

## **Rochford District Council – RAAP Submission Document Examination: Council’s Response to Inspector’s Initial Questions (January 2015)**

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**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?

- (i) How does the RAAP address the criteria for Rayleigh Town Centre in Policy RTC4 of the Core Strategy?

Policy RTC4 of the Adopted Core Strategy sets out five key objectives which are necessary to safeguard Rayleigh’s role as the District’s principal town centre. These are:

1. Improved accessibility to and within the town centre
2. A safe and high quality environment for residents and visitors
3. A predominance of retail uses, including intensification of existing retail uses, which cater for a variety of needs
4. A range of evening leisure uses
5. Promotes provision for community facilities, including exploration of potential locations for healthcare centre and, if appropriate deliver of such facility

How the RAAP seeks to deliver each objective identified in the Core Strategy is detailed in turn below.

### **1. Improved accessibility to and within the town centre**

The RAAP seeks to address the criteria set out above in several ways. It identifies the key issues affecting Rayleigh centre and later, goes on to set out policies that seek to deal with the identified issues.

One of the primary issues identified by the RAAP relate to movement and accessibility in Rayleigh. Figure 4 in the RAAP identifies specific sites within the scope of the RAAP which are subject to movement issues including, traffic safety and congestion issues, pedestrian routes which are in need of improvement, and missing connections. The movement issues that affect Rayleigh centre are discussed in more detail in section 2.8 of RAAP.

Websters Way and the junctions at either end are often congested. The backs of retail premises form the western edge of the street and surface parking forms a large portion of the eastern street edge. This congestion consequently impacts on the quality of the surrounding environment for visitors and residents.

Section 2.8 of the RAAP identifies that there are issues with queuing into the Websters Way car park and the junctions of the High Street with Eastwood Road and with Crown Hill. The Crown Hill route is the main link to the train station for both pedestrians and vehicles.

The RAAP identifies that Rayleigh benefits from an extensive bus network, giving access to the wider sub-region. These bus routes often end at the train station.

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There are four bus stops providing access to the town centre of Rayleigh, including those that run from the train station, as well as a large taxi rank which dominates a significant portion of the High Street.

The functionality of the street network is identified in section 2.8 of the RAAP as being in need of improvement in several ways. The RAAP identifies that there are several junctions and areas of street railing that divert pedestrians away from optimal crossing points and movement routes. Particular areas of concern include the walking route from Crown Hill from the train station to Rayleigh Centre, and Websters Way where there is a significant section without a footway.

Section 2.8 of the RAAP points out that facilities for cycling as well as relevant signage are lacking in Rayleigh and should be considered for improvement.

The RAAP seeks to deal with the movement issues outlined above in several ways. It includes a Movement Framework shown in Figure 6 which identifies key junctions that would benefit from improvement. Paragraph 1 of section 3.4 of the RAAP states that the Council will work alongside Essex County Council to agree the priorities for these improvements.

Paragraph 2 of section 3.4 identifies potential public realm improvements to deal with pedestrian movement issues. It suggests making improvements to key pedestrian crossing points at roundabouts and junctions as well as delivering greater pedestrian priority. These alterations are identified in Figure 8 which sets out a potential framework for improvements. Paragraph 2 of section 3.4 sets out that the exact nature of these improvements which would have to be further discussed with Essex County Council Highways and other stakeholders. The need to improve the physical linkages along public routes and between the core High Street and the town's car parks is given additional weight as criterion 3 of Policy 2.

Policy 4 also sets out criteria which are aimed at dealing with transport issues. Criterion 2 requires that, where appropriate, provision should be made for enhanced cycle parking facilities. Criterion 3 requires that upgraded bus facilities be provided in the form of shelters and seating, while criterion 4 requires that pedestrian signage should be introduced for key destinations.

Figure 6 outlines a movement framework for Rayleigh. It identifies key junctions that would benefit from improvement within the Centre. Table 1 on page 28 of the RAAP gives an overview of potential improvements as well as outline costings.

The RAAP seeks to address movement and accessibility issues in the area in a number of ways.

Criterion 4 of Policy 1 sets the goal of establishing improved routes within the AAP area and linking the centre with the railway station and surrounding area. Policy 1 point 4 sets out the overarching approach to improving accessibility in the town centre.

Figure 8 (in comparison with Figure 7) shows a potential framework for improvement to the central High Street area. It identifies potential improvements such as widening

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pavements; rationalising the taxi rank, enhancing pedestrian priority and improvements to pedestrian crossings.

In section 3.4 paragraph 1 of the RAAP it states that that the Council will continue to work with Essex County Council to agree the priorities for improvements.

After the completion of the Pre-Submission RAAP November 2013 a review of the Pre-Submission Consultation process, and the production of the Pre-Submission stage Consultation Statement identified a number of outstanding issues that had been raised by Essex County Council Highways Team. Further discussions with Essex County Council were held and a note was provided outlining their issues. This note was appended to the Consultation Statement.

