

EXAMINATION OF RAYLEIGH AREA ACTION PLAN SUBMISSION DOCUMENT

INSPECTOR'S QUESTIONS OF THE COUNCIL

I made some preliminary observations to the Council on 23 December 2014 regarding the version of the Plan which should properly be the subject of the examination. Notwithstanding this matter the questions set out below arise from my initial examination of the Rayleigh Area Action Plan (RAAP) Submission Document of November 2013 and the supporting material, including the evidence base. In framing them I have had regard not only to the definition of soundness at paragraph 182 of the National Planning Policy Framework (NPPF) but also the principles for Local Plans set out in paragraphs 154 and 157.

My view is that the main issues regarding the soundness of the RAAP are as follows:

Issue 1: Is the overall framework for development within the RAAP area sound having regard to its needs and demands; the relationship with other plans, national policy and Government objectives and the evidence base and preparatory processes?

Issue 2: Are the policy and proposals for movement justified and deliverable? Would they achieve the aims in the RAAP area framework?

Issue 3: Are the policies for retail development clear, justified and consistent with national policy? Would they achieve the aims in the RAAP area framework?

Issue 4: Are the policies relating to the character of Rayleigh clear, justified and consistent with national policy? Would they achieve the aims in the RAAP area framework?

In this note I shall pose questions of the Council that potentially go to matters of soundness. If the response to any question or comment can be given by directing me to section(s) of the supporting documents and evidence base, then it can be dealt with in that way. However, this is the Council's main opportunity to respond to these points as I shall not be inviting hearing statements. At the same time brevity is also to be encouraged. The reply to my questions should be sent to the Programme Officer by **Friday 6 February 2015**.

INITIAL QUESTIONS

Issue 1:

- (i) How does the RAAP address the criteria for Rayleigh Town Centre in Policy RTC4 of the Core Strategy?
- (ii) In particular, what measures are in place to deliver a range of evening leisure uses and to promote the provision of community facilities?

- (iii) How is the RAAP consistent with the National Planning Policy Framework and especially the expectations in paragraph 23 regarding the vitality of town centres?

Issue 2:

- (i) How are linkages to the railway station, car parks and other adjoining areas including historic assets to be improved?
- (ii) Does criterion 4 of Policy 1 refer to pedestrian routes?
- (iii) Table 1 includes 6 separate environmental improvement and highway schemes. What provision is likely to be made for public funding? Is it realistic to expect developer contributions to assist given the absence of allocated sites? In the absence of a specific policy how would developer contributions be secured? Should any of the schemes be prioritised?

Issue 3:

- (i) Did the Retail and Leisure Study consider whether town centre boundaries should be reviewed?
- (ii) The primary shopping frontage has been consolidated. Could the Council show on a plan the areas that are now incorporated into the secondary frontage?
- (iii) On what basis were the revised frontages determined?
- (iv) What are the existing proportions of Class A1 use within the revised primary and secondary frontages?
- (v) What is the rationale for the provision on page 34 that hot food takeaways will generally not be supported?
- (vi) Does Policy 3 take sufficient account of permitted development rights in Class D of Part 4 and Classes CA and IA of Part 3 of the General Permitted Development Order (as amended) and the provisions for prior approval?
- (vii) How many notifications/applications for prior approval under Classes CA and IA have been received within the town centre area?
- (viii) Figure 5 shows an Opportunity site but what actual potential is there for new retail-led development within Rayleigh town centre?
- (ix) Where are the "headline findings from a comprehensive review of Rayleigh's property market" in section 2.7 derived from?
- (x) The Retail and Leisure Study refers to strong demand for comparison floorspace at Rayleigh. How would the RAAP meet that need?
- (xi) How will the policies of the RAAP strengthen the town's position as the District's main centre?

Issue 4:

- (i) What is meant by criterion 4 of Policy 6 and criterion 2 of Policy 8 in relation to the development of building backs? What is the rationale for these provisions? Are they sufficiently clear?

Other Matters

The Council has commented on the steps taken to meet the duty to co-operate in section 11 of the Consultation Statement. However, does the RAAP deal with any "strategic matters" which are defined as the sustainable development or use of land that would have a significant impact on at least two planning areas?

My letter of 23 December requested that the Council publish the schedule of proposed changes in any event. This should be kept up-to-date throughout the examination process, including any alterations that arise from my questions, and posted on the Examination website at appropriate times. The latest version should be available just prior to the hearing.

In due course the schedule should distinguish between main and additional modifications having regard to the provisions of sections 20 and 23 of the Planning and Compulsory Purchase Act 2004. Additional modifications are those that do not affect the policies. These can be discussed during the hearing.

The Council should also check that any proposed changes have been applied throughout the RAAP. For example, criterion 4 of Policy 5 refers to a reduction in size of the taxi rank but may not be consistent with the item in revised Table 1 concerned with the High Street Taxi Rank & Market Area.

Finally

I have attempted to be comprehensive at this stage in order to assist the progress of the examination. If anything is not clear or further explanation is required of what I am asking then please contact me via the Programme Officer.

David Smith

INSPECTOR

9 January 2015