

Proposed Schedule of Modifications to the Development Management Submission Document (April 2013)

The changes below are expressed either in the conventional form of strikethrough for deletions and underlining for additions of text, or by specifying the change in words in *italics*.

The below proposed minor amendments relate to changes to the Development Management Submission Document (April 2013).

The page numbers and paragraph numbering below refer to the Development Management Submission Document (April 2013), and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modifications
MM1	16	Footnote 1	<p><i>Amend footnote as follows:</i></p> <p><u>A development is considered major if 10 or more dwellings are proposed or the site area is 0.5 hectares or more.</u></p> <p>The Council considers major development as defined within the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2006</p>
MM2	18	Policy DM1	<p><i>Amend text and insert new criterion below point 1 as follows:</i></p> <p>The design of new developments should <u>promote</u> reflect the character of the locality to ensure a positive contribution <u>that the development positively contributes</u> to the surrounding natural and built environment and residential amenity, <u>without discouraging originality, innovation and initiative.</u></p> <p>The design and layout of proposed developments <u>should</u> must demonstrate that take into account the following <u>have been carefully considered and addressed within the proposal:</u></p> <p>(i) (i) Accessibility, particularly <u>promoting</u> alternatives to the private car;</p> <p>(ii) <u>Integration of existing and proposed public rights of way;</u></p>

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			<p>(iii) (ii) Adequate bBoundary treatment and landscaping within the development;</p> <p>(iv) (iii) Retention of trees, woodland and other important landscape features <u>in accordance with Policies DM25 and DM26</u>;</p> <p>(v) (iv) Sufficient cCar parking <u>in accordance with Policy DM30</u>;</p> <p>(vi) (v) Suitable dDensity <u>for the locality in line with Policy DM2</u>;</p> <p>(vii) (vi) Local open space requirements including the provision of greenspace, play space, private and communal gardens, allotments and other types of open space, as appropriate, based on the most up-to-date Open Space Study;</p> <p>(viii) (vii) Impact on the natural environment including sites of nature conservation importance, and on the historic environment including Conservation Areas and Listed Buildings, archaeological sites and the wider historic landscape;</p> <p>(ix) (viii) Avoiding oOverlooking, <u>ensuring privacy and promoting visual amenity</u>;</p> <p>(x) (ix) A positive rRelationship to <u>with existing and nearby buildings in accordance with Policy DM3</u>;</p> <p>(xi) (x) A Sscale and form <u>appropriate to the locality in line with Policy DM3</u>;</p> <p>(xii) (xi) Compliance with tTextual Concept Statements; and</p> <p>(xiii) (xii) Village Design Statements and Parish Plans, where applicable.</p> <p>Design briefs for major developments must show that they consider and reflect the identity of the surrounding area, and must allow for the effective running of the Council's waste management and recycling scheme.</p> <p>Proposals should have regard to the detailed advice and guidance on the design and layout of new developments as set out in Supplementary Planning Document 2 – Housing Design, as well as to guidance in the Essex Design Guide for Residential and Mixed Use Areas, and the most up-to-date Open Space Study for open space provision</p>

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MM3	19	2.16	<p><i>Amend paragraph as follows:</i></p> <p>The NPPF provides guidance on the provision of high quality, sustainable housing, with a mix of housing tenures which reflects local needs, ensuring the effective use of existing housing stock, and providing enough homes in appropriate locations through the efficient and effective use of land. It gives the Local Planning Authority flexibility in setting appropriate densities to specific localities. However, it is still imperative that land contributing towards the District’s housing land supply is appropriately and efficiently utilised. <u>The previously established national indicative minimum density of 30 dwellings per hectare is considered to strike a balance between ensuring the efficient use of land and respecting the character of localities.</u> As such promoting a minimum density threshold of 30 dwellings per hectare is considered to be appropriate.</p>
MM4	20	Policy DM2	<p><i>Amend policy as follows:</i></p> <p>Proposals for residential development must make efficient use of the site area in a manner that is compatible with the use, intensity, scale and character of the surrounding area, including potential impact on areas of nature conservation importance, and the size of the site. <u>The density across a site should be a minimum of 30 dwellings per hectare, unless exceptional circumstances can be satisfactorily demonstrated.</u></p> <p>The precise density for any individual site, however, will be determined by its immediate context, on-site constraints, the type of development proposed and the need to provide an appropriate mix of dwellings to meet the community’s needs.</p>
MM5	21	2.24	<p><i>Amend paragraph as follows:</i></p> <p><u>There is concern that the replacement of dwelling(s) with an alternative dwelling type could have a detrimental impact on the individual character of the District’s settlements.</u> Whilst providing a mix of dwelling types within new developments is supported in the Core Strategy (Policy H5), we the Council will seek to resist the loss of existing dwelling types, which can impact on the character of the streetscene in the District’s existing settlements. Therefore As an example, where the street scene is relatively</p>