The issues raised by Essex County Council Highways were met as follows – as detailed in the Schedule of Modifications (ref RCAAP003):

1. Alterations to the taxi rank were flagged as a concern.

*It was agreed that further discussions with Essex County Council should take place before any changes to the taxi rank were undertaken.*

*The Schedule of Modifications to the Pre-Submission Rayleigh Area Action Plan included amendments to section 3.4 paragraph 2. The modification ensures that the role of the taxi rank in Rayleigh Centre is acknowledged. Rationalisation of the taxi rank is suggested as a possible measure and is show in a modified Figure 8.*

2. Proposed changes to traffic circulation would require additional modelling and any modifications that would redirect traffic onto other routes would be opposed. Essex County Council Highways indicated that they would prefer measures such as signal improvements to any measure that might reduce traffic flow in the Centre.

*Discussion with Essex County Council Highways team resulted in an agreement that there was greater potential for soft measures in improving the effectiveness of crossing points with in the Centre. It was also found that these would be less likely to cause traffic to be redirected along less sustainable routes.*

*Figure 8 was amended to identify the potential locations that would benefit from soft measures.*

*It was noted that further transport modelling work for Rayleigh would be carried out in the near future and Rochford District Council along with Essex County Council Highways, would apply the findings of the work to Rayleigh.*

*A meeting regarding the preliminary Town Centre Modelling Options Study for Rayleigh has now been agreed for 2 March 2015.*

3. Improvements that would enhance sustainable modes of travel were welcomed. Exploring the possibilities for improving local bus services was

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encouraged, including enhancing links to the local rail station. Improved cycling facilities and signage was encouraged.

*The Schedule of Modifications to the Rayleigh Area Action Plan Pre-Submission Document November 2013 includes modifications to Table 1. Modifications include amended descriptions of targeted improvements for Rayleigh Centre and a revaluation of estimated costs based on the new soft measures.*

The Council have been in communication with Essex County Council Highways and will continue to work closely with them to plan for, and drive forward viable and positive solutions to the Centre's transport needs. Essex County Council's views on the Schedule of Modifications to the RAAP November 2013 are set out in the joint statement between Essex County Council Highways and Rochford District Council.

### **2. A safe and high quality environment for residents and visitors**

Policy 1 point 5 sets out the Council's commitment to supporting public realm improvements and environmental enhancements within the town centre. Improvements in this regard are also likely to have a positive knock-on effect on the policies for improving the pedestrian accessibility. This overarching support for improvement to the environment in Rayleigh is enshrined in other policies in the Plan.

The Plan recognises that the historic environment significantly contributes to the character of the town centre, and it seeks to preserve and, where possible, enhance the historic environment. Four character areas have been identified within the Conservation Area which extends across the town centre, informed by those identified in the 2007 Rayleigh Conservation Area Appraisal and Management Plan to ensure that proposals respond both positively and sensitively to the identified character areas.

Policy 4 sets out the main principles for development within the character areas; largely in relation to improving the pedestrian environment and opportunities for sustainable travel. Policies 5-8 take each character area in turn and set out specific criteria for any development proposals based on the challenges and opportunities presented within each area. This is considered to be a focused approach to ensuring the protection, and where appropriate, the enhancement of the town centre within the overall framework of the Plan.

### **3. A predominance of retail uses, including intensification of existing retail uses, which cater for a variety of needs**

The character of Rayleigh is primarily retail based. The loss of this character would constitute a risk to the ongoing vitality of the Centre. The RAAP seeks to ensure that retail uses in Rayleigh are focused in the High Street, primarily through the concentrating the primary shopping area, as set out on the Proposals Map (Figure 10).

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The Retail and Leisure Study Update 2014 states in paragraph 5.15 that the town centre should be the main focus for future town centre development. It concludes in paragraph 6.10 that it is necessary to designate primary and secondary shopping frontages. It also supports the thrust of the policies in the RAAP such as Policy 3, which indicate that the predominance of retail (A1) uses should be retained without being overly prescriptive and therefore allow a viable and appropriate mix of non-retail uses.

Policy 2, which sets out the overarching approach to retail, states that the Council will seek to maintain the predominance of retail uses in the centre; contribute positively to the local retail character of the centre; and where possible, deliver improved physical linkages along key public routes between the core High Street and the town's principal car parks.

The criteria set out in policy 2 should be interpreted in conjunction with that of Policy 3, concerning shopping frontages. Policy 3 criteria 1 and 2 seek to ensure that the retail (A1) uses within Rayleigh Centre are retained whilst allowing for an appropriate level of variety through the inclusion of acceptable non-A1 uses. Policy 3 will permit change to a non-A1 use provided that the predominance of A1 uses will not be undermined; a cluster of non-A1 uses is not created; and the provision of non-A1 use contributes positively to the overall offer, encouraging people into the centre.

#### **4. A range of evening leisure uses**

Through tightening the primary shopping area around the High Street to create a focused retail core, this would afford greater opportunities for a mix of complementary town centre uses in the wider town centre area, without undermining the predominant retail uses. By allowing for some non-A1 development in the wider town centre area, the Council is supporting opportunities for a vibrant and varied town centre, which can incorporate evening leisure uses.

