that this paragraph should be removed.		
CHAPTER	POLICY	TITLE
6 – Leisure & Tourism	LT1	Rural issues
<p>POLICY LT1 - RURAL ISSUES Leisure and tourism proposals in rural areas will be supported permitted provided that the rural landscape, biodiversity and the character of the area will not be adversely affected by reason of the size, scale and design of the proposal, or by the intensity/activity associated with the use.</p>		
CHAPTER	POLICY	TITLE
6 – Leisure & Tourism	Statement of Intent	Golf courses
That the statement of intent be deleted and the policy reinstated:		
<p>POLICY LT15 - GOLF COURSES & EXTENSIONS TO EXISTING FACILITIES</p> <p>Applications for golf course and driving range facilities will be required to satisfy the following criteria:</p> <ol style="list-style-type: none"> i. the proposal will not adversely affect Sites of Scientific Interest, Ancient Landscapes or Ancient Woodlands as shown on the Proposals Map; ii. the proposal will not adversely affect natural features and habitats of nature conservation importance and will include measures which allow for local habitat creation; iii. the proposal will be in harmony with the landscape and will avoid prominent locations, the dominant features of the existing site will be retained and incorporated into the scheme; iv. where built development is proposed, preference will be for the use of existing buildings and will be restricted to those facilities that are essentially required to serve the use of land for golf. New buildings not essentially related, including for residential, social and holiday accommodation, will not be permitted; v. the layout of the course, the siting and size of its buildings, car parking and a landscape scheme should be submitted as part of the planning application and not left for later approval; vi. the proposal will satisfactorily incorporate existing public rights of way; and vii. that safe and convenient access can be made to the principal road network and that the traffic generated would not be detrimental to the rural roads and the small settlements that might be affected from the passing of vehicles. 		
CHAPTER	POLICY	TITLE
6 – Leisure & Tourism	LT14	Horse riding facilities
That paragraph 6.40 be amended:		
<p>Proposals utilising existing redundant farm/agricultural buildings within the countryside are most likely to be favoured. New equestrian development must be closely located and related to existing development and should not be in remote/isolated rural locations. Policy TP6 deals with the safeguarding and provision of new bridleways <u>paths</u>.</p>		

That the policy be amended to:

POLICY LT146 - HORSE RIDING FACILITIES

Proposals for horse related development will be granted planning permission provided that the following criteria are met:

- i. Proposals for equestrian establishments whether for private use or as a commercial livery will need to demonstrate that there is adequate land within the curtilage of the site to allow for the proper care of horses, including stabling, grazing and exercise, in accordance with the British Horse Society Standards;
- ii. Proposals for buildings to serve private use or commercial livery in locations outside of the urban settlement areas must be the result of re-use of existing former farm/agricultural buildings;
OR
be located close to and relate to existing development that is controlled and under the ownership of the applicant, (for example a range of existing farm buildings or an area of paddock land immediately adjacent to the applicant's dwelling house);
- iii. the proposal is well related to existing or proposed bridleways and will not cause conflicts between equestrians, and have no adverse effect on the road or highway safety of the area;
- iv. the proposal will not be visually intrusive or detrimental the character of the area or nature conservation interests;
- v. there will not be a detrimental affect on the amenity of the local area by virtue of noise, smell or disturbance;
- vi. new dwellings associated with equestrian facilities will ~~not~~ only be permitted, ~~except~~ within existing or proposed residential areas, as defined on the proposals maps; and
- vii. any proposal for stables or equestrian development in remote, isolated locations unrelated to existing development that may affect the character or compartmentalize the countryside will be refused.

CHAPTER	POLICY	TITLE
6 – Leisure & Tourism	LT18	Rural tourism

Policy be amended to:

1. The change of use and/or conversion of existing buildings in the countryside to accommodate leisure or tourism related facilities (including hotels and guesthouses with less than 6 bedrooms) will be permitted, provided:
 - i. The proposal re-uses a building constructed of permanent materials with a reasonable expectation of life;
 - ii. The proposal maintains or enhances the rural environment and the landscape character of the area;
 - iii. Provision can be made for the parking of guests' vehicles within a farm complex, or on a plot, without causing visual harm and safe access to the site can be obtained without any detrimental visual changes to the junction with the highway; and
 - iv. An ecological ~~bat~~ survey is undertaken;
2. Planning permission for the re-use of rural buildings for tourist accommodation may include, amongst others, a condition restricting the construction of additional buildings on a farm holding or plot.