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			<p>homogenous in terms of house types and design the replacement of dwellings should usually be on a like for like basis <u>to protect the local character, as appropriate</u>. However, if it can be demonstrated that an alternative dwelling type would be more appropriate and ensure better utilisation of a site, without creating undue residential intensification and ‘town cramming’ e.g. the replacement of one bungalow on a wide plot of land with a pair of semi-detached houses, then this may be considered acceptable <u>on a case-by-case basis</u>. We will determine whether the loss of an existing dwelling type is appropriate and applicants should consult the Council for advice and guidance. The demolition of individual dwellings to be replaced by multiple dwellings e.g. the replacement of a bungalow with flats, is not generally supported. Resisting the intensification of smaller sites within residential areas will protect the character of existing settlements. However, limited infilling is considered acceptable, and will continue to contribute towards housing supply, provided it relates well to the existing street pattern, density and character of the locality. An appropriate level of residential intensification within town centre areas, where higher density schemes (75+ dwellings per hectare) may be appropriate will be encouraged.</p>
MM6	22	Policy DM3	<p><i>Amend policy as follows:</i></p> <p>Proposals for infilling, residential intensification or ‘backland’ development <u>should must consider demonstrate that the following have been carefully considered and positively addressed:</u></p> <ul style="list-style-type: none"> (i) the design of the proposed development in relation to the existing street pattern and density of the locality; (ii) whether the number and type of dwellings being proposed are appropriate to the locality <u>having regard to existing character;</u> (iii) the contribution to housing need, taking into account the advice and guidance from the Council, based on the most up-to-date evidence available; (iv) an assessment of the proposal’s impact on residential amenity; (v) avoiding a detrimental impact on landscape character or the historic environment;

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			<p>(vi) <u>avoiding</u> the loss of important open space which provides a community benefit and/or visual focus in the streetscene;</p> <p>(vii) <u>avoiding</u> the loss of private amenity space for neighbouring dwellings <u>to ensure adequate provision as set out in Supplementary Planning Document 2: Housing Design</u>;</p> <p>(viii) the adequate provision of private amenity space for the proposed dwelling as set out in Supplementary Planning Document 2: Housing Design;</p> <p>(ix) the availability of sufficient access to the site and adequate parking provision; and</p> <p>(x) <u>avoiding a tandem relationship between dwellings, unless it can be satisfactorily demonstrated that overlooking, privacy and amenity issues can be overcome as set out in Supplementary Planning Document 2: Housing Design.</u></p>
MM7	24	2.32	<p><i>Amend paragraph as follows:</i></p> <p>Both market and affordable housing should aspire to meet minimum approved standards for internal floor area for habitable rooms. Each dwelling should comply with the minimum acceptable floorspace standards as defined below in Table 3, <u>unless it can be clearly demonstrated that compliance with the standards would be unviable or undeliverable.</u></p>
MM8	24	2.33	<p><i>Amend paragraph as follows:</i></p> <p>In addition to the minimum floorspace standards above, it is also important to take into account the functionality of the space within dwellings in that they are well planned and useable, particularly for habitable rooms. All habitable rooms should have a minimum floor to ceiling height of 2.5 metres⁶ (8.2 feet) and be of an appropriate width to accommodate their proposed uses/function. <u>All non-habitable rooms over 3 square metres should be of an adequate size, height and shape, with sufficient natural lighting, and be ventilated directly by external air via a window.</u> These standards will apply to all dwelling types, and both market and affordable housing.</p>

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MM9	25	Policy DM4	<p><i>Amend policy as follows:</i></p> <p>New dwellings (both market and affordable housing) must adhere to the minimum habitable floorspace standards set out in Table 3, <u>unless it can be clearly demonstrated to be unviable or undeliverable</u>. They should have a good internal layout with reasonably sized habitable and non-habitable rooms that are well-designed, planned and useable, applying the principles of the Lifetime Homes Standard criteria, and are suitable for modern living.</p>
MM10	25	2.38	<p><i>Amend paragraph as follows:</i></p> <p>The District has three distinguishable areas which have varying sensitivity in terms of landscape character, impact on the Green Belt, nature conservation importance, and visual amenity. It is therefore considered appropriate to set out different lighting thresholds for external artificial lighting for these different areas. These different areas are referred to as environmental zones. Three distinguishable environmental zones have been identified below, based on those defined by the Institute <u>Institution of Lighting Engineers Professionals</u>⁹ (with the exception of Environmental Zone 4 which encompasses town/city centres with high levels of night-time activity, and is therefore not considered to be applicable to the District) taking into account the characteristics of the District. <u>However, there are a few exceptions. Table 4 does not include Environmental Zone 0 (protected areas such as IDA dark sky parks) and Environmental Zone 4 (town/city centres with high levels of night-time activity) which are not considered to be applicable to the District. Environmental Zone 1 also does not include areas of nature conservation importance as it is not considered desirable to permit lighting within such areas.</u></p>
MM11	27	2.45	<p><i>Remove paragraph:</i></p> <p>An appropriately detailed lighting scheme should accompany all full planning applications,; however, the submission of a detailed lighting scheme may not always be necessary. When submitting an outline planning application, it is considered that an appropriately detailed lighting strategy should accompany the application, where appropriate. The level of detail required should be determined in consultation with the Council's Development Management team. It may therefore be necessary to submit a more detailed</p>

