

Local Development Framework Sub-Committee – 26 September 2011

Minutes of the meeting of the **Local Development Sub-Committee** held on **26 September 2011** when there were present:-

Chairman: Cllr K H Hudson

Cllr C I Black
Cllr Mrs H L A Glynn

Cllr K J Gordon
Cllr C G Seagers

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Mrs C A Weston.

OFFICERS PRESENT

S Scrutton	- Head of Planning and Transportation
N Hayward	- Planning Assistant (Planning Policy)
S Worthington	- Committee Administrator

5 DECLARATIONS OF INTEREST

Cllr C G Seagers declared a personal interest in items 5 and 6 of the Agenda, the Development Management development plan document, and the playing pitch strategy supplementary planning document, by virtue of membership of the Crouch Harbour Authority.

6 DEVELOPMENT MANAGEMENT DEVELOPMENT PLAN DOCUMENT (DPD) PROGRESSION

The Sub-Committee considered the report of the Head of Planning and Transportation presenting the preferred policy options version of the development management DPD and seeking approval for public consultation on the document.

The Sub-Committee considered each of the draft policies, in order, detailed within the document.

Officers advised, in response to a Member concern relating to the omission of the effect of new development on drainage in draft policy DM1 – design of new developments, that the development management policies should not be looked at in isolation from the Core Strategy, which contains policies relating to flood risk and sustainable drainage systems.

During debate of draft policy DM3 – infilling and residential intensification, Members generally considered that floor space standards were adequate, with the exception of studio flats, the floor space standard of which should be increased to 35sq.m.

Responding to a Member question on highway safety with respect to item (ii) of draft policy DM11 – rural intensification, officers stressed that a distinction

should be made between traffic generation and highway safety. Item (ii) was focused on any impact on the Green Belt, rather than highway safety. It was, however, deemed appropriate to insert additional wording at the end of item (v) relating to highway safety.

In discussing policy DM15 - playing pitches and other leisure and recreational activities, Members concurred that, in order to adequately cover, for example, camping and water-based activities, there would be merit in replacing 'playing pitches' with the term 'sports facilities'.

Officers emphasised, in response to Member concern relating to the proposed floor space of permanent dwellings for agricultural and forestry workers, that the floor space of 175 sq.m. was a maximum, rather than a minimum size, as had previously been the case. It was further stressed that this proposed floor space automatically included the usual permitted development rights, so such properties could not exceed 175 sq.m. In the first sentence of the draft policy the words "provided that" would be inserted after "favourably" to provide further clarification around this issue.

During discussion of policy DM19 – basements in the Green Belt, it was apparent that the policy needed to address separately new buildings and replacement buildings. In the first sentence the word "replacement" should be inserted before "dwelling" and "original" deleted in item (i). Replacement wording to address the separate treatment of new and replacement buildings will be circulated to Members of the Sub-Committee.

Members considered that policy DM23 – houseboats should be strengthened. Responding to a Member observation that the policy should include a statement of support for the Crouch Harbour Authority's policies relating to houseboats, officers cautioned that the planning policy framework was not able to administer any control of houseboats. Replacement wording to strengthen the Council's position with respect to permanent moorings of houseboats would, however, be circulated to Members of the Sub-Committee.

Members considered, during debate of policy DM27 – parking standards that the words "or any successor documents" should be inserted in the first sentence, immediately after "adopted December 2010" and that "major" should be inserted before "developments" in the first sentence of paragraph 5.8. It was further felt, in light of concern expressed by Members that the minimum parking spaces were inadequate, that the policy should be re-worded and the wording circulated to all Members of the Sub-Committee to reflect the belief that the parking standards design and good practice supplementary planning document should be reviewed at an early opportunity.

Similarly, Members considered that the word "major" should be inserted before "developments in the first sentence policy DM28 – traffic management.

Officers emphasised, in response to a Member request to include a policy

aimed at protecting rural pubs, that planning policy would not be able to make rural post offices and pubs financially viable.

Resolved

That the preferred policy options version of the development management DPD be published for a consultation period of six weeks and that the Council undertakes community involvement on the document, subject to the amendments detailed in the appendix to the Minutes. (HPT)

7 PLAYING PITCH STRATEGY SUPPLEMENTARY PLANNING DOCUMENT (SPD) CONSULTATION DRAFT

The Sub-Committee considered the report of the Head of Planning and Transportation detailing the consultation draft of the playing pitch SPD and seeking approval for public consultation on the document.

