

Planning Policy & Transportation Committee – 3 April 2007

Minutes of the meeting of the **Planning Policy & Transportation Committee** held on **3 April 2007** when there were present:-

Chairman: Cllr P A Capon

Cllr C I Black
Cllr J P Cottis
Cllr T G Cutmore
Cllr A J Humphries

Cllr D Merrick
Cllr J M Pullen
Cllr C G Seagers
Cllr Mrs M J Webster

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs C A Hungate and J R F Mason.

OFFICERS PRESENT

S Scrutton - Head of Planning and Transportation
S Worthington - Committee Administrator

COUNTY COUNCIL OFFICERS PRESENT

P Grimwood - District Manager
L Harvey - District Engineer

102 MINUTES

The Minutes of the meeting held on 15 February 2007 were approved as a correct record and signed by the Chairman.

103 DECLARATIONS OF INTEREST

Ms S Worthington declared a personal interest in item 13 of the agenda relating to the draft Rochford Conservation Area Appraisal and Management Plan by virtue of being Secretary to the Rochford Regeneration Group.

104 ISSUES ARISING FROM REVIEW COMMITTEE

1 Review of Bus Services

The Committee considered the report of the Review Committee on the review of bus services within the district.

Resolved

(1) That County Highways be asked to:-

- Explore with the local residents ways in which the transport link between the Dome and Hullbridge could be improved.

- Explore ways of improving evening services generally.
 - Explore the possibility of reinstating the No. 8 service from Hawkwell to Rayleigh during the week.
 - Explore with the local residents ways in which the local bus services could be expanded to cater for people wishing to visit places of recreation from the Rochford District.
- (2) That Central Government be lobbied to increase its funding to support subsidisation of the bus services in the county.
- (3) That Arriva be lobbied via Essex County Council to improve the condition of their buses and make them more user friendly. (HPT)

2 Review of the Operation of the Planning Enforcement Service

The Committee considered the report of the Review Committee on the operation of the planning enforcement service.

Resolved

- (1) That the Head of Planning and Transportation conducts an annual review of outstanding enforcement cases, with the Development Control Committee to confirm those cases to be closed.
- (2) That the Head of Planning and Transportation reviews the provision of duty cover in order that those members of the enforcement team that have study leave do not spend a material part of their week as part of the duty rota and for him to give further consideration to his staffing levels as a result.
- (3) That the Head of Planning and Transportation records the date of the last action on the 'live case' list report.
- (4) That the Head of Planning and Transportation regularly submits the number of outstanding cases, together with details of enforcement notices issued and appeals lodged, to the Development Control Committee.
- (5) That the Head of Planning and Transportation implements the following changes to the public documentation relating to planning enforcement:-

Enforcement Policy

- 'Pursuing any breach of planning control to its resolution so far as it is reasonable and expedient to do so' should be amended to

‘pursuing any breach of planning control to a satisfactory conclusion’.

Complete Guide to the Enforcement Service

- Reference should be made, on page 2, to how people should register complaints and in what form.
 - Page 10 should include details of how to access the website and other ways of contacting Rochford District Council.
 - Page 17 should include details of the location of the Council offices and of provision for writing in to the Council.
- (6) That the Head of Planning and Transportation investigates the possibility of submitting the public documentation relating to planning enforcement for the ‘crystal mark’.
 - (7) That the Head of Planning and Transportation continues the dialogue with other Authorities regarding best practice relating to enforcement and regularly reports back to Members.
 - (8) That, in those cases where an impasse has been reached and court action has failed to resolve the breach of planning rules, the Head of Planning and Transportation reports the case to the Development Control Committee for direct action to be considered to remedy the breach.
 - (9) That the Head of Planning and Transportation publishes a quarterly planning enforcement report in *Rochford District Matters*, stating the number of new cases and cases closed in the quarter.
 - (10) That the Head of Planning and Transportation commissions an aerial survey of the district bi-annually, with a link on the Council’s website, to enable residents to acquire aerial photographs of their homes and neighbourhood. (HPT)

105 PROGRESS ON DECISIONS

The Committee considered the Progress on Decisions Schedule.

Decriminalised Parking Enforcement – New Traffic Regulation Orders and Investigation into Residents’ Parking (Minute 442/05)

A report would go to Committee in September which would include details of any representations received from members of the public relating to residents’ parking schemes.

Latest Review of Locally Determined Programme 2005/06 and Presentation of Locally Determined Programme 2006/07 (Minute 225/06)

A member of the public had objected to the proposed Traffic Regulation Orders in Eastcheap and Cheapside East.