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			lighting scheme at a later date. However, depending on the level of detail provided within the lighting strategy, a scheme may not be considered necessary.
MM12	28	2.46	<p><i>Amend paragraph as follows:</i></p> <p>Floodlighting of sports and other leisure and recreational facilities also requires careful consideration as it can be a nuisance to adjacent land users, have a detrimental impact on the countryside and can cause unnecessary glow in the night sky. Any proposal for floodlighting must demonstrate how essential it is for the associated land use and must be of a design to minimise the impact on the environment and its surroundings. Details to be submitted must be adequate to enable the assessment of the effect of the lighting and the appearance of the fittings. <u>Sport England’s guidance ‘Artificial Sports Lighting’, or the most up-to-date available, should be referred to.</u></p>
MM13	28	Policy DM5	<p><i>Amend the policy as follows:</i></p> <p>Applicants should take into consideration the environmental zone where a development is being proposed and the corresponding lighting thresholds as set out in Table 4.</p> <p>Applicants making an outline planning application must submit an appropriately detailed lighting strategy which is proportional to the application. This should be determined in consultation with the Council’s Development Management team. A more detailed lighting scheme should be submitted at the Reserved Matters stage when making a full planning application, as appropriate.</p> <p><u>Proposed schemes must be appropriately designed and installed to minimise the impact of light pollution demonstrate that they will not have an adverse impact in terms of light pollution on residential and commercial areas, important areas of nature conservation interest, highway safety and/or the night sky through avoiding unnecessary light spillage and trespass.</u> Where an adverse impact is identified, conditions may be attached to a grant of planning permission or a S106 agreement may be sought to mitigate such impacts.</p> <p>Applications for sports and other leisure and recreational facilities development involving external</p>

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			<p>floodlighting will be permitted provided that the following can be demonstrated:</p> <ul style="list-style-type: none"> (i) the lighting is designed to be as directional as possible using the minimum number of lights required with the aim of reducing light pollution; (ii) a curfew time of <u>no later than 10.00pm</u>; and (iii) consideration is given to the effect of the light upon local residents, vehicle users, pedestrians, local wildlife and the night sky.
MM14	29-30	Policy DM6	<p><i>Amend the policy as follows:</i></p> <p>Where planning permission is required, proposals for the development of telecommunications networks, including the proposed equipment and associated structures <u>should be avoided in sensitive locations (such as an area of nature conservation importance or the historic environment)</u>. <u>Proposals for telecommunications development will be considered acceptable provided that:</u></p> <ul style="list-style-type: none"> (i) if located on an existing building, mast or other structure, telecommunications equipment is sited and designed to ensure that there is minimal impact to the external appearance of the structure; (ii) in exceptional circumstances, if sited in a sensitive location (such as an area of nature conservation importance or the historic environment), it has been clearly demonstrated that there are no suitable alternative sites for the development of telecommunications systems available in the locality, the development is essential, it is to the benefit of the local community, and it would not have a negative impact on <u>the sensitive areas or local landscape character</u>. Such evidence should accompany any application made; <u>and</u> (iii) evidence is provided along with applications which propose the siting of a new mast, to demonstrate that the possibility of erecting telecommunications equipment on existing buildings, masts or other structures has been fully explored. Where it can be proved <u>shown</u> that this is not possible, telecommunications development requiring an application for prior approval of siting and appearance will only be considered acceptable where the equipment is of a design, height, material and colour,

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			<p>and where appropriate is screened, so as to minimise visual intrusion. Proposals <u>Applicants</u> should also consider the impact on:</p> <ul style="list-style-type: none"> (a) <u>the potential impact of the proposal on the topography and natural vegetation;</u> (b) <u>the proximity to areas of nature conservation interest or other sensitive areas and whether the proposal would have a negative impact; and</u> (c) its the proposals relationship with other existing masts, structures or buildings, as mast-sharing would be expected, where possible; and (d) (c)its the proposal's relationship to residential property, educational and healthcare facilities, employment and recreational sites; and <p>(iv) if proposing development in a sensitive location, it should be clearly demonstrated there would not be a negative impact on these areas. Such evidence should accompany any application made.</p> <p>When considering applications for telecommunications development, we <u>the Council</u> will take into consideration the operational requirements of telecommunications networks and the technical limitations of the technology. Additionally, arrangements will be put in place to ensure that, if such development falls into disuse, any structures are removed and the land restored to its condition before development took place or other agreed beneficial use.</p>
MM15	30	2.54	<p><i>Amend paragraph as follows:</i></p> <p>The new Local List, which is being reintroduced through the Core Strategy, identifies individual buildings, groups of buildings or items of street furniture which are of local historic, architectural or visual importance, are locally distinctive or are considered to be character enhancing. <u>The buildings on the Local List are non-designated heritage assets.</u></p>