Paragraph 6.9 of the Retail and Leisure Study Update 2014 states that while frontage policies are still required to maintain the appropriate mix of uses in town centres it also points out that overly prescriptive policies would have potentially negative consequences. It suggests that policies should be worded with sufficient flexibility to allow non-retail uses to secure representation in the town centre. Policy 1, criterion 3 seeks to ensure an appropriate proportion of non-A1 uses in the town centre to ensure the provision of leisure, cultural, and community uses in Rayleigh centre.

Policy 2, criterion 1 seeks to maintain the appropriate predominance of retail uses in Rayleigh Centre. This policy will ensure this by concentrating retail (A1) uses within the primary shopping frontage. This will afford the opportunity for additional leisure uses to compliment retail uses on the periphery. Policy 2, criterion 3 states that where possible retail led development should deliver improved physical linkages along public routes. This criterion will ensure that Rayleigh's retail offer will develop in concert with its permeability to pedestrians. In combination these criteria have the capacity to ensure that Rayleigh has a strong mix of retail, leisure and community uses, while also enhancing accessibility to the public.

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In order to encourage a strong, appropriate and resilient mix of A1 and non-A1 uses within Rayleigh, Policy 3 sets targets of 75% A1 uses within the primary shopping frontage and 50% A1 uses within the secondary shopping frontage. These percentages are based on the original requirements of the Replacement Local Plan 2006. The use of targets for retaining retail (A1) uses in the town centre is supported in the Retail and Leisure Study Update 2014.

The RAAP policies regarding the desired percentage of A1 and non-A1 uses in Rayleigh Centre and in particular the consolidation of the primary shopping frontage, were arrived at within the context of a fixed town centre boundary, which is supported by the Retail and Leisure Study 2008, and the fixed target proportions of A1 and non-A1 uses within defined frontages, carried forward from the Replacement Local Plan 2006.

Subsequent monitoring as part of the Shopping Frontage Area Surveys 2010 indicated that the targets which had been set for the primary and secondary shopping frontages were not being met.

In order for the targets of 75% A1 use in the primary shopping frontage and 50% A1 use in the secondary shopping frontage area to be met it is necessary to concentrate the primary shopping frontage area. Of the options considered by consultants Allies and Morrison Urban Practitioners (AMUP) this was found to be a better option than attempting to enforce a more prescriptive policy to achieve the desired quantum of A1 uses. The Retail and Leisure Study Update 2014 supports the decision to set percentage targets for the shopping frontages while also emphasising that an overly prescriptive approach would have potentially negative effects on the vitality of non-A1 uses in the centre.

Additionally by concentrating the area of primary shopping frontage and therefore expanding the area of secondary shopping frontage the RAAP encourages a stronger mix of non-A1 uses as set out in Policy 1, criterion 3. This will enhance the vibrancy and viability of Rayleigh Centre.

Policy 5, which sets the criteria for Character Area A states that the area should be predominantly made up of A1 retail uses. The policy also supports development which will provide additional A1 use floorspace, as this will have the effect of strengthening the retail function of the town centre.

Policy 6 for Character Area B states that the Council will look favourably on planning applications which support the retail function of the central High Street. Complimentary uses which support the evening economy also form part of this mix as set out in Policy 1, criterion 3.

Policy 7 identifies the Council's criteria for Character Area C. The policy emphasises the role of this area in supporting the retail function of the central High Street area with an emphasis on secondary retail and complimentary uses in accordance with Policy 1, criterion 3.

Policy 8 sets out Rochford District Council's policies for Character Area D. These criteria are similar to those set out in Policy 7 in that they state that the Council will

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encourage development which supports the main retail function of the central High Street area.

### **5. Promotes provision for community facilities, including exploration of potential locations for healthcare centre and, if appropriate deliver of such facility**

The concentration of the primary shopping frontage in Rayleigh will ensure greater capacity for the provision of community facilities within the secondary shopping frontage.

The Plan has explored the potential for a healthcare centre. There have been changes in the way the NHS budget is managed over the past few years and based on these external factors it is no longer clear that there is potential in Rayleigh for a new healthcare centre (section 3.3, bullet 3 of the RAAP).

In future the Council will review the potential for a new healthcare centre in Rayleigh.

- (ii) In particular, what measures are in place to deliver a range of evening leisure uses and to promote the provision of community facilities?

The RAAP, through Policy 1, criterion 3 which sets the overarching policies for Rayleigh centre, and subsequently through Policies 6 and 7 and in accordance with Policy 3, ensures that shopping frontages will include a mix of retail (A1) uses and other appropriate uses such as leisure, cultural, and community facilities. These non-A1 uses have the potential to support a vibrant and viable evening economy in Rayleigh town centre.

RAAP Policy 1, criterion 3 sets out the general overarching principles that require an appropriate proportion and concentration of non-A1 uses including community and leisure uses, particularly in locations outside of the primary retail core; and Policy 3 addresses the shopping frontages in Rayleigh. Criterion 1 of Policy 3 requires that proposals do not have a detrimental impact on the predominance of A1 uses within the primary shopping frontage and the wider centre. Policy 3 also sets the percentage targets for A1 and non-A1 use in the primary and secondary shopping frontages.