Gypsies and Travellers – Accommodation Assessment (Minute 286/06)

The East of England Regional Assembly had decided to press ahead with an issues and options paper; a report would therefore go to Council in the new municipal year.

East of England Plan (Minute 36/07)

A copy of the response that had been sent to the Government Office would be circulated to Members. It was anticipated that a Policy Adviser from the Department of Communities and Local Government would come to a Committee meeting in the new municipal year.

106 HIGHWAYS LOCAL SERVICE AGREEMENT QUARTERLY UPDATE REPORT: JANUARY TO MARCH 2007

The Committee considered the report of the Area Manager, Highways and Transportation Services informing Members of highway and transportation issues in the district in the period from January to March 2007.

Members expressed surprise at the reported low level of interest from Parish Councils with respect to Planned Parish Visits (PPV) and were disappointed that there was no specific allocation for PPVs in the 2007/08 budget.

In response to a Member enquiry relating to the resurfacing scheme for Rectory Road, Hawkwell, County officers advised that the scheme had been postponed because it had been determined that beneath the surface the road had given way; it would be necessary to dig down to a fair depth and the remedial works would involve a lot of planning around the scheduling of different contractors. Once work commenced, Rectory Road would need to be closed for a week. Officers confirmed, in answer to a supplementary concern raised relating to early notification, that signage would be displayed early alerting motorists of the planned closure.

Responding to a Member query relating to cycleways, County officers advised that the majority of these schemes were longstanding; all had been the subject of major public consultation exercises and, in addition, notices had been placed in the press relating to these schemes.

County officers confirmed, in response to an enquiry relating to the works at Brays Lane, that the works would not require a diversion for heavy lorries. In

answer to a concern raised by Members that Brays Lane had been blocked that evening, officers confirmed that they would investigate the situation and inform Members of the outcome. The County officers noted further concerns raised by Members relating to heavy lorries travelling along Brays Lane at high speeds necessitating other motorists pulling into the side of the road. Members stressed that the road was inadequate in terms of the volume of heavy lorries travelling along it to access Baltic Wharf and it was clear that the problem needed some attention.

Responding to a Member enquiry relating to the carriageway remedial works in Eastwood Rise and Rayleigh Avenue, Rayleigh, County officers advised that this was a developer-funded scheme which was pressing ahead. County officers confirmed that the results of a consultation on this scheme and an update on the timetable for the scheme would be provided to Members.

Resolved

That the Highways Local Service Agreement update report January to March 2007 be noted. (County Highways)

107 REVISION TO THE ROCHFORD DISTRICT LOCAL DEVELOPMENT SCHEME

The Committee considered the report of the Head of Planning and Transportation seeking Members' approval for the Third Rochford District Local Development Scheme (LDS) to be adopted and submitted.

Particular reference was made of the possibility that the timetable detailed on page 11.17 of the report for the production of Local Development Documents could be too optimistic, particularly given the need to work with Southend on Sea Borough Council on a Joint Area Action Plan for West Rochford. Members confirmed that there should be some flexibility in the timetable to allow for slippage of between 3 to 6 months, as appropriate. Officers confirmed that extending the timetable by up to 6 months would not impact on funding associated with the LDS.

In response to a Member enquiry relating to additional resources, officers advised that the future of the Planning Delivery Grant was unknown; it was not yet clear how much longer this would be available to Local Authorities. Bids for funding would be made to the East of England Development Agency and to the Department of Communities and Local Government for financial assistance in developing the Joint Area Action Plan.

Members concurred that it was important to work with Southend on Sea Borough Council to seek to protect the future of the airport and the industries within its environs, while at the same time seeking to minimise the impact of any future airport expansion on residents living in proximity to it.

Recommended to Council

- (1) That the revised Local Development Scheme for the Rochford District be agreed for submission to GO-East, in accordance with the requirements of the Planning and Compulsory Purchase Act 2004.
- (2) That authority be delegated to the Head of Planning and Transportation, in consultation with the Leader of the Council, to carry out minor amendments to the revised LDS to ensure consistency and correctness and any such amendments to be reported to the Planning Policy & Transportation Committee or its successor. (HPT)

108 REPORT OF THE PLANNING POLICY SUB-COMMITTEE

The Committee considered the report of the Planning Policy Sub-Committee suggesting a series of amendments to the Regulation 26 draft of the Rochford District Core Strategy.