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MM16	31	Policy DM7	<p><i>Amend third paragraph of the policy as follows:</i></p> <p><u>Owners Applicants should consider the demonstrate that the</u> retention, restoration and/or replacement of the following have been carefully considered and addressed:</p> <ul style="list-style-type: none"> (i) Important architectural and character features such as weatherboarding, modillions, bargeboards, existing roof material, cornerstones and ridge tiles, although this is not an exhaustive list; and (ii) Original windows for example sash windows should be retained and replaced with similar windows. The use of plastic PVC windows should be avoided.
MM17	31	2.59	<p><i>Insert new paragraph below paragraph 2.59:</i></p> <p>National policy places great weight on the conservation of heritage assets; the more important the asset, the greater the weight that should be given to its retention. Any harm to or loss of a heritage asset should be avoided, unless it can be clearly justified. Substantial harm to or loss of grade II listed assets should be exceptional, and substantial harm to or loss of designated heritage assets of the highest significance (such as grade I and II* listed assets) should be wholly exceptional.</p>
MM18	32	2.62	<p><i>Amend paragraph as follows:</i></p> <p>Development in areas which are outside, but adjacent to, Conservation Areas can have an impact on the visual amenity, <u>setting</u>, character and value of those areas which are protected and so will seek to ensure that they do not have a negative impact on the Conservation Area. The impact a proposed development <u>(including proposals for new buildings as well as alterations to existing buildings)</u> may have on a Conservation Area will be determined on a site-by-site basis. <u>English Heritage’s guidance on ‘The Setting of Heritage Assets’</u> should be taken into consideration.</p>
MM19	32	Policy DM8	<p><i>Amend the policy as follows:</i></p> <p><u>Consent for the demolition of a building in a Conservation Area will be granted where it can be clearly demonstrated that the benefits of proposed demolition outweigh the harm to the Conservation Area. In the</u></p>

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			<p>case of nationally or locally listed buildings, appropriate weight will be given to the significance of these heritage assets based on their importance when considering applications for demolition. Any harm to, or loss of, a nationally listed building will only be permitted in exceptional circumstances.</p> <p>Consent for the demolition of a building in a Conservation Area will only be granted in cases where all of the following criteria are met:</p> <ul style="list-style-type: none"> (i) the building to be demolished is not locally or nationally listed of no architectural or historical interest and does not make a positive contribution to the character or appearance of the Conservation Area; (ii) detailed plans for the after-use of the site have been submitted to, and approved by, the Local Planning Authority. (In cases where the after-use of the site includes development requiring planning permission, such permission must have been applied for and granted in order that the terms of this criterion be met). <p>Additionally we Detailed plans for the after-use of the site will be required to be in place prior to consent for the demolition of a building within the Conservation Area being granted. The Council will require the signing of a legal agreement between Rochford District Council and the developers before condition any consent for demolition is granted, requiring to require that a contract for the carrying out of redevelopment works has been made and planning permission granted before any demolition takes place. the redevelopment of the site within an agreed timeframe, and no demolition may occur without a contract to redevelop the site.</p>
MM20	32	Policy DM9	<p><i>Amend policy as follows:</i></p> <p>Proposals for developments which are outside, but close to the boundary of, Conservation Areas must have regard to their impact on the overall streetscene, <u>and setting of individual buildings or groups of buildings within and on the edge of the Conservation Areas.</u></p> <p>Proposals for developments which would alter the appearance of a building should carefully consider the</p>