CHAPTER	POLICY	TITLE
6 – Leisure & Tourism	LT19	New hotel & guesthouse accommodation

The policy be amended:

POLICY LT19 – NEW HOTEL & GUESTHOUSE ACCOMMODATION

- A. Proposals for hotel or guesthouse accommodation (with six or more bedrooms), within residential areas, as defined on the proposal maps, will only be permitted if all of the following criteria are met:**
- i. Suitable means of access, car parking and servicing arrangements will be provided;**
 - ii. The location is well related to the road hierarchy and public transport is available nearby; and**
 - iii. The proposal has no adverse affect on the amenity of residential areas, Conservation Areas, listed buildings, or the character of the landscape or nature conservation interests.**
- B. Proposals for hotel or guesthouse accommodation (with six or more bedrooms) outside residential areas, as defined on the proposal maps, will be permitted if all of the following criteria are met:**
- i. A need for the development has been demonstrated;**
 - ii. Demonstration that there is no site available within existing residential areas;**
 - iii. The site should be located close to the edge of existing residential areas;**
 - iv. The scale and appearance of the development will not have an adverse impact on the historic environment, character of the landscape or nature conservation interests;**
 - v. There will be no adverse impact on designated wildlife sites or on the Metropolitan Green Belt;**
 - vi. The site is accessible by a choice of types of transport.**

CHAPTER	POLICY	TITLE
6 – Leisure & Tourism	LT21	Sports causing noise or disturbance

That the policy be amended:

POLICY LT21 – SPORTS CAUSING NOISE OR DISTURBANCE

Proposals for sport or leisure facilities and activities likely to cause noise or disturbance must satisfy the LPA that will be refused unless it is proven there will be no adverse effects on:

- a) occupiers of nearby residential properties/plots;**
- b) existing flora and fauna (for example overwintering birds);; or**
- c) traffic impact or highway safety**

by virtue of the scale, siting, design, construction or operation of the activity.

CHAPTER	PLANNING OBJECTIVE	TITLE
7 – Building conservation & archaeology	B1	
Change as follows:		
<p>B1 To protect and enhance the historic character of settlements, particularly within the conservation areas and to ensure the retention of all listed buildings, their settings and Scheduled Ancient Monuments and their <u>settings</u>.</p>		
CHAPTER	PARAGRAPH	TITLE
7 – Building conservation and archaeology	7.19	Relevant LPSPG
That the list be extended as follows:		
<p>Relevant Local Plan Supplementary Planning Guidance <u>LPSPG1 – Housing Design</u> LPSPG5 - Design Statements LPSPG7 - Design Guidance for Conservation Areas LPSPG8 - Shop Fronts - Security and Design LPSPG9 - Conservation Area Maps <u>Essex Design Guide</u> <u>Rochford Historic Town Project Assessment</u> <u>Rayleigh Historic Town Project Assessment</u></p>		
CHAPTER	PLANNING OBJECTIVE	TITLE
8 – Natural Resources	N4	
Change as follows:		
<p>N4 To protect, conserve and enhance <u>species, areas</u> and features of nature conservation importance.</p>		
CHAPTER	POLICY	TITLE
8 – Natural Resources	NR2	Historic landscape
<p>POLICY NR2 - HISTORIC LANDSCAPE</p> <p>Within the areas of historic landscape development which would adversely affect the historic importance, existing landscape character or physical appearance of Ancient Woodlands or Ancient Landscapes as defined on the proposals map will not be permitted.</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 use.</p>		

CHAPTER	POLICY	TITLE
8 – Natural Resources	NR3	Tree protection
<p>That paragraph 8.11 be amended as follows:</p> <p>Tree Protection</p> <p>8.11 Trees are fundamental to the landscape, particularly in urban areas. They provide valuable visual and nature interest to the streetscape <u>and often have a high wildlife value</u>. 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 intention to fell must be notified to the LPA.</p> <p>That policy NR3 remain unchanged:</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>		
CHAPTER	PARAGRAPH	TITLE
8 – Natural resources	8.20	Biodiversity
<p>Change as follows:</p> <p>8.20 Council will <u>require</u> seek adequate ecological information to be provided by 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 adequate information forthcoming the Council will be expected to refuse such proposals.</p>		
CHAPTER	PARAGRAPH	TITLE
8 – Natural resources	8.21	Biodiversity
<p>That the text be changed as follows:</p> <p>8.21 As well as greenfield land, previously developed land can support considerable biodiversity interest because:</p> <ul style="list-style-type: none"> • it offers opportunities for wildlife to colonise; • much of the farmed countryside is in poor ecological condition; and • quasi-natural niches are rare in the wider environment (e.g. bare ground, lack of pesticides/herbicides/fertilisers) 		