When applied in conjunction with the revised primary and secondary shopping frontages shown in Figure 10. These policies ensure that by concentrating the primary shopping frontage, where the highest proportion of A1 uses are sought, the secondary shopping frontage is expanded and ensures that Rayleigh centre can accommodate a greater proportion of non-A1 uses such as community and leisure facilities as well as well so uses that will contribute to the evening economy, without undermining the predominant retail focus.

Policy 2, criterion 3 is also important in promoting the provision of community facilities. The criterion requires that, where possible, the development should deliver improved physical linkages along key public routes and between the core High Street and the town’s principal car parks. These improvements will enable easier

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movement in and through Rayleigh town centre, which has the potential to increase the ease of access to community and leisure facilities and retail premises.

In conclusion the issues and policies discussed in this section ensure that Rayleigh can retain a strong retail focus in its primary shopping frontage while still encouraging a vibrant and varied mix of uses in the secondary frontage. When combined with the suggested public realm improvements access to community facilities and leisure opportunities will also be enhanced.

(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?

The Rayleigh Area Action Plan is consistent with the NPPF and paragraph 23 in a number of ways.

- **Paragraph 23 of the NPPF requires that Local Plans should recognise town centres as the heart of their communities and pursue policies to support their viability and vitality;**

The Core Strategy identifies Rayleigh as the primary centre in the District and this status is carried forward into the RAAP. The whole plan seeks to build on the unique characteristics of the town and the potential opportunities to make it more attractive and accessible.

The RAAP places improvements to the public realm as one of its core goals. Rayleigh centre is at the heart of the town’s community and improvements to the public realm will enhance this role.

The RAAP seeks to enhance vitality in two ways. Firstly by consolidating the primary shopping frontage, the RAAP can ensure a strong and resilient mix of retail (A1) uses. Secondly by consolidating the primary shopping frontage there is a greater capacity in the secondary shopping frontage to include additional complimentary town centre uses, with the potential to increase visitor numbers to the town centre as well as enhancing the evening economy.

There are several policies in the RAAP that will support the viability and vitality of Rayleigh. Policy 2, criterion 3 sets out that new development should, where possible, seek to deliver improved physical linkages along key public routes. This will enhance the vitality of Rayleigh centre by enabling easier movement for pedestrians.

Policy 3, criterion 2 ensures that the vitality and viability of Rayleigh Centre is safeguarded by ensuring that clusters of non-A1 uses are not permitted where they would undermine the retail character of the area.

Policy 4 states that development in all of Rayleigh’s character areas should incorporate or contribute to the four principles listed. Criterion 1, for example, sets out that developments should incorporate or contribute to public realm interventions which should include the replacement of poor quality paving, the removal of street clutter, the improvement of the lighting for pedestrian routes, and the planting of

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native trees. These improvements will enhance the vitality of Rayleigh centre by enhancing the core retail area, as well as the wider town centre area, increasing Rayleigh's attractiveness, and improving accessibility for, residents and visitors.

### **Paragraph 23 of the NPPF requires that Local Plans should define a network and hierarchy of centres that is resilient to anticipated future economic changes.**

The Retail and Leisure Study 2008 identifies Rayleigh as having the highest retail retention levels in the District. The Retail and Leisure Study 2008 identifies that Rayleigh has the widest range of retailers and the highest level of retail expenditure retention compared to the District's other two main settlements of Rochford and Hockley. The long term economic viability of Rayleigh Centre is supported in Policy 2 which states that the Council will support development proposals that retain or strengthen Rayleigh's position in the local retail hierarchy. The RAAP's approach to Rayleigh is supported by the Retail and Leisure Study Update 2014.

Policy 2, criteria 1 sets out the requirement that development will be permitted where it will maintain the predominance of retail uses in the centre, in accordance with Policy 3. This will safeguard against any possible decline of retail (A1) use, which is a risk that was raised in the Retail and Leisure Study 2008. Policy 2, criteria 2 requires that development positively contributes to the local retail character, identified under policies 4-8. This will help to maintain Rayleigh's position as the principle retail centre in the District.

The RAAP does not propose changing the town centre boundary for Rayleigh. The Retail and Leisure Study 2008 paragraph 10.16 did not suggest that the boundary was in need of alteration.

### **Paragraph 23 of the NPPF requires that Local Plans should define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations**

As mentioned above the Retail and Leisure Study 2008 found that the boundaries of Rayleigh town centre adequately reflected the parameters of the core shopping and related activities, and therefore recommended no change.

Policy 3 of the RAAP sets out the policies regarding shopping frontages in Rayleigh. These are clearly defined in the RAAP proposals map (Figure 10).

The RAAP proposes that the primary shopping frontage be consolidated in order to preserve the predominance of A1 uses in the centre.