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			impact of the changes proposed on the <u>setting</u> , character and appearance of the adjacent Conservation Area. Account should be taken of all changes proposed including (but not limited to) changing building materials, altering the positioning and design of fenestration and extensions and other alterations.
MM21	35	3.6	<i>Insert following sentence below paragraph 3.6:</i> <u>Proposals that comply with the Policies DM10 to DM23 set out within this section are not, by definition, inappropriate development.</u>
MM22	37	3.12	<i>Amend bullet point 1 as follows:</i> <ul style="list-style-type: none"> land that is or has been occupied by agricultural or forestry buildings (<u>agricultural or forestry buildings does not</u> includes glasshouses/greenhouses or other horticultural buildings);
MM23	40	Policy DM10	<i>Amend the policy as follows:</i> Policy DM10 – Red<u>D</u>evelopment of Previously Developed Land in the Green Belt The Council will favour proposals for the redevelopment of previously developed land in the Green Belt which accord with Policy GB2 of the Core Strategy. Proposals for the development of residential, retail and other uses not promoted by Policy GB2 of the Core Strategy, such as office, commercial, leisure, and community uses, on previously developed land that is located in the Green Belt may be appropriate if it can be demonstrated that it would constitute sustainable development (<u>i.e. all of the below criteria are met</u>). In particular, proposed residential development of previously developed land in the Green Belt will be permitted provided that the proposal: <ul style="list-style-type: none"> (i) is well related to a defined residential settlement; (ii) is well related to local services and facilities;

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			<p>(iii) has good connections to the strategic road network;</p> <p>(iv) would promote sustainable transport modes;</p> <p>(v) would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment;</p> <p>(vi) is located within the South Essex Coastal Towns landscape character area.</p> <p>Proposed retail development of previously developed land in the Green Belt will be permitted provided that:</p> <p>(i) there are no suitable and available alternative sites in a town centre or edge-of- centre location;</p> <p>(ii) the proposed development would not undermine the function of the District's town centres;</p> <p>(iii) the proposed development is well related to a defined residential settlement;</p> <p>(iv) the proposed development has good connections to the strategic road network;</p> <p>(v) the proposed development would promote alternatives to private transport;</p> <p>(vi) the proposed development would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment;</p> <p>(vii) the proposed development is located within the South Essex Coastal Towns landscape character area.</p> <p>Proposals for other uses not promoted by Policy GB2 of the Core Strategy (such as office, commercial, leisure, and community uses) will be permitted provided that:</p> <p>(i) it can be demonstrated that locating the proposed development on employment land, in a town centre or edge-of-centre location would not be appropriate, viable and/or deliverable;</p> <p>(ii) the proposed development is well related to a defined residential settlement if appropriate having</p>

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			<p>regard to the type of development proposed and potential impact on residential amenity;</p> <ul style="list-style-type: none"> (iii) the proposed development has good connections to the strategic road network; (iv) the proposed development would promote sustainable transport modes; (v) it would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment; (vi) the proposed development is located within the South Essex Coastal Towns landscape character area. <p>Development of previously developed land should not undermine the <u>five purposes</u> of including the land within the Green Belt.</p> <p>Any development which is permitted should be of a scale, design and siting such that the <u>openness of the Green Belt and character of the countryside</u> is not harmed, and nature conservation interests are protected.</p>
MM24	42	3.37	<p><i>Amend paragraph as follows:</i></p> <p>Extensions to buildings for lawfully established businesses in the Green Belt, however, may be permitted provided that there are no <u>suitable and available</u> vacant units either on the site or close to the business in question. Where there are suitable units which are available then, in the interests of preserving the openness of the Green Belt whilst supporting lawfully established businesses, an extension will not be permitted. Existing units should be utilised, as far as practicable, before extensions are permitted.</p>
MM25	43	Policy DM11	<p><i>Amend the policy as follows:</i></p> <p>The Council will support existing lawfully established businesses in the Green Belt, allowing extensions to existing business premises, <u>replacement of existing business premises</u>, and changes of use to enable diversification, where appropriate, subject to the following:</p> <ul style="list-style-type: none"> (i) extensions and/or changes of use relate to an existing business which is lawfully established and would not be detrimental to nature conservation interests, landscape character, the historic

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			<p>environment, the best and most versatile agricultural land or residential amenity;</p> <p>(ii) the availability of <u>suitable</u> vacant units on the site/close to the business in question;</p> <p>(iii) where an extension is proposed it would not result in a disproportionate increase in gross floorspace over that of the original building;</p> <p>(iv) where a replacement is proposed it would not be materially larger than the one it replaces;</p> <p>(iv) it can be demonstrated that the proposal is necessary for the functioning of the existing business, and the proposed development would not be better situated in a deliverable and available location elsewhere in the District;</p> <p>(v) the development has been designed to minimise impact on the character, appearance and openness of the Green Belt;</p> <p>(vi) the scale, design and materials of the original building is respected;</p> <p>(vii) the development would not undermine town centre regeneration; and</p> <p>(viii) the type or volume of generated traffic, particularly heavy goods vehicles, would be appropriate to the rural highway network, would not have an unacceptable adverse effect on highway safety, the amenity of nearby residential occupiers or important wildlife habitats; and</p> <p><u>(ix) where the conversion of nationally or locally listed agricultural and rural buildings is proposed it should:</u></p> <p style="padding-left: 40px;"><u>(a) not negatively impact on the quality of the listed structure; and</u></p> <p style="padding-left: 40px;"><u>(b) not affect the integrity of the existing structure. A structural engineers report should accompany any application for conversion of a Listed Building.</u></p> <p>Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.</p>

