

REPLACEMENT LOCAL PLAN - HOUSING

1 SUMMARY

- 1.1 The purpose of this report is to seek Members' views on proposed chapter on housing to be included in Replacement Local Plan. The new Plan will replace the existing Rochford District Local Plan First Review, and provide a policy basis for the control of development in the District up to 2011.
- 1.2 The preparation of a Local Plan is a statutory function for the authority.

2 INTRODUCTION

- 2.1 The majority of the policies to be included in the housing chapter of the plan have previously been agreed by the Committee. A copy of the full version of the housing chapter, including explanatory text is attached to this report as appendix one.

3 KEY ISSUES

Urban Capacity

- 3.1 As Members will recall, the urban capacity study carried out last year identified an 'unconstrained' and a 'recommended' capacity for additional housing in the district arising from intensification, sub-division, employment sites, car parks, other categories, living over the shop and from rural settlements. The figure recommended as being the recommended potential from all these sources was 1260 units.
- 3.2 In preparing the Local Plan, the Urban Capacity Study has been taken into account, but a more prudent approach has been adopted and a total of 664 additional units has been proposed to contribute towards the overall housing allocation to 2011.

Housing Allocation

- 3.3 Paragraph 2.13 of the draft housing chapter provides an analysis of housing provision and Members will note that, including the proposed 664 units for the housing capacity study, sufficient land is available to fulfil the Structure Plan housing allocation to 2011.
- 3.4 Policy HP2 allocates additional housing sites for development within the plan period. In fact, sites i and ii have now received full planning consent, and site iii has outline consent. Site v is based upon an existing area allocated for industrial development (See plan in Appendix One). The relationship of this area to adjacent residential properties is less than ideal and whilst existing uses may continue in

the future, it is considered that if such uses do cease, the site would be better used for residential development.

Affordable Housing

- 3.5 A revised affordable housing policy has been agreed by Members for inclusion in the first deposit plan. However, one of the issues not covered to date relates to the provision of rural exceptions housing. The 1995 local plan specifically excluded rural exceptions for policy. However, there may be instances where the assessment of the needs of a rural community exceptionally justifies the provision of a small number of affordable houses.
- 3.6 It is proposed to include a new policy in the local plan to deal with rural exceptions. The key requirements for a rural community would be to demonstrate that there is an identified local need, that this need cannot be met in any other way, that there is access to local services, and that there is a legal mechanism to ensure the dwellings are available in perpetuity. Given these restrictions, it is considered that the planning authority will have very tight controls over exceptions housing and that new housing provided in this way will be rare, but nevertheless beneficial if it can satisfy a clearly identified local need.

Infrastructure

- 3.7 Members will recall that a revised policy for dealing with infrastructure has been agreed for inclusion in the deposit local plan. The policy stated as follows:

POLICY HP8

The Local Planning Authority will explore all means at their disposal, including planning gain contributions from developers, to ensure the provision, where appropriate, within housing development sites of affordable housing, adequate shopping facilities, health care facilities, transportation infrastructure (for buses and cycling in particular), nurseries, playgroups and minor infrastructure, including public telephone kiosks, and letter posting boxes.

- 3.8 However, on further consideration it is suggested that such a policy is not required in the local plan since it really is little more than a statement of fact regarding 'planning gain' issues that will be discussed with developers as a matter of course or, as with affordable housing for example, are dealt with by other policies in the local plan. It is suggested that this draft policy be deleted from the deposit replacement local plan.

4 RECOMMENDATION

4.1 It is recommended:

That, subject to Members comments, the draft chapter on Housing is agreed for inclusion in the First Deposit of the Replacement Local Plan. (HPS)

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Background Papers: None

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Chapter 2 HOUSING

APPENDIX 1

CORPORATE OBJECTIVES

The following Corporate Objectives are relevant to the delivery of the planning objectives related to housing explained in this chapter of the Local Plan:

- **To work towards a safer more caring community;**
- **To promote a green and sustainable environment;**
- **To encourage a thriving local community;**
- **To improve the quality of life for people in the district; and**
- **To maintain and enhance the local heritage and culture**