The goal of retaining the predominance of A1 uses in the centre is established in Policy 2, criteria 1 and in more specific terms in Policy 3 which establishes that 75% and 50% of (A1) uses should be retained in the primary and secondary shopping frontages respectively. Policy 3 also sets out the circumstances under which non-A1 uses would be permitted.

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### **The NPPF requires that Local Plans promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres**

Paragraph 2.11 of the Retail and Leisure Study 2008 confirms that Rayleigh is the main shopping destination within the District. The Retail Leisure Study Update 2014 (Appendix4) identifies one of the key roles of Rayleigh as being comparison shopping. This is due to Rayleigh having a mix of national multiple retailers as well as small independent traders.

The RAAP seeks to retain and enhance the diverse retail offer in Rayleigh. Policy 1 sets the overall framework for Rayleigh. It encourages development that will consolidate and strengthen the primary retail core along the High Street; provides opportunities for new and intensified retail and other mixed use development; and promotes appropriate concentrations of non-A1 uses, including cultural, community and leisure uses, primarily focused primarily outside of the primary retail core.

Policy 2 deals with retail development in more detail. Criterion 1 supports development that will maintain the predominance of retail uses in the centre. Criterion 2 requires development to contribute positively to the relevant character area of the AAP as set out in Policies 4-8 which deal with Rayleigh’s Character Areas.

These policies will ensure that customer choice and a diverse retail offer is protected.

### **The NPPF requires that Local Plans retain and enhance existing markets and, where appropriate, re-introduce or create new ones, ensuring that markets remain attractive and competitive**

The long term economic viability of Rayleigh Centre is supported in Policy 2 which states that the Council will support development proposals that retain or strengthen Rayleigh’s position in the local retail hierarchy.

Policy 6, which addresses Character Area B, encourages development which will contribute to and enhance the evening economy as well as enhancing other town centre uses such as leisure, cultural and community facilities.

Policy 7, which addresses Character Area C, encourages development that leads to additional floorspace for appropriate town centre uses that support the main retail function of the central High Street Area.

**The NPPF requires that Local Plans allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres. It is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability. Local planning authorities should therefore undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites**

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The Retail and Leisure Study 2008 paragraph 10.16 concludes that there is no need for the town centre boundary for Rayleigh to be altered.

The Retail and Leisure Study Update 2014 identifies that within Rayleigh town centre, development options are limited however it identifies the potential for development along building backs, particularly along Websters Way, and the possible longer term development of the Dairy Crest site. Both of these options are taken forward within the RAAP, in Policy 8 covering Character Area D and in the identification of the Dairy Crest depot as an opportunity site.

**The NPPF requires that Local Plans allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre where suitable and viable town centre sites are not available. If sufficient edge of centre sites cannot be identified, set policies for meeting the identified needs in other accessible locations that are well connected to the town centre**

The RAAP primarily deals with development within the boundaries of Rayleigh town centre given the spatial extent of the Plan. The RAAP's approach to Rayleigh is supported by the Retail and Leisure Study Update 2014.

**The NPPF requires that Local Plans set policies for the consideration of proposals for main town centre uses which cannot be accommodated in or adjacent to town centres**

The RAAP primarily deals with development within the boundaries of Rayleigh town centre given the spatial extent of the Plan. However there is an overarching policy in the Core Strategy (Policy RTC2) which sets out the sequential approach to retail development in the District. The RAAP's approach to Rayleigh is supported by the Retail and Leisure Study Update 2014.

**The NPPF requires that Local Plans recognise that residential development can play an important role in ensuring the vitality of centres and set out policies to encourage residential development on appropriate sites; and where town centres are in decline, local planning authorities should plan positively for their future to encourage economic activity**

The Council has recently adopted its Development Management Plan. Policy DM35 sets criteria for converting upper floor locations in town centres. It states that permission will be granted, where appropriate, to ensure that accommodation is self-contained and suitably located with separate access from the street and that such accommodation provides a satisfactory standard of residential convenience and amenity.

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

- (i) How are linkages to the railway station, car parks and other adjoining areas including historic assets to be improved?

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Policy 5, criterion 5 proposes enhancing pedestrian links within the AAP area, including those between the central High Street area and the Websters Way car park, and across Rayleigh, including to the rail station. Policy 6, criterion 6 states that pedestrian links across Rayleigh and to the Mount in particular should also be strengthened.

The linkage improvements are detailed in Table 1. They include improvements and widening of pedestrian footways, the removal of formal pedestrian crossings and the introduction of informal crossings. Measures to slow traffic and shared spaces were also proposed, alongside enhanced pedestrian and cycle facilities for the town centre. There was also particular focus on improving mid-block links between the High Street and Websters Way.

Following discussion with Essex County Council Highways Team a Schedule of Modifications (ref: RCAAP003) was produced. The modifications included changes to the proposed linkage improvements. In particular alterations measures to slow traffic were proposed to be removed, as were shared spaces. Instead soft treatments were proposed at key crossings that would not slow traffic flow but which would potentially improve safety and raise pedestrian and driver awareness. Additionally the Schedule of Modifications indicates that the Local Highways Panel has agreed to fund additional modelling work.