Previously developed land can support a complex range of ecological niches that are often absent from surrounding intensively managed urban or arable land such as the presence of patches of bare ground, the presence of significant amounts of dead wood or disused buildings which can attract a range of specialist plants and animals.

Where development on previously developed land with nature conservation interest is permitted, the creation of compensatory habitat(s) will be expected under the provisions of the nature conservation policy suite.

CHAPTER	PARAGRAPH	TITLE
8 – Natural resources	8.25	Ramsar sites

Change as follows:

RAMSAR SITES

8.25 Ramsar sites are named after an international conference held on wetland and wildfowl conservation at Ramsar in Iran, in 1971. The Convention on Conservation Wetlands of International Importance was ratified by the UK Government 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).~~ Ramsar sites are notified based on a range of assessment criteria. The criteria for waterbirds state that a wetland should be considered internationally important if it regularly supports 20,000 or more waterbirds and/or if it regularly supports 1% of the individuals in a population of one species of waterbird. There are two listed Ramsar sites in Rochford District: Foulness and the Crouch and Roach Estuaries.

CHAPTER	PARAGRAPH	TITLE
8 – Natural resources	8.27	Special Protection Areas

Change as follows:

8.27 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 (*Recurvirostera 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.~~

CHAPTER	PARAGRAPH	TITLE
8 – Natural resources	8.28	Special Areas of Conservation
<p>That the paragraph be changed as follows:</p> <p>8.28 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).</p>		
CHAPTER	POLICY	TITLE
8 – Natural Resources	NR5	Local nature Reserves and Wildlife Sites
<p>Change the policy as follows:</p> <p>POLICY NR5 – LOCAL NATURE RESERVES AND WILDLIFE SITES</p> <p>Proposals for development which <u>will</u> are likely to adversely affect areas identified as Local Nature Reserves, Wildlife Sites or Regionally Important Geological Sites, 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, which ensure that there is no net loss of the asset which has been affected.</p> <p><u>In cases where justification for a development proposal clearly outweighs the need to safeguard the nature conservation value of the site, compensation may be provided for within or close to the development site, but when this is not possible, elsewhere in the plan area. Development will not be permitted where such agreements cannot be secured, through legal agreements, or planning conditions.</u></p>		
CHAPTER	POLICY	TITLE
8 – Natural Resources	NR6	Other landscape features of importance for nature conservation
<p>The policy is changed as follows:</p> <p>POLICY NR6 - 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, which are of importance for wild fauna and flora 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

Development which would 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 of equivalent value, and to ensure the future management thereof.

CHAPTER	POLICY	TITLE
8 – Natural Resources	NR7	Species protection

That the policy be changed as follows:

POLICY NR7 – SPECIES PROTECTION

Planning permission will not be granted for development likely to cause harm to species protected under English and/or European Law. Development 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 species or its habitat. In such cases ~~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:

- secure the protection of individual members of the species;
- minimise the disturbance to the species; and
- provide adequate alternative habitats to sustain at least the current levels of population.

CHAPTER	POLICY	TITLE
8 – Natural Resources	NR8	Coastal Protection Belt

That the policy be changed as follows:

POLICY NR8 – COASTAL PROTECTION BELT

Within the Coastal Protection Belt 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 or geological features.