During debate Members drew particular attention to the fact that only 6.95% of residents in the Rochford District live within 20 minutes of three different sports facilities, a figure that was the fourth lowest in the county and below the Essex average.

In response to a Member concern that treating Rochford, Ashingdon and Canewdon as one area could lead to figures relating to the level of supply and demand for playing pitches being somewhat skewed, officers emphasised that residents tended to travel a fair distance to access these facilities; there was, accordingly, a danger that analysis of data would not be as meaningful if this area was broken up into three separate ones.

Members commended appendix G of the supplementary planning document, but all concurred that the term 'short-medium term' should be amended to 'short term' and 'long term' amended to 'medium-long term'.

Officers advised, in response to a Member enquiry relating to the costs of building new playing pitches in the future as part of the strategy, that costs would be met from S106 agreement monies.

Responding to a Member question on figure 1.1 on page 6 of the SPD, officers confirmed that this chart was based on the 2001 Census data and would be refined in the light of the forthcoming results of the 2011 Census.

Resolved

That the playing pitch strategy SPD be published for a consultation period of six weeks and that the results of this consultation be used to draft the final version of the SPD. (HPT)

**Local Development Framework Sub-Committee
– 26 September 2011**

The meeting commenced at 7.30 pm and closed at 10.15 pm.

Chairman

Date

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Appendix

Policy No. and Page Reference	Amendment
Policy DM3 – Infilling and Residential Intensification, page 22, Table 2	Minimum internal floor area for studio flats should be increased from 23.5 sq.m., to 35 sq.m.
Policy DM11 – Rural Diversification, item (v), page 40	Insert “particularly taking account of highway safety” at the end of the sentence.
Policy DM15 – Playing Pitches and Other Leisure and Recreational Activities, page 47	Replace “Playing pitches” in the policy title, with “Sports facilities”.
Policy DM17 – Agricultural, Forestry and Other Occupational Dwellings, page 50	In the first sentence, insert “provided that” after “favourably”.
Policy DM19 – Basements in the Green Belt, page 52	Insert “replacement” before “dwelling” in first sentence. Delete “original” in item (i). Re-worded policy detailed below.
Policy DM23 - Houseboats	Re-worded policy detailed below.
Policy DM27 – Parking Standards, page 68	Insert “or any successor documents” after “adopted December 2010” in the first sentence. Insert “major” before “developments” in the first sentence of paragraph 5.8.
Policy DM28 – Traffic Management	In the first sentence, insert “major” before “developments”.

Basements in the Green Belt

- 1.1 The construction of dwellings in the Green Belt with basements would not generally result in overly intrusive, bulky or high dwellings, or impact on the openness of the Green Belt, in terms of the physical presence. However, such alterations to a dwelling can pose problems of residential intensification, by introducing further residential activity to the Green Belt.

Local Development Framework Sub-Committee – 26 September 2011

- 1.2 Given the nature of basements where natural lighting would be unavailable, it is likely that basements would be used for ancillary uses such as storage rather than for living accommodation.
- 1.3 Single storey basements will be permitted for new and replacement dwellings in the Green Belt, in addition to the 25% increase in floorspace for above-ground extensions permitted within **Policy DM16**. However, such structures must not exceed the footprint of the original dwelling (based on the footprint of the original building as at 1st July 1948 or, when it was first constructed, if this is later). The footprint can include the 25% above-ground extension allowance for replacement dwellings in the green belt.
- 1.4 In addition where a basement is accepted, permitted development rights for extensions to dwellings in the Green Belt will be removed to prevent unreasonably sized dwellings (by controlling their scale and appearance) and to prevent any potential negative impact on the openness of the Green Belt.

Draft Policy DM19 – Basements in the Green Belt

Proposals for the development of basements for new and replacement dwellings will be permitted provided that:

- (i) the proposal does not exceed footprint of the original dwelling (including the 25% above ground extension allowance for replacements in the green belt);
- (ii) the proposal does not give rise to the formation of a self-contained unit of accommodation such as a 'granny flat'; and

Where a basement extension is permitted, planning permission shall be conditioned to remove permitted development rights which would allow the dwelling to be extended in order to control their scale, appearance and impact.