PLANNING OBJECTIVES

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|------------|--|
| HO1 | To make provision between 1996-2011 for sufficient housing to meet the requirements of the Essex and Southend-on-Sea Replacement Structure Plan |
| HO2 | To limit the development of new market housing to the existing built-up areas of the district |
| HO3 | To deliver a mix of house types and tenures that best meet the needs of the districts' population |
| HO4 | To produce new housing to high design standards and using sympathetic materials that reflect the key principles of traditional Essex towns and villages |
| HO5 | To allow development of affordable small scale rural housing schemes as an exception to normal policy controls |
| HO6 | To protect and enhance residential amenity whilst at the same time seeking to make best use of the existing housing stock through re-use, conversion and sub-division |
| HO7 | To make best use of previously developed land within the urban areas for new housing |
| HO8 | To ensure that new housing complies with the key principles of sustainable development |
| HO9 | To increase the supply of affordable housing in the district including homes for rent through Registered Social Landlords and through Shared Ownership Schemes |

STRUCTURE PLAN REQUIREMENTS

- 2.1 The Essex and Southend-on-Sea Replacement Structure Plan (ESRSP) sets the requirements for housing provision in the district in the period 1996 – 2011. The allocation provided in the plan is based upon the Government's 1992 based household projections and the housing provision rates provided in the Regional Planning Guidance for the South East (RPG9, March 2001).
- 2.2 The Structure Plan considers that, strong emphasis will continue to be given to safeguarding the stated purposes of the Metropolitan Green Belt and to protecting the natural and built environment. Further development provision, it is argued, should primarily be concentrated within existing larger urban areas through increases in their urban capacity, by redevelopment and land use change. The plan concludes that in the Southend and South Essex sub-region, which includes Rochford, further long-term housing provision up to 2011 will be strongly restrained.
- 2.3 Taking into account the need to continue to safeguard the Green Belt and the natural and built environment of the district, the Structure Plan requires 3,050 new dwellings to be provided in the district between 1996 – 2011.
- 2.4 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.

PLANNING

POLICY

GUIDANCE

- 2.5 Planning Policy Guidance Note No.3 sets out the Government's policies on housing issues. In particular the document explains the principles of the plan, monitor and manage approach to future housing provision.

The PPG provides policy advice on:

- influencing the type and size of housing;
- delivering affordable housing;
- re-using urban land and buildings;

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- creating sustainable residential environments;
 - mix-use development;
 - designing for quality, and
 - making best use of land.

2.6 In preparing the policies in this chapter of the local plan and in particular, Rochford's approach to "plan, monitor and manage", full account has been taken of the advice in PPG3.

ROCHFORD'S APPROACH TO "Plan, Monitor and Manage."

- 2.7 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.
- 2.8 Rochford monitors the delivery of all housing in the district and produces an annual report of residential land availability¹. The report lists all committed housing sites with and without permission and provides a clear statement of progress towards achieving the overall structure plan provision. This report fulfils the second part of the "plan monitor and manage" housing equation.
- 2.9 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.

URBAN CAPACITY

- 2.10 A detailed study of urban capacity was carried out in 2000/2001. The study examined the potential for further intensification of the built-up areas, sub division of dwellings, the use of employment sites, car parks, rural sites and living over the shop.
- 2.11 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.
- 2.12 The LPA has adopted a conservative approach in assessing the contribution arising from the urban capacity study to overall housing provision in the period to 2011. Table 1 below summarises the
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situation. Full details of the urban capacity study can be found in Technical Paper No.1. Further contributions to housing provision post 2011 arising from the study will be determined as part of a future review of the local plan which will be informed by new regional planning guidance and a review of the structure plan.

Table 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 the table include sites allocated for residential development in Policy HP2.

HOUSING PROVISION

- 2.13 An assessment of housing provision in the district in the period 1996 – 2011 has been made based on information from the urban capacity study and from the authority's residential land monitoring report to the base date of 31 March 2001. The calculations are based on net provision, taking into account any losses.

Table 2 - Summary of Housing Provision 1996 – 2011

1 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

- 2.14 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.

POLICY HP1 – Overall Housing Provision

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.

- 2.15 The majority of the housing sites allocated for residential development in the adopted Rochford District Local Plan First Review (1995) have received planning permission or have been implemented. Therefore, given the aim of containing new development within the existing built up areas, few new sites are allocated for residential development in this replacement local plan.