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MM26	43	3.39	<p><i>Amend paragraph as follows:</i></p> <p>Supporting rural diversification is important to ensure the prosperity of the local economy. As identified in the Core Strategy, the Council supports activities which would complement the current functioning of agricultural establishments <u>through rural diversification, which includes</u> the conversion of existing agricultural and rural buildings for small-scale B1 employment use, green tourism, conversion of farm buildings to bed and breakfasts/small-scale hotels and outdoor recreation and leisure activities <u>(Core Strategy Policy GB2)</u>. Retail and residential development, however, are not <u>generally</u> considered acceptable forms of rural diversification in the Green Belt or rural areas outside the Green Belt.</p>
MM27	43	3.40	<p><i>Amend paragraph as follows:</i></p> <p>The use of existing agricultural and rural buildings for bed and breakfast <u>accommodation</u> is acceptable <u>in principle</u> within the Green Belt and wider countryside because they they can make a positive contribution to the local rural economy and support the development of local green tourism initiatives. However, the use of existing agricultural and rural buildings for residential use is not considered appropriate, as such a use does not in itself generate economic activity within the Green Belt or wider countryside and would not make a positive contribution to the rural economy. Proposals would need to demonstrate that they have a sound financial basis, but eEven if a bed and breakfast venture becomes economically unviable, the conversion of such a use for residential purposes is not supported. Residential uses would not positively contribute to the local rural economy and green tourism, and therefore would not be considered appropriate.</p>
MM28	44	DM12	<p><i>Amend policy as follows:</i></p> <p>Rural diversification will be supported so long as it involves an appropriate form of rural activity, as outlined in the Core Strategy, and having regard to the following:</p> <ul style="list-style-type: none"> (i) the need to ensure that the proposed use would not have an undue impact on the openness of the Green Belt, character of the countryside, nature conservation interests, the historic environment, visual amenity or residential amenity; (ii) the need to ensure that the proposed use would not introduce additional activity or traffic

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			<p>movements likely to materially and adversely affect the openness of the Green Belt or character of the countryside, or place unacceptable pressures on the surrounding highway network;</p> <p>(iii) the sensitivity of the landscape character area in which to the proposal is situated to the proposed development proposed;</p> <p>(iv) the impact of the proposal on the agricultural value of the land; and</p> <p>(v) where rural diversification for employment opportunities is proposed, the area should have good links to the highway network particularly taking account of highway safety; and</p> <p>(iv) <u>where the conversion of nationally or locally listed agricultural and rural buildings is proposed it should:</u></p> <p style="padding-left: 40px;"><u>(a) not negatively impact on the quality of the listed structure; and</u></p> <p style="padding-left: 40px;"><u>(b) not affect the integrity of the existing structure. A structural engineers report should accompany any application for conversion of a Listed Building.</u></p> <p>Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.</p>
MM29	45	3.45	<p><i>Amend paragraph as follows:</i></p> <p>The Council does not wish to see listed agricultural and rural buildings (either those with Listed Building status or those locally important buildings on the Local List) such as outbuildings, barns and stables, which contribute to the heritage of the District to become neglected through a restrictive approach to their use. These buildings may be capable of serving a useful purpose in the rural environment and can contribute to the functioning of the local economy. As such, rural diversification of listed agricultural and rural buildings will be accepted, however, significant alterations will only be considered if they do not have an adverse impact on the integrity of the existing structure <u>or its significance as a historic building</u>. Supporting evidence from a structural engineer should accompany any application for the conversion of listed agricultural and rural buildings. Whilst appropriate rural diversification opportunities would be supported, the purpose of this policy is not to resurrect derelict agricultural or rural buildings, but to support rural diversification, and its</p>

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			ensuing economic benefits through the use of existing buildings.
MM30	45-46	Policy DM13	<p><i>Amend the policy as follows:</i></p> <p>The reuse or adaptation of existing agricultural and rural buildings will be supported provided that:</p> <p>(i) the application relates to an existing building with a form, bulk and general design in-keeping with its surroundings;</p> <p><u>(i)</u> (ii) the application relates to an existing building of permanent and substantial construction;</p> <p><u>(ii)</u> (iii) the proposed use would not introduce additional activity or traffic movements likely to materially and adversely affect the openness of the Green Belt, or place unacceptable pressures on the surrounding highway network;</p> <p><u>(iii)</u> (iv) the proposal does not exceed the existing footprint of the original building, with the exception of an allowance for additions that would be permitted in accordance with Policy DM11;</p> <p><u>(iv)</u> (v) due regard is had to residential amenity <u>would not have an undue impact on residential amenity;</u></p> <p><u>(v)</u> (vi) there would be no detrimental impact on nature conservation or historic environment <u>interests;</u></p> <p><u>(vi)</u> (vii) where the conversion of nationally or locally listed agricultural and rural buildings is proposed it should:</p> <p style="padding-left: 40px;">(a) not negatively impact on the quality <u>and significance</u> of the listed structure; and</p> <p style="padding-left: 40px;">(b) not affect the integrity of the existing structure. A structural engineers report should accompany any application for conversion of a Listed Building.</p> <p>Where conversion incorporates additions in accordance with Policy DM11, further extensions will be restricted.</p> <p><u>(vii) The conversion of existing agricultural and rural buildings for residential uses is not supported. will be permitted provided that the proposal:</u></p>