Officers drew attention to the inclusion of details on page 12.37 of the document which sought to give justification and explanation of the rationale for the proposed distribution of new housing within the district in the preferred options section of the document. This was still a consultation document; the next consultation phase would give a clear indication of residents' views and would enable the Council to prepare detailed policies for inclusion in the submission version of the document.

Some Members expressed concern at the total of 1800 new housing units proposed for Rayleigh, considering this almost impossible to achieve.

Members were particularly concerned about the proposed level of affordable housing, as detailed on page 12.40 of the document. Members concurred that the level should be maintained at the same level as for the previous year, which was included in the Council's adopted Local Plan. Reference was made of the increased regulations being introduced into planning policy by the Government which was making it increasingly difficult for local Councillors to represent their residents.

In response to a Member enquiry relating to the possible consequences of retaining last year's level, officers advised that the Local Plan level for the provision of affordable housing -at 15% on developments of more than 25 units - did not adhere to national policy, as set out in Planning Policy Statement No. 3 (PPS3), published in November 2006. PPS3 sets a national site size threshold of 15 units for the provision of affordable housing. It was therefore likely that including a greater site size threshold in the Council's Core Strategy would result in the document failing the tests of soundness, since it would not be in accordance with national policy relating to affordable housing provision.

The Council would, in such circumstances, be forced to go back to an earlier stage in the preparation of the strategy, which would result in costs associated with further public consultation and, in addition, Public Inquiry costs. It would also need to re-visit environmental and sustainability assessments, which would be likely to incur costs. Officers advised that the level of affordable housing could, however, be amended to 30% provision on developments of 15 or more units, which would accord with the national policy in PPS3.

Responding to a Member enquiry relating to the distribution of affordable housing within new housing developments, officers confirmed that the Government was advocating mixed developments. The Government was clear in wanting affordable to be integrated within new developments to avoid replicating social stigma-related problems that existed in the past when affordable housing was separated out from market developments. It was not uncommon, as a result, for registered social landlords to rent out properties that were visually identical to privately owned properties within the same development.

Officers drew attention to the results of the housing needs study conducted in 2004 which had clearly shown that demand for affordable housing in the district far outweighed provision.

Members made particular reference to the possibility of developers seeking to evade an affordable housing contribution by splitting a large site into smaller applications, each falling below the size required for an affordable housing contribution. Officers advised that this in cases where it was clear that adjacent sites were being split to seek to try and avoid any affordable housing provision, the policy would ensure this arrangement would not be admissible.

Members stressed that one of the aims of Rochford Housing Association was to deliver 50 affordable housing units per annum. It was clear that affordable housing provision would, in reality, continue to rise. While mindful of officers' advice on national policy relating to affordable housing, Members nevertheless felt that the site threshold for the provision of affordable housing should remain at 25 units, the same level as set out in the adopted Local Plan.

It was noted that the Head of Planning and Transportation would write to all Members outlining his concerns relating to their proposal to the amendment of the site threshold for affordable housing and the likely impact on the Council's Core Strategy.

On a Motion moved by Cllr T G Cutmore and seconded by Cllr J P Cottis it was:-

Resolved

- (1) That the draft Regulation 26 Core Strategy, as appended to the report, be approved for consultation in line with the requirements of the Council's adopted Statement of Community Involvement, subject to the level of affordable housing included in paragraph 4.7.11 being set at 30% on all developments of 25 or more units.
- (2) That consultation be undertaken in line with the above and the reports of this reported to Members.
- (3) That authority be delegated to the Head of Planning and Transportation, in consultation with the Leader of the Council, to carry out minor amendments to the draft Regulation 26 Core Strategy to ensure consistency and correctness following public consultation in line with the requirements of the Planning and Compulsory Purchase Act 2004.
(HPT)

109 ROCHFORD CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN

The Committee considered the report of the Head of Planning and Transportation updating Members on the outcome of the public consultation on the Rochford Conservation Area Appraisal and Management Plan and seeking Members' approval for adoption of the document.

Officers drew attention to the disappointing response to the public consultation, although it was possible that this could indicate that residents were happy with the document. It was noted that the remaining appraisals had been completed and would be reported to Members in the new municipal year.

Members felt that there would be merit in consulting with the bus companies on the document and in addition requested that some minor amendments be made to paragraphs 4.4 and 4.5 of the officer's report in order to strengthen the wording.