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

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- a. *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.*
 - b. *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.*
 - c. *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.*
 - d. *The development of the site for housing will be dependent on suitable flood protection being provided.*

DENSITY OF DEVELOPMENT

- 2.16 PPG3 requires local planning authorities to avoid developments which make inefficient use of land and to aim for a density of between 30 and 50 dwellings per hectare net (12 to 20 per acre).
- 2.17 The density of any new housing scheme will in part depend on the characteristics of the surroundings area. However, whilst the authority accepts the justification for making best use of land within the existing urban areas, this should not be at the expense of a detrimental impact on amenities or the creation of environments, new buildings or developments that do not harmonise with their surroundings.

POLICY HP3 – Density of Development

The density of new residential development must fall within the range of 30-50 dwellings per hectare (net). The character of individual sites and surroundings and the efficient use of land will determine the acceptable density for a site within this range. As well as matters of design and layout and car parking standards explained in LPSPG1 and 2, the local planning authority will take into account:

- 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.**

DESIGN STATEMENTS

- 2.18 The purpose of a design statement is to set out in detail how the plan's policies will be implemented on a specific site. In particular, a design statement is intended to secure a higher standard of development than would have been achieved without it.
- 2.19 Policy HP6 provides the policy framework for the preparation of design statements, but further guidance on the matters to be included is provided in LPSPG1 [Note: insert details of the new SPG here].

POLICY HP6 – Design Statements

The Local Planning Authority will require developers to prepare a design statement for all new housing schemes of more than 12 dwellings the substance of which must be agreed with the authority in advance of the submission of a planning application. All statements will be 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. Development should then be in accordance with the broad principles of the approved design statement.

ENABLING ACTION

- 2.20 In order to maintain a supply of housing land throughout the plan period, and in accordance with the 'plan, monitor, manage' approach it is important for the local planning authority to keep in regular contact with landowners and developers and, where appropriate, to take action to ensure that housing sites are brought forward for development.

POLICY HP7 – Enabling Action

The Local Planning Authority will:-

- (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 statutory undertakers; and**
- (c) In appropriate cases consider the use of compulsory purchase powers to ensure the development of allocated land.**

DESIGN AND LAYOUT

- 2.21 Urban design is about the creation of places that work for people. It involves a broad range of issues from community safety, movement

and connections to urban form, and is the key to producing places with a distinctive character that matter to people.

- 2.22 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.
- 2.23 Much has been written about urban design issues since the publication in 1999 of the report of the urban task force “Towards an Urban Renaissance”, and the Government has formed the Commission for Architecture and the Built Environment (CABE) whose remit is to improve people’s lives through the provision of better buildings, spaces and places. A list of relevant documents and links to key organisations is provided at the end of this chapter.
- 2.24 National guidance may set the scene for the promotion of good urban design, but in Rochford it is important to understand the local context if new housing development is to be of both high quality and appropriate to the area. Traditional Essex towns and villages exhibit a distinctive character particularly within the texture of historic settlements such as Rayleigh and Rochford. The Essex Design Guide provides a detailed explanation of the key elements that contribute to the character of historic settlements.
- 2.25 Some new sites within existing urban areas may take their cue for design from the strong pattern and character of existing surrounding development. On the other hand, where surrounding development does not provide a traditional context, it will be important to develop designs and layouts that reflect the principles of design within an Essex context.
- 2.26 A primary objective of this plan is to promote good, high quality design in new housing. To this end, the LPA has adopted the Essex Design Guide as supplementary planning guidance and considers that this provides the starting point for any developer considering a new housing scheme. In addition, the LPA has a series of local design policies, which must also be taken into account. LPSPG1 – Housing Design and Layout and LPSPG2 – Car Parking, together with the Essex Design Guide and other policies in this local plan provide then the context for developers.

POLICY HP8 – Design and Layout

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 the Essex Design Guide for Residential and Mixed Use Areas.

ENERGY CONSERVATION

- 2.27 The Council’s Environmental Charter explains the ways in which it is believed significant improvements can be made to the manner in which the environment is treated. As part of the aims of the Charter the Local

Planning Authority is committed to seeing significant improvements in the energy efficiency rating of new dwellings.