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			<p><u>(a) is well related to a defined residential settlement;</u> <u>(b) is well related to local services and facilities;</u> <u>(c) has good connections to the strategic road network;</u> <u>(d) would promote sustainable transport modes;</u> <u>(e) would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment; and</u> <u>(f) is located within the South Essex Coastal Towns landscape character area.</u></p> <p><u>Where conversion incorporates additions in accordance with Policy DM11, further extensions will be restricted.</u></p> <p>Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.</p>
MM31	47	Policy DM14	<p><i>Amend the policy as follows:</i></p> <p><u>The Council will support proposals for green tourism, provided the proposal would not have an undue negative impact on:</u> Green tourism will be permitted having regard to:</p> <p>(i) the impact on the openness of the Green Belt (if applicable) and character of the countryside; (ii) the impact on the visual amenity of the surrounding area; (iii) the impact on the amenity of local residents; (iv) the impact on important areas of nature conservation, including any potential disturbance to nearby sites recognised for their importance for biodiversity or geodiversity; (v) the sensitivity of the landscape character area in which the proposal is situated, having regard to the</p>

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			<p><u>area's sensitivity</u> to the development proposed;</p> <p>(vi) the impact on the historic environment, through taking into consideration the sensitivity of the different Historic Environment Character Zones set out in the Rochford District Historic Environment Characterisation Project (2006);</p> <p>(vii) the impact of the proposal on the agricultural value of the land; and</p> <p>(viii) the impact of the proposal on the highway network, having regard to the likely scale of tourism that the proposal would generate; <u>and</u></p> <p>(ix) <u>where the conversion of nationally or locally listed agricultural and rural buildings is proposed it should:</u></p> <p style="padding-left: 20px;">(a) <u>not negatively impact on the quality of the listed structure; and</u></p> <p style="padding-left: 20px;">(b) <u>not affect the integrity of the existing structure. A structural engineers report should accompany any application for conversion of a Listed Building.</u></p> <p>Where ancillary facilities are proposed for the purposes of green tourism, it must be demonstrated that such facilities are necessary for the functioning of the activity. Existing agricultural and rural buildings should be reused and converted for the accompanying uses, wherever possible and appropriate. Any new structures must be the minimum size, height and bulk to accommodate the proposed use. Ancillary facilities should not have an undue impact on the openness of the Green Belt or character of the countryside.</p> <p>The conversion of existing agricultural and rural buildings to bed and breakfasts/small-scale hotels/holiday <u>lets</u> will be permitted in appropriate locations provided that <u>all of the above criteria are met and: this will not result in an agglomeration of similar facilities;</u></p> <p style="padding-left: 20px;">(a) <u>the application relates to an existing building of permanent and substantial construction; and</u></p> <p style="padding-left: 20px;">(b) <u>the proposal does not exceed the existing footprint of the original building, with the exception of an</u></p>

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			<p><u>allowance for additions that would be permitted in accordance with Policy DM11.</u></p> <p>Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.</p>
MM32	47	3.49	<p><i>Amend paragraph as follows:</i></p> <p>The NPPF (paragraph 89) considers the construction of new buildings for the provision of appropriate facilities for outdoor sport and recreation to be appropriate in the Green Belt, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. It reasonably follows, therefore, that the change of use of land in the Green Belt for outdoor sport and recreation is appropriate. <u>The NPPF (paragraph 81) also supports opportunities to enhance the beneficial use of the Green Belt, for example through providing opportunities for outdoor sport and recreation.</u></p>
MM33	48	3.51	<p><i>Amend paragraph as follows:</i></p> <p>The provision of equestrian facilities is a popular form of rural diversification. Increasing demand for equestrian facilities within the District, however, reinforces the need to ensure a balanced approach through weighing the need for adequate recreational facilities for equestrian activities against the protection of the Green Belt and countryside, and wide-ranging nature conservation interests throughout the District. Equestrian development can appear as ‘creeping urbanism’, blurring the boundaries between urban areas and the open countryside. The NPPF (paragraph 28) sets out the government’s approach to development in rural areas. <u>It supports the development and diversification of agricultural and other land-based rural businesses, and sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.</u> It recognises that such facilities can be integrated with current farming activities and can make an important contribution to sustaining local rural economies. The vast majority of the District’s rural areas are designated as Green Belt and, as such, <u>a balance needs to be struck between supporting equestrian facilities and ensuring minimal impact on the openness of the Green Belt and character of the countryside.</u> advice and guidance on development in the Green Belt must also be considered.</p>