CHAPTER	PARAGRAPH	TITLE
8 – Natural resources	8.52	Flood risk
That the paragraph be amended as follows:		
<p>8.52 A series of floodplain maps are produced by the Environment Agency. The LPA has produced maps, taking advice from the Environment Agency, showing the flood risk areas 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 flood risk areas. It should be noted that where flood risk areas are proven to be defended, these are areas where flood defences reduce, not remove, the risk of flooding.</p>		
CHAPTER	POLICY	TITLE
8 – Natural Resources	NR11	Creation of intertidal habitats
That paragraph 8.67 be amended as follows:		
<p>8.67 Significant changes to the coastline are not to be taken lightly and the involvement of English Nature and the Environment Agency, together with local nature organisations such as the Essex Wildlife Trust, will be a key part of the process. Much of the coastline is a public right of way and as such the Public rights of Way team at Essex County Council will also need to be involved.</p>		
That the policy remain unchanged:		
<p>POLICY NR11 – CREATION OF INTERTIDAL HABITATS</p> <p>The creation of new intertidal habitats will be permitted provided it can be demonstrated through consultation with the appropriate bodies that the benefits of the proposed new habitats clearly outweigh the resultant loss of other natural habitats, agricultural or other land.</p>		
CHAPTER	PARAGRAPH	TITLE
10 - Utilities	10.3	Water - supply
That the paragraph be changed as follows:		
<p>10.2 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. <u>Developers must consider the implications of their development on water supply and should consult with suppliers prior to submission. Developers must also include water efficiency and conservation in their schemes, in line with sustainable development principles.</u></p>		

CHAPTER	POLICY	TITLE
10 - Utilities	UT4	Telecommunications development

Change the policy as follows:

POLICY UT4 - TELECOMMUNICATIONS DEVELOPMENT

Proposals for telecommunications equipment must first consider the sharing of masts and sites, in order to reduce the proliferation of such structures. Where it can be proved that this is not possible telecommunications development requiring an application for prior approval of siting and appearance will only be permitted where the equipment is sited, is of a design, material and colour, and where appropriate is screened, so as to minimise visual intrusion, taking account of the following:

- i. The need for the facility to blend more easily with its surroundings;
- ii. Whether the design is suited to the local environment;
- iii. The height in relation to surrounding land;
- iv. The impact on the topography and natural vegetation;
- v. The impact on the skyline or horizon;
- vi. Views into the site;
- vii. The site's scenic or conservation value;
- viii. Relationship with other existing masts, structures or buildings; and
- ix. Relationship to residential property, educational and healthcare facilities, employment and recreational sites; and
- x. Arrangements put in place to ensure that, if such development falls into disuse, any structures are removed and the land restored to its condition before development took place or other agreed beneficial use.

Any ~~These criteria will be applied having regard to the technical and operational constraints faced by telecommunications operators and the details of the benefits of the telecommunications development~~ must be submitted to the LPA at the time of application in the wider sense.

CHAPTER	POLICY	TITLE
PROPOSALS MAP A		West of the district
Further investigative work to be undertaken and the boundary amended if necessary.		

CHAPTER	POLICY	TITLE
GLOSSARY		Wildlife Sites
That the definitions be changed as follows:		
<p>Public Right of Way - a way where the public has a right to walk, and in some cases ride horses, bicycles, motorcycles or drive motor vehicles, which will be designated either as a footpath, a bridleway, a road used as a public path (RUPP) or a byway.</p> <p>Wildlife Site - A non-statutory site of local nature conservation importance, identified by the Essex Wildlife Trust and adopted by Rochford District Council (see policy NR5). These were formerly known as County Wildlife Sites or Sites of Importance for Nature Conservation.</p>		

OLD PARAGRAPHS THAT RESPONDENTS WISH TO SEE REINSTATED
RESPONDENT'S COMMENTS
<p>9 – Maldon District Council – the respondent objects to the deletion of policy NR6 from the Rochford District Replacement Local Plan (Second Deposit) Draft.</p> <p>32 – EWT – the respondent objects to the deletion of policy NR4 from the Rochford District Replacement Local Plan (Second Deposit) Draft.</p> <p>42 – English Nature – the respondent objects to the deletion of policies NR6 & NR7 from the Rochford District Replacement Local Plan (Second Deposit) Draft.</p> <p>61 - Environment Agency - the respondent objects to the deletion of policy NR7 from the Rochford District Replacement Local Plan (Second Deposit) Draft.</p> <p>73 – RSPB – the respondent objects to the deletion of policies NR6 & NR7 from the Rochford District Replacement Local Plan (Second Deposit) Draft.</p> <p>104 - English Heritage - the respondent objects to the deletion of policy BC6 from the Rochford District Replacement Local Plan (Second Deposit) Draft.</p> <p>137 – CPRESsex – the respondent objects to the deletion of policies NR4, NR6 & NR7 from the Rochford District Replacement Local Plan (Second Deposit) Draft.</p>
RECOMMENDATION
No change.