- 2.28 The policy is intended to create a positive environment for the increase in the level of energy efficiency of new housing and is intended to complement the requirements of the Building Regulations 2000. Developers will be encouraged to make alterations to the design of buildings or layout of the estate to achieve improved results.

POLICY HP9 – Energy Conservation

The Local Planning Authority will encourage 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.

AFFORDABLE HOUSING

- 2.29 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.
- 2.30 A Housing Needs Survey of the district was carried out in 1999. The study established that in 2004 there would be an outstanding net total need for 340 affordable homes. This calculation took into account the Council's waiting list, homeless and concealed households, and requirements emanating from demographic changes. It is clear from the study that there is too little affordable housing in the district to satisfy local needs, and Policy HP10 is designed to ensure that all developers of larger sites provide an affordable housing contribution.
- 2.31 The Local Planning Authority will need to be satisfied that affordable dwellings will be enjoyed by successive as well as initial occupiers. This is best achieved through the involvement of a Registered Social Landlord (RSL), and the Council has active links with several Housing Associations operating in the District. The LPA will require the applicant to enter into a Section 106 obligation (planning agreement) under the provisions of planning legislation before planning permission is granted.

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- 2.32 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.
- 2.33 Affordable housing provision for villages can usually best be met through the application of Policy HP10 and the provision of suitable accommodation in a nearby town. However, rural affordable housing provision may also be provided through the application of an 'exception' policy. Such a policy enables a local planning authority to grant planning permission for land within or adjoining existing villages which would not normally be released for housing, in order to provide affordable housing to meet local needs in perpetuity.
- 2.34 The 1995 Rochford District Local Plan specifically excluded the notion of exceptions housing. There may though be instances when a small development adjacent to an existing rural settlement might be acceptable to fulfil a proven local need, as an exception to policy. The key requirement is the availability of an up to date needs survey.
- 2.35 The LPA takes the view that local communities should provide the background information to support a case for an exception to be made. A starting point will certainly be the preparation of a village appraisal, which would provide an economic and environmental profile of the settlement. Once a rural community has made an approach to the LPA, a more detailed assessment of the justification will be required. Where there is no easy access to local services, the LPA will not accept the provision of new housing.
- 2.36 If it is concluded that an exception scheme is justified, the LPA will require details of the legal mechanism to be adopted to ensure the new houses are available in perpetuity for the community. Policy HP11 deals with rural exceptions affordable housing.
- 2 **POLICY HP10 – 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 at least 25% of the new dwellings to be provided as affordable housing to meet local needs.

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.

POLICY HP11 – 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.**

CRIME PREVENTION

- 2.37 There is concern about crime in residential areas, particularly domestic burglaries, and for many years the planning system has focussed attention on identifying ways in which new housing estates can be designed to minimize the potential for crime. (Note: design and layout to minimize crime is equally important in employment sites).**
- 2.38 A series of initiatives by amongst others the Crime Prevention Officers Conference, are designed to persuade the building industry to pay closer attention to crime prevention issues.**
- 2.39 The Local Planning Authority plays an important part in these initiatives by considering crime prevention issues as part of the development control process. All applications for new dwellings will be assessed against the guidelines included in LPSPG7.**

POLICY HP12 – Crime Prevention

All new development schemes will be expected to reflect the crime prevention guidelines on design and layout included in LPSPG7. 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.

FLATTED ACCOMMODATION

- 2.40 A key objective of the Local Plan is to deliver a mix of house types and tenures that best meet the needs of the district's population. Purpose built flats have the potential to provide homes for, in particular, young people who are first time buyers and for small households especially those resulting from changes in family units (i.e. when all children have left home). Flats for sale on the open market are not classified as affordable homes but, nevertheless, such accommodation is very often at the lower end of the value scale of market housing and so is more accessible.
- 2.41 There is, however, great concern that flat developments will result in buildings that are out of scale and character with normal family housing. This need not be the case but one of the mainstay considerations for any policy related to the construction of purpose built flatted accommodation must be that the proposed building should respect its setting.
- 2.42 The Purpose Built Flats Policy is based primarily on a set of general principles against which to judge proposals on their merits rather than a set of rigid rules. Particular attention is paid to the need to ensure that any proposal can be satisfactorily accommodated in terms of intensity, scale, massing, traffic generation, parking, design and character. It is important that within existing residential areas new flats are designed so as to reflect the character of the family housing in the area.
- 2.43 Within town centres different considerations may apply. In an urban situation it may be possible to accommodate proposals at a higher density. Suitable arrangements must be achieved to ensure adequate traffic circulation in town centre locations, but parking standards may be relaxed taking into account higher levels of accessibility.