Resolved

- (1) That, subject to the following amendments to the officer's report, the changes outlined in the report be agreed and the Rochford Conservation Area Appraisal and Management Plan be adopted and included as part of the evidence base for the Rochford District Local Development Framework:-
 - Paragraph 4.4, replace "may" with "will".
 - Paragraph 4.5, replace "should" with "will".
- (2) That authority be delegated to the Head of Planning and

Transportation, in consultation with the Leader of the Council, to carry out minor amendments to the Rochford Conservation Area Appraisal and Management Plan to ensure consistency and correctness. Any such amendments, if required, will be reported to Committee. (HPT)

110 HERITAGE PROTECTION FOR THE 21ST CENTURY

The Committee considered the report of the Head of Planning and Transportation seeking Members' views on a Government White Paper proposing extensive changes to the arrangements for the designation and protection of the historic environment.

It was stressed that the proposals sought to provide more transparency and more public involvement in the designation of listed buildings, which was only to be encouraged. Particular reference was, however, made of the fact that although the local list might give some control over demolition of local designated buildings, it would not have control over any building alterations. In addition, it was clear that the arrangements were somewhat bureaucratic, requiring local planning authorities to make article 4(1) directions. Members concurred that paragraph 2.9 of the officer's report should therefore be strengthened in order to highlight these issues.

In response to Member concern relating to the possible impact on this Council's formal arrangement with the County Council for the provision of advice and guidance on historic assets that might be caused by current staffing changes at the County Council, officers advised that it was anticipated that the arrangement would continue for at least another 3 years. The County Council would be obliged to formally notify the Council of any proposed changes to this arrangement.

In response to a Member concern relating to Member involvement in the process of certificates of immunity, officers confirmed that there would be full public consultation, which would include District Members; the final decision being made by English Heritage.

Resolved

That, subject to strengthening the wording of paragraph 2.9 of the report relating to demolition, the report should form the basis of the Council's response to the Department of Culture, Media and Sport on the White Paper, Heritage Protection for the 21st Century. (HPT)

111 BIOLOGICAL RECORDS INITIATIVE FOR ESSEX

The Committee considered the report of the Head of Planning and Transportation seeking Members' views on a request from Essex County Council for an annual financial contribution towards the setting up and maintenance of an online biological record for Essex.

In response to a Member enquiry relating to how financial contributions were determined, officers advised that these were based on the populations of districts. It was likely that, in the event of not all Councils signing up to the initiative, contributions would increase accordingly for those that did.

Members all concurred that much of the baseline information that would be made available to Authorities as part of the initiative was already freely available.

Resolved

That, subject to the following comments, Essex County Council be advised that Rochford District Council does not wish to contribute to the Biological Records Initiative at this point in time. (HPT)

112 REVIEW OF LOCALLY DETERMINED PROGRAMME 2006/07 AND PRESENTATION OF LOCALLY DETERMINED PROGRAMME 2007/08

The Committee considered the report of the Area Manager, Highways and Transportation Services informing Members of progress on the locally determined programme 2006/07 and asking Members to approve the locally determined programme for 2007/08.

County officers drew attention to a minor amendment to the report. It was noted that with respect to the new/improved footway scheme for Lambourne Hall Road, Canewdon, construction would be delayed until 16 April.

Members expressed dissatisfaction with the fact that the allocated locally determined budget for North Essex was higher than that for South Essex, despite having a smaller population and good roads. It was, however, noted that other Councils within South Essex had raised similar concerns with Councillor Bass and it was likely that a meeting would take place in due course to address such issues.

In response to a Member enquiry relating to the proposed de-restriction for Rawreth Lane, Rayleigh, County officers confirmed that this related to the stretch of road running from the industrial estate towards Bedloes Corner.

Responding to a Member query about the Poynters Lane, Great Wakering footway scheme, County officers advised that, although this was not a top priority, it was possible that, given the relatively modest costs involved of placing 'landing stages' along the road for pedestrians, it might be possible to identify funding for the scheme to be completed in this municipal year. The long term intention was to link the footway along Poynters Lane, Cupids Corner to Wakering Road, but this was dependent on funding.

In response to a Member enquiry relating to the future consideration of the locally determined budget under the proposed new Committee structure, it

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was noted that the budget would not be devolved to the Area Committees; it would be dealt with in the same way as now, but by the Executive Committee. Area Committees would, however, have representatives from the District Council, Parish Councils and would be attended by County officers.

Resolved

- (1) That the programme of locally determined schemes, as detailed in section 4 of the report, be approved for the current financial year.
- (2) That the rolling programme of reserve schemes, listed in section 5 of the report, be approved. (County Highways)

In concluding the meeting, the Chairman extended his thanks to Members and officers for all their hard work over the past year.

The meeting closed at 9.25 pm.

Chairman

Date

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