Uses within the Natural Environment

Houseboats

- 4.8. For the purposes of this Plan, a “houseboat” is a boat which is not used for navigation, and is kept on a river or its estuaries, creeks and tributaries long term for residential use. Houseboats require planning permission.
- 4.9. The Rivers Crouch and Roach and their estuaries, creeks and tributaries are ecologically important environs which encompass some of the most sensitive habitats within Rochford District. The national and international importance of those is detailed within the Core Strategy. They are therefore significant habitats for wildlife and are a valuable environment of ecological significance, which the Council will protect from any undue disturbance or pollution. Further information on the constraints surrounding the Rivers can be found in the Council's Strategic Environmental Assessment Baseline Information Profile. The presence of houseboats has the potential to have a negative impact on these sensitive environments, through disturbance.
- 4.10. Houseboats which have permanent moorings are considered to be a form of residential development within the District, because the occupation of such dwellings would require the implementation of infrastructure necessary for the continuance of occupation, not only that which is associated with traditional permanent housing, including pedestrian and vehicle access roads, car parks and toilets, but also fuel stores, jetties and access structures. Such development would not only impact on the wildlife and the nature conservation importance of the Rivers, but also undermine the Council's housing strategy, because the Council promotes the development of residential dwellings within sustainable locations with good access to local services and community facilities. Such development would also conflict with the Council's Green Belt policy, and is unlikely to be considered appropriate.
- 4.11. The rivers in the District are used for both commercial and leisure activities. It is important that the right of navigation on the rivers for both leisure and commercial users is protected. Whilst this is not directly a matter for the Local Planning Authority, it is nevertheless important that development (including houseboats) does not impede the safe and efficient navigation of the rivers. The Local Planning Authority will consult the Crouch Harbour Authority on applications for houseboats. Applicants for houseboats should be mindful that, in addition to planning permission, all vessels used for residential purposes within the harbour (which includes marinas, boatyards, creeks, mud berths etc.) are required by Crouch Harbour Act 1974 to be licensed by Crouch Harbour Authority. The Crouch Harbour Authority has the power to remove and / or destroy any vessel being used in contravention to this requirement.

Applicants should also be aware that Crouch Harbour Authority byelaws prohibit the obstruction of the Fairway¹.

- 4.12. Disused houseboats, where a past residential use has been abandoned, have the potential to be of significant detriment to the visual amenity of the locality. Where planning permission is granted for the mooring of houseboats, the Council will require the applicant to enter into a legal agreement for the removal and disposal of any vessel so moored if it subsequently sinks, or becomes unfit for habitation, derelict or is otherwise abandoned.

Draft Policy DM23 – Houseboats

Permanent moorings of houseboats are not normally considered to be appropriate within the Rivers Crouch and Roach and their estuaries, creeks and tributaries but will be considered favourably if it can be demonstrated that they will not have a negative impact on the:

- Conservation or wildlife value of the rivers which fall within a designated Ramsar site; Special Areas of Conservation; Special Protection Areas or Sites of Special Scientific Interest, Marine Conservation Zones, or other nature conservation interests;
- Coastal Protection Belt;
- Openness of the Green Belt;
- Conservation Areas and the wider historic environment;
- Visual amenity of the area;
- Water and air quality; and
- Other users of the estuaries.

Permanent moorings and associated infrastructure, where permitted, should not cause disturbance or pollution to the surrounding environment, and should not adversely impact on the appearance of the local area, the objectives of the Green Belt, or the commercial or leisure use of the rivers and surroundings.

Where planning permission is granted for the mooring of houseboats, the Council will require the applicant to enter into a legal agreement for the removal and disposal of any vessel so moored if it subsequently sinks, or becomes unfit for habitation, derelict or is otherwise abandoned.

¹ The Fairway is the channels shown on the Admiralty Chart of the area in force for the time being as being accessible to vessels of maximum draft able to navigate safely between the Horse Shoal buoy in the East and No. 15 Fairway buoy in the West of the River Crouch and between No.1 buoy in the North East and No.3 buoy in the South West of the River Roach.