POLICY HP13 – Flatted Accommodation

In considering proposals for purpose built flatted accommodation, the Local Planning Authority will have regard to:

- 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.**

SHELTERED HOUSING

- 2.44 In considering planning applications for private sheltered housing schemes, the Local Planning Authority is concerned to ensure that two

fundamental considerations are addressed. Firstly, as with other major developments within the existing residential area the proposal must be of a scale and character appropriate to the particular locality and the amenity of existing residents must be maintained. Secondly, the needs of the future occupants of the scheme are of great importance. If, for example, Category 2 accommodation is proposed a warden's flat must be provided. The proposed scheme must be sited in a location close to shops and other community facilities so that residents have access as easily as possible.

- 2.45 Whilst many elderly people do continue to own and drive their own cars, evidence shows that those living in sheltered housing schemes very often stop driving relatively soon after moving in. Therefore, the need for parking provision to the normal standard for residential properties is not considered to be essential and the policy standard for sheltered accommodation has been reduced.

POLICY HP14 – Sheltered Housing

In considering proposals for sheltered housing schemes, the Local Planning Authority will have regard to:

- 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.**

MOBILITY HOUSING

- 2.46 It is important that the needs of the disabled and those with mobility problems in relation to the design aspects of new residential properties are fully considered. Government guidance (PPG3) advises that local planning authorities may include a policy indicating that it would seek to negotiate elements of housing, accessible to the disabled, on suitable sites. Such sites, it is argued, should normally be located close to shops and public transport, and be in an area of level ground.
- 2.47 At the time of design and construction it is a relatively simple procedure to build into new dwellings the essential features which would subsequently allow easy and cheap conversion for the use of the

disabled. These subsequent alterations to the design of the house might include, for example, the elimination of steps to front and back doors, widened door openings, increased circulation space in bathrooms and so on. Further details of these requirements can be found in LPSPG [insert number].

- 2.48 For the purposes of the policy mobility housing is defined as:

Housing that is suitable for easy adaption for a disabled person, including those confined to a wheelchair, without structural alterations and encompassing suitable sized rooms, doors and external access.

POLICY HP15 – Mobility Housing

The Local Planning Authority will require developers to consider the provision of an element of ‘lifetime’ mobility housing within new estates.

BACKLAND DEVELOPMENT

- 2.49 The results of the Urban Capacity Study show that there remain many opportunities within the built-up areas of the district for the ‘intensification’ of development. Very often landowners and developers are able to identify opportunities for development on land to the rear of existing residential properties, where there are large back gardens or where several smaller plots can be amalgamated into one.
- 2.50 Backland development is not, in principle an unacceptable form of development, and certainly it can make a valuable contribution to housing provision and fulfil one of the requirements of PPG3 by making best use of available land for development.
- 2.51 Whilst the contribution to housing provision should not be underestimated, where schemes for backland development are proposed it is essential that they do not compromise the amenities of existing residents and Policy H20 explains the matters against which any assessment of acceptability will be carried out.

POLICY HP16 – Backland Development

In considering applications for the development of backland sites for housing purposes, the Local Planning Authority will have regard to:

- 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.**

LOSS OF DWELLINGS

- 2.52 The Local Planning Authority is, in general, opposed to the loss of existing residential accommodation, since this is likely to result in pressure for the release of greenfield sites for development. Exceptions to this policy may be made for the provision of essential community facilities such as surgeries for doctors or dentists: proposals will be considered on their merits having due regard to other policies in this local plan.

POLICY HP17 – Loss of Dwellings

Development proposals that result in a material net loss of existing dwellings in a residential area will be refused.

SUB-DIVISION OF DWELLINGS

- 2.53 The Local Planning Authority is keen to encourage the sub-division of single dwellings into smaller units of accommodation but not, however, at the expense of the residential amenity of surrounding properties. There is a demand for smaller properties and the conversion of existing properties, where appropriate, will allow the best use to be made of the housing stock while at the same time going some way towards satisfying this demand.

