

Rochford District Council's Legal Compliance Statement

- i) Has the DMD been prepared in accordance with the Local Development Scheme? Has the Local Development Scheme been updated to reflect the latest timeline information?

Yes. The Development Management Document has been prepared in accordance with the 2013 Local Development Scheme and the most up-to-date published timetable for document production (dated November 2013).

- ii) Has the preparation of the DMD had regard to national policy and guidance, the Sustainable Community Strategy and any other Local Plan?

Yes. The Core Strategy sets out the overarching policies that have guided the preparation of the Development Management Document. The Core Strategy was adopted on 13 December 2011 and forms part of the development plan for the District. All other planning policies for the District stem from the Core Strategy.

The Development Management Document is consistent with the adopted development plan – the Core Strategy – which in turn was produced having regard to the Sustainable Community Strategy and national policy and guidance. Although the Core Strategy predates the publication of the National Planning Policy Framework (NPPF), a compliance review has been prepared which confirms that the Core Strategy is broadly in compliance with the NPPF.

- iii) Has the preparation of the DMD had regard to the resources likely to be available in implementation?

Yes. The Core Strategy, which sets the strategic policies for managing and guiding development over the plan period and forms part of the development plan for the District, has been prepared having regard to a wide evidence base and has considerable input from stakeholders. The Development Management Document which conforms to the Core Strategy has also been prepared having regard to an extensive evidence base and feedback from stakeholders.

- iv) Has the preparation of the DMD been in general accordance with the Statement of Community Involvement and public consultation requirements?

Yes. The Plan has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 since they came into force on 6 April 2012, in particular Regulation 18, and the Council's SCI as set out in the Consultation Statement. Although the SCI was prepared prior to the changes in regulations, the community involvement techniques set out in it are still relevant and have been adopted throughout the preparation of the Plan.

- v) Has the DMD been subject to satisfactory Sustainability Appraisal?

Yes. The Development Management Document has been subject to Sustainability Appraisal at each formal stage of preparation, which has informed the development of the policies contained within it.

- vi) Has the Council met its duty to co-operate in the preparation of the DMD?

Yes. A statement setting out how the Council has satisfied the Duty to Cooperate in respect of the Development Management Document has been included within the Consultation Statement.

As set out within the Consultation Statement, neighbouring authorities and Essex County Council were notified directly of the emerging Development Management Document prior to formal consultation on it. The Core Strategy has already addressed the strategic issues of cross-boundary concern and forms part of the development plan, and as such, neighbouring authorities did not identify any issues of cross-boundary concern. The Council, however, did engage with Maldon District Council during the preparation of the Plan on the issue of houseboats given the shared marine boundary between the local authority areas, as detailed within the Consultation Statement.

- vii) Has a Habitats Regulations Assessment been prepared?

Yes. A Habitats Regulations Assessment has been produced for the Plan and verified by Natural England.

- viii) Have all other relevant legal obligations been met in the preparation of the DMD?

Yes.