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MM34	48	3.53	<p><i>Split paragraph and amend as follows:</i></p> <p>Small-scale equestrian proposals (offering stabling for up to 10 horses) and large-scale proposals (proposing stables for 10 horses or more), where permitted, should ensure full reuse of existing agricultural and rural buildings before proposals for new development are considered. Where it is demonstrated that existing agricultural and rural buildings are inappropriate or insufficient for the purposes of the enterprise, new equestrian development may be permitted, providing it is closely located and related to existing development and not sited in remote or isolated rural locations. Isolated development can often appear intrusive in open countryside and can lead to the intensification of uses once established. As such, equestrian development may be more favourable within the South Essex Coastal Towns landscape character area.</p> <p>Furthermore, proposals should seek to minimise the impact of proposed development on the openness of the Green Belt and character of the countryside by ensuring that any new buildings are of a modest design and scale, which is appropriate and the minimum size necessary for their intended purpose. Facilities should be located within one building, if appropriate, or in close proximity to other buildings to ensure visual intrusion is minimised. The Council considers that large-scale development of stables <u>and a proliferation of small-scale developments are</u> inappropriate because such an enterprises would materially affect the landscape character and the integrity of the countryside and have an undue impact on the openness of the District's Green Belt.</p>
MM35	48-49	3.54	<p><i>Amend paragraph as follows:</i></p> <p>It is important to ensure that the welfare of horses through the provision of equestrian facilities is balanced against the potential impact on the openness of the Green Belt and character of the countryside. Therefore any proposed stable facility will have regard to the British Horse Society Standards in terms of stable size and grazing area as set out in 'Guidelines for the Keeping of Horses: Stable Sizes, Pasture and Fencing'¹² or the most up-to-date guidance. The Society, for example recommends 0.4 hectares (approximately 1 acre) of grazing land per horse. However, to protect the openness of the Green Belt, proposals should not</p>

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			<u>result in a proliferation of stables.</u>
MM36	49	Policy DM15	<p><i>Amend second point of the policy as follows:</i></p> <p>(ii) proposals for equestrian establishments whether for private use or as a commercial livery will need to demonstrate that there is adequate land within the curtilage of the site to allow for the proper care of horses, including stabling, grazing and exercise, in accordance with the British Horse Society Standards or equivalent <u>the maximum number of stables per hectare is related to the amount of open space. The requirement will be no more than one stable for each 0.4 hectares of site area;</u></p>
MM37	51	Policy DM16	<p><i>Amend first point of the policy as follows:</i></p> <p>(i) they are proposed in an area where a deficit in supply has been identified. Alternative locations where a deficit has not been identified may be acceptable where more up-to-date evidence on supply and demand is available, <u>where it would involve the replacement of a lost playing field or where it can be demonstrated that it is not feasible to share facilities or utilise other existing facilities in the locality, for example school playing fields; or where it can be demonstrated that the deficit location would not be viable to meet the teams/activities needs;</u></p>
MM38	53	Policy DM17	<p><i>Amend criterion (ii) of the policy as follows:</i></p> <p>(ii) the proposal has been designed so as to avoid <u>a negative</u> impact on the character and appearance of the Green Belt through its scale, mass and orientation.</p>
MM39	56	Policy DM19	<p><i>Add an additional point to the policy:</i></p> <p>(vii) any mobile home will be located outside Flood Zone 3, and will only be located in Flood Zone 2 where it is shown to pass the Sequential and Exception Tests and is supported by a site-specific Flood Risk Assessment.</p>
MM40	57	Policy	<p><i>Amend first paragraph of the policy as follows:</i></p>

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		DM20	<p>Proposals for the development of basements for new and replacement dwellings will be permitted provided that:</p> <ul style="list-style-type: none"> (i) the proposal does not exceed the footprint of the original dwelling (including the 25% above ground extension allowance for replacement dwellings in the Green Belt); and (ii) the proposal does not give rise to the formation of a self-contained unit of accommodation such as a 'granny flat'. <p>Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.</p> <p>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.</p>
MM41	58	Policy DM21	<p><i>Amend criterion (iii) of the policy as follows:</i></p> <ul style="list-style-type: none"> (iii) the visual mass <u>and bulk</u> of the new dwelling should be no greater <u>not be significantly larger</u> than that of the existing dwelling (taking into consideration any additional mass allowed for in respect of criterion (i) above). The overall height of the replacement dwelling