POLICY HP18 – Sub-division of Dwellings

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:

- 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;**
- d. The internal layout of the proposed conversion.**

LIVING OVER THE SHOP

- 2.54 Vacant spaces above shops offer an ideal opportunity to increase the numbers of people living within town centres. Despite the fact that there is a demand from people wanting to live in town centres, that residential use is a contributor to regeneration, and that such use minimises the demand for greenfield development, it is often difficult to persuade businesses/retailers to utilise their properties in this way. As the report of the Urban Task Force stated in 1999, "Bringing these properties back into use not only creates additional housing, it also

attracts a mix of residents back into the commercial hearts of our urban neighbourhoods, creating the critical mass vital to economic and social regeneration”.

- 2.55 In seeking to promote more use of commercial buildings within town centres for residential use the upper floors, it is important to ensure that accommodation resulting in a poor living environment, with inadequate access or a poor relationship with surrounding uses, is avoided.

POLICY HP19 - Living over the Shop

The Local Planning Authority will 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.

SAFEGUARDING AMENITIES

- 2.56 The Local Planning Authority believes that is essential to ensure that the amenities of residential areas are safeguarded. Development proposals within or abutting residential areas likely to be detrimental to amenities will be refused. Existing non-conforming uses within residential areas will be allowed to remain provided they are not detrimental to the residential amenities of the area. However, the local planning authority will take enforcement action against unauthorised and inappropriate uses, in line with government guidance. Where such a use or development involves employment, policy EB7 will also be relevant.

POLICY HP20 – Safeguarding Amenities

In order to safeguard amenities, proposals for development that will damage the character and appearance of residential areas will be refused.

PERMITTED DEVELOPMENT RIGHTS

- 2.57 The grant of planning permission for new dwellings within the existing residential areas or indeed within a conservation area must be carefully considered to ensure that the amenities of existing residents and/or the appearance of the area is protected. Situations often occur when a particular application is considered to be acceptable but concern is expressed about the potential alterations that could occur in the future as permitted development. Therefore, in some circumstances the Local Planning Authority will remove permitted development rights or seek an agreement (section 106 obligation) to ensure that the implications of any changes in the future can be fully considered.

POLICY HP21 – 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.

ENCLOSURE OF GRASS VERGES

- 2.58 The Local Planning Authority receives a steady flow of applications from householders wishing to bring into their ownership highway grass verges and amenity landscape areas to form part of their private gardens. Common reasons for enclosure include the increase of garden area, perhaps to allow for the construction of an extension, or to bring the land under control for maintenance, especially to prevent littering, dog fouling or other nuisances.
- 2.59 Such areas, particularly if part of the highway, may be important for traffic safety reasons. Other areas may be an integral part of the overall design and layout of an estate, contributing to the appearance and character of that estate. Enclosure, in these cases, particularly by high screen walls and fences, could seriously alter the symmetry and attractiveness of an area and destroy the singular character of an estate or locality. In addition, some verges or amenity areas support trees that contribute to the amenity of the area, and it is important that these be retained.
- 2.60 On occasion, small residual areas of land which do not form an integral part of an estate layout or design do become unsightly through lack of maintenance, and in these cases there may exceptionally be grounds for permitting their change of use and enclosure. In some cases, a low wall or fence may be more appropriate than a screen structure.
- 2.61 Grass verges and amenity areas do contribute to the character and appearance of housing estates and were originally intended for the public benefit. The Local Planning Authority considers that they should generally be retained as open areas with soft landscaping.

POLICY HP22 – Enclosure of Grass Verges

The Local Planning Authority will assess proposals for the enclosure of grass verges, amenity areas or other open land against the following criteria:

- a. The contribution made to the overall design, layout and symmetry of the estate or locality and the general amenity and character of the area;**
- b. Highway safety;**
- c. The design of any enclosure, wall or fence; and**

d. The retention of important amenity trees.