It should also be noted that while the Issues and Options Document proposed creating a new pedestrian route through the Mount, due to opposition from the Rayleigh Mount Local Committee (National Trust) representatives this route was not carried forward into the Pre-Submission Document.

(ii) Does criterion 4 of Policy 1 refer to pedestrian routes?

Yes criterion 4 in Policy 1 refers to pedestrian routes. We would welcome suggestions on how this could be clarified, if necessary.

(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

With regards to the environmental improvements and highways schemes identified in Table 1, the Council envisages that funding would come from a number of different sources. Primarily these would be in the form of funding provided by Essex County Council from their budget for improvements to road infrastructure etc. as shown in Table 1, and/or through the Rochford Local Highway Panel. Additional funding may be supplied through the Community Infrastructure Levy and Section 106 or Section 278 agreements in concert with developer contributions.

The Council does not feel that any one scheme that has been identified should be prioritised. However the Council will take the advice of Essex County Council Highways to identify any improvements that emerge as priorities.

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**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?

- (i) Did the Retail and Leisure Study consider whether town centre boundaries should be reviewed?

The Retail and Leisure Study 2008 concluded in paragraph 10.16 that the existing town centre boundaries of Rayleigh should be retained

- (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?

Figure 10 of the RAAP sets out the consolidated primary shopping frontage area for Rayleigh. Appendix A sets out the existing primary and secondary shopping frontage areas from the 2006 Replacement Local Plan.

Additionally the plans within Appendix B of this document show an overview of the various options considered by the Council’s consultant, Allies and Morrison Urban Practitioners (AMUP). The preferred option that was carried forward into the RAAP was Option 2.

- (iii) On what basis were the revised frontages determined?

The Retail and Leisure Study 2008 concluded in paragraph 10.16 that the existing town centre boundaries of Rayleigh should be retained and that further intensification within the existing town centre boundaries should be supported. When preparing the RAAP the Council considered various means of enhancing the viability and vitality of the town centre within its existing boundaries.

Monitoring of the concentrations of A1 and non-A1 uses in the primary and secondary shopping frontages was carried out as part of the 2010 Shopping Frontage Area Survey. This study indicated that only 69.1% of primary shopping frontage and 39.5% of secondary shopping frontage was in (A1) usage.

Within the context of the existing town centre boundary and existing primary and secondary shopping frontages their respective targets were not being met in terms of proportion of A1 uses, the Council reviewed several options aimed at improving the performance and viability of both the primary and secondary frontages.

These options are set out in Appendix B of this document which shows the various options which were considered by the Council and its consultant, AMUP. The preferred option that was selected was option 2, which proposed concentrating the primary shopping frontage.

This approach is supported by the Retail and Leisure Study update 2014 (paragraph 6.9) which states that the proposal to alter the primary and secondary shopping frontages would strengthen the overall retail function of Rayleigh town centre.

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- (iv) What are the existing proportions of Class A1 use within the revised primary and secondary frontages?

Option 2 shown in Appendix B of this document illustrates as a percentage the existing proportion of Class A1 uses within the primary shopping frontage.

At present the Council is unable to provide a figure regarding the percentage of Class A1 uses within the secondary shopping frontage. However the Council is confident that it can provide this information in due course, if required.

- (v) What is the rationale for the provision on page 34 that hot food takeaways will generally not be supported?

Public consultation on the RAAP Pre-Submission Document November 2013 indicated that there was concern that there were too many hot food takeaways in the town centre. Some residents raised the number of hot food takeaways as being a negative characteristic of the town centre.

The Council considers that hot food takeaways do not contribute positively to the daytime economy as they generally operate in the evening. It is also considered that hot food takeaways do not contribute positively to the overall retail offer within the town centre. Additionally an over abundance of such uses in the centre (particularly the primary shopping frontage) could undermine the character of the town centre.

The Retail and Leisure Study 2008 paragraph 4.2 points out that the proportion of Class A5 takeaways within all three centres are slightly higher than the national average. Combining this factor with the concerns raised by residents the Council concluded that it should not seek to encourage additional hot food takeaways in Rayleigh centre.

- (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?

The Council did not have any applications for changes of use specific to Class D, CA and IA of the General Permitted Development Order (as amended) between the dates 01.01.2014 to 01.01.2015. As the changes to the General Permitted Development Order (as amended) took place after the RAAP Pre-Submission Document November 2013 was completed no specific policy or guidance has been included. However the Council is willing to take any guidance on this issue should the Inspector feel that it is necessary.

- (vii) How many notifications/applications for prior approval under Classes CA and IA have been received within the town centre area?

There were 89 submissions for prior approval between the dates 01.01.2014 to 01.01.2015 within Rayleigh. Of the total number of prior approvals three were for change of use from commercial to residential, one was for a change of use from Class C3 to Class B1 and all of the remainder were for householder extensions.

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- (viii) Figure 5 shows an Opportunity site but what actual potential is there for new retail-led development within Rayleigh town centre?

As stated in the supporting text in Policy 7, the opportunity site in Figure 5 is identified as a site that may have the potential for mixed use redevelopment in the longer term, which could possibly be beyond the plan period. This is further supported by paragraph 5.20 in the Retail and Leisure Study 2014.

The 2014 Study also identified the potential for retail use in the Websters Way car park (para. 5.19). However, this is again not foreseeable to happen within the plan period and is considered as a development opportunity in a longer term.

Notwithstanding this, the Council has already looked at the potential for retail development for the Webster Way car park at the Issues and Options stage, and developed into a potential option during an additional consultation stage in the public exhibition (January 2013) on the emerging framework for Rayleigh prior the preparation of the Proposed Submission Document (May 2013).

Following feedback received from the formal and informal consultations, the preferred framework was developed and refined to form the pre submission document (November 2013).

It is identified in Policy 5 (criterion 3), Policy 6 (criterion 3), Policy 7 (criterion 3) and Policy 8 (criterion1) that development will be acceptable where it would lead to the creation of additional floorspace for appropriate town centre uses that support the main retail function of the High Street area. It is clear that the Council is prepared to support any retail development that would benefit the retail function within the High Street area.

- (ix) Where are the “headline findings from a comprehensive review of Rayleigh’s property market” in section 2.7 derived from?

The “headline findings” mentioned in section 2.7 of the RAAP are derived from work carried out by GL Hearn on behalf of the Council’s consultant, AMUP. Appendix C of this document includes a note on this research, produced by GL Hearn.

- (x) The Retail and Leisure Study refers to strong demand for comparison floorspace at Rayleigh. How would the RAAP meet that need?

The Retail and Leisure Study Update 2014 notes that expenditure retention is generally lower for comparison goods than convenience goods, as customers are more likely to shop further afield to seek greater choice when purchasing comparison goods (para 3.48). Out of the District’s three town centres, Rayleigh has the largest comparison goods share due to the number of national multiples within the town (para 3.51), but the proximity of major shopping centres such as Basildon, Lakeside and Southend impact on the District’s ability to increase its market share for such goods (para 3.62).

The 2014 Study recognises that, despite the difficult market conditions, comparison goods floorspace is currently trading satisfactorily in the District (para 3.52), and it

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acknowledges that the latest projections for market shares in the District are much lower than those in the 2008 Retail and Leisure Study as they take account of the recession – and the associated impacts on expenditure and future growth forecasts (para 3.70).

The 2014 Study projects that Rayleigh would need to accommodate around 3,000 sq.m. of comparison floorspace up to 2034 (Table 5.1), which is beyond the plan period for the RAAP which is up to 2025. The 2014 Study considers the potential for the town centre to accommodate additional comparison floorspace up to 2034 and recognises that the town centre is constrained by a factors including its historic environment (para 5.17). However, it does consider a number of development opportunities – including the service areas/building backs along Websters Way in the medium-long term (para 5.18) and the Websters Way car park and the Dairy Crest site in the longer term (para 5.19-5.20) which has a good potential to cope with the demand for comparison goods. The potential opportunity site of Websters Way car park was subject to consultation during the preparation of the RAAP, but was discounted following the comments received from the additional consultation stage in the public exhibition (January 2013) on the emerging framework of Rayleigh town centre.

The RAAP seeks to plan for additional comparison floorspace over the plan period through the identification of the Dairy Crest Opportunity Site and supporting the development of service areas/building backs along Webster’s Way. This approach is supported by the 2014 Study, which concludes that:

“The overall conclusions of the Retail and Leisure Study Update accord with the AAPs for the three main centres in Rochford District.” (para 6.31).

It is also important to note that the growth in home computing, internet connections and smart phone may lead to a growth in internet shopping and may have effects on retailing in the high street. Trends within this sector may well have implications for retailing within Rochford District as recognised in the 2014 Study (para 3.13). Projections for the floorspace - comparison goods in particular, should be monitored as it rolled forward. As stated in the 2014 Study, the impact of potential increases in home and internet shopping should be updated as necessary (para 7.27).

(xi) How will the policies of the RAAP strengthen the town’s position as the District’s main centre?

Rayleigh is the largest settlement in Rochford District in terms of size and population. The Retail and Leisure Study Update 2014 states that Rayleigh is the District’s main high street comparison shopping destination (para 3.82). Rayleigh also performs reasonably well in terms of its comparison goods offer.

The RAAP seeks to enhance Rayleigh’s role as a key shopping destination within the District. It sets out several policies ensuring that Rayleigh will prosper in this regard.

Policy 1 sets out the general overarching framework for Rayleigh centre. In terms of enhancing the centre’s retail provision it proposes consolidating and strengthening

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the retail core along the High Street, this criteria complies with the requirement in paragraph 23 of the NPPF requiring LPAs to promote the viability and vitality of town centres, and to retain and enhance existing markets, and where appropriate, re-introduce or create new ones, ensuring that markets remain attractive and competitive.

The framework outlined in Policy 1 ties into Policy 2 in the RAAP which supports development that will maintain the predominance of A1 uses in the centre; contributes positively to the local retail character of the relevant character areas identified in policies 4-8 of the plan; and where possible delivers improved physical linkages along key routes.