CARAVAN PARKS FOR MOBILE HOMES

- 2.62 There are a number of caravan parks for mobile homes within the district (see Table ***), and these provide either permanent residential accommodation or, subject to a planning condition, holiday accommodation for a specified period throughout the year. Residential mobile homes make a valuable contribution to the overall provision of housing on offer within the district, but many people have and continue to enjoy the holidays available on some sites. Since the last local plan review in 1995, Shangri-La East Caravan Park has closed and is therefore removed from the Proposals Map.
- 2.63 Many of these sites lie within the tidal floodplain of the River Crouch, and further development may increase the risk to life, contrary to government guidance provided by paragraph 70 of PPG25 (Planning and Flood Risk). Proposals for further development or changes in use will be considered on their own merits, in consultation with the Environment Agency. Appendix G of PPG25 also provides further relevant guidance.

Table ***

CARAVAN PARKS FOR MOBILE HOMES

- | | |
|-------|---|
| i. | Brandy Hole Yacht Club, Kingsmans Farm Road, Hullbridge |
| ii. | Crouch Caravan Park, Pooles Lane, Hullbridge |
| iii. | Dome Caravan Park, Lower road, Hockley |
| iv. | Halcyon Caravan Park, Pooles Lane, Hullbridge |
| v. | Hockley Mobile Homes, Lower Road, Hockley |
| vi. | Lansdowne Caravan Park, Poynters Lane, Shoeburyness |
| vii. | Riverside Village, Creeksea Ferry Road, Canewdon |
| viii. | Shangri-La West, Pooles Lane, Hullbridge |
| ix. | Tower Caravan Park, Pooles Lane, Hullbridge |

- 2.64 In terms of character and appearance there is little to distinguish residential sites from holiday sites and indeed some sites have a mixture of both types of accommodation. Perhaps the key difference between residential and holiday use, leaving aside planning restrictions, is the different health, safety and welfare conditions applied under the provisions of the Caravan Sites and Control of Development Act 1960.
- 2.65 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.

- 2.66 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.
- 2.67 Note, the policy issues relating to sites used for touring caravans are dealt with in chapter * of the Local Plan.

POLICY HP23 – Caravan Parks for Mobile Homes
Planning applications for new caravan parks for mobile homes and applications for extensions to existing sites as shown on the Proposals Map will be refused.

GYPSY SITES

- 2.68 For the purpose of the local plan, the word 'Gypsy' has the same definition as can be found in paragraph 16 of the Caravans Sites Act 1968. This states that '*gypsies' means, 'persons of nomadic habit of life, whatever their race or origin, but does not include members of an organised group of travelling showmen, or of persons engaged in travelling circuses, travelling together as such'*'. This definition is the currently accepted standard definition used in planning law.
- 2.69 Many Gypsy families prefer to find, acquire and develop their own sites for settled occupation, often as bases from which members of extended families can maintain their nomadic lifestyle, and sometimes also for small scale business use. Such proposals should be discussed with the Council before land is bought or works carried out.
- 2.70 Circular 1/94 states in paragraph 13 that, "gypsy sites are not regarded as being among those uses of land which are normally appropriate in Green Belts. Green Belt land should therefore not be allocated for gypsy sites in development plans". Policy HP24 provides a framework for assessing planning applications by Gypsies for private sites for settled occupation.
- 2.71 The Council has agreed to abide by the Essex County Council *Code for Travellers in Essex*, but will take enforcement action against the use of unauthorised and inappropriate sites. There is no provision within

the district for temporary Gypsy accommodation. However, a 25 pitch site is available in a neighbouring authority, run by Essex County Council, which caters for the needs of the Council.

POLICY HP24 – Gypsy Sites

In considering applications made by Gypsies for private sites for settled occupation regard will be had to:

- 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.**

Relevant Local Plan Supplementary Planning Guidance

NOTE: full details to be inserted.....

LPSPG1 – Housing Design and Layout

LPSPG2 – Car Parking

Essex Design Guide for Mixed and Residential Areas

Reading List and Useful Links

In preparing the policies and proposals in this chapter of the local plan account has been taken of the advice and guidance in a wide range of documents and publications. A list of these is provided below together with details of links to organisations that provide useful information about housing and urban design on the web.

Planning for Sustainable Development Note: insert full details....

Sustainable Residential Quality

PPG1

PPG3

Affordable Housing

RDC Urban Capacity Study - 2001

RDC Housing Needs Study - 1999

Essex and Southend Structure Plan

RPG9

By Design

Tipping the Balance

LOTS project – further information from www.livingovertheshop.org

Circular 1/94

Urban Task Force 1999