Policy 3 will also help to enhance and protect the existing retail character of Rayleigh centre by ensuring that the primary shopping frontage in Rayleigh is protected and enhanced. By setting a target of 75% A1 uses for the primary shopping frontage the RAAP ensures that a strong and viable retail offer is retained while still allowing for non-A1 uses to be developed in the primary shopping frontage provided they do not undermine the predominance of A1 uses; or create a cluster of non- A1 uses. It also permits the development or change of use to non-A1 uses where the use would contribute to the overall offer and encourage people into the centre. This approach is in accordance with the NPPF and in particular paragraph 23 which deals with the vitality of town centres.

The Retail and Leisure Study Update 2014 supports the approach set out in the RAAP. In paragraph 6.10 it concludes that there is a requirement in Rayleigh for shopping frontage policies in order to maintain the vitality and viability of the centre.

In addition to enhancing the towns retail offer the RAAP also identifies the need to explore opportunities for additional leisure, cultural and community uses, particularly in areas outside the primary retail core.

Policy 1, criterion 3 sets out that the Council will support the development of non-A1 uses outside of the primary retail core where they provide additional cultural and community uses. This general principle is carried forward in more detail in Policy 6-8 deal with the specific character areas in Rayleigh that sit outside of the primary retail core. These policies require that development should include a mix of retail (A1) uses and other uses such as leisure, cultural, community facilities and uses that contribute to the evening economy. This approach is compliant with the NPPF, specifically paragraph 23. These policies will ensure that Rayleigh centre is able to offer a diverse range of activities in addition to retail, and ensure that the town centre grows as a vibrant and attractive location for shopping and other leisure activities.

One of the primary issues identified by the RAAP relate to movement and accessibility in Rayleigh. Figure 4 in the RAAP identifies specific sites within the scope of the RAAP which are subject to movement issues including, traffic safety and congestion issues, pedestrian routes which are in need of improvement, and missing connections. The movement issues that affect Rayleigh centre are discussed in more detail in section 2.8 of RAAP.

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Policy 1 criterion 4 as part of the overarching framework for Rayleigh requires that where appropriate, developments include new and improved routes. In particular routes that will link the centre to the railway station. By enhancing the connection with the railway station Rayleigh can continue to capitalise on its excellent transport links to the surrounding area and London. Policy 2, criterion 3 seeks to improve physical linkages along key routes and between the High Street and principal car parks. This will help to improve the accessibility of the High Street to visitors from a wider area. The policies will also improve accessibility and make pedestrian movement within the centre easier, allowing better access to retail, cultural, community, and leisure services.

In terms of delivering public realm improvements to the town centre, the RAAP identifies the opportunity for improvements to the central section of High Street, which is currently dominated by the taxi rank. The local taxi services provide shoppers with an important local service, but there is an opportunity to deliver greater pedestrian priority in this central and high profile location. Following discussions with Essex County Council Highways Team a Schedule of Modifications (ref: RCAAP003) was produced, one of these modifications involved a shift from the Council reducing the size of the taxi rank to the Council looking at options to “rationalise” the taxi rank and market area.

The RAAP also seeks to enhance access to historic assets such as the Mount. However, while access to the Mount from the centre will be encouraged, the proposed route through the Mount itself, which featured in the Proposed Submission Document May 2013, has not been taken forward as a result of opposition from the Rayleigh Mount Local Committee (National Trust) representatives.

The policies in the RAAP will have the effect of enhancing and consolidating both the retail and non-retail provision in Rayleigh centre. They will ensure that Rayleigh becomes a more accessible place with better pedestrian movement throughout the centre. The quality of the environment will be improved and the character of Rayleigh as the Districts primary centre will be retained.

**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?

- (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?

Many of the building backs along the rear of the High Street are primarily used as service areas. The term building backs refers to these servicing areas which front onto areas such as Websters Way.

The Retail Leisure Study Update 2014 identifies potential in several service areas/building backs to serve more appropriate uses, for example serving to meet additional retail demand in the town centre.

The Council is happy to clarify this in the policy, if necessary.

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### **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?

The RAAP is a plan which is focused on Rayleigh town centre and subsequently does not have a strategic focus. It does, however relate to an adopted strategic policy – the Core Strategy.

Neighbouring authorities and Essex County Council were notified directly of the emerging Rayleigh Centre Area Action Plan should they have any concerns with regard to strategic cross-boundary planning issues, although they had not identified any concerns in the past. No neighbouring authorities identified any issues of cross boundary concern.

Highways are the principal strategic issue facing the District. Essex County Council is the highways authority for the District, and the Council has engaged with the highways authority throughout the preparation of the Core Strategy, Allocations Plan and RAAP. A statement which sets out the approach to highways in the preparation of the three town centre Area Action Plans – and in particular the RAAP November 2013 – is included in Appendix D.

Ongoing highways issues will be further discussed with Essex County Council Highways Team and further clarification will be made available shortly in the form of a joint statement between the Council and Essex County Council Highways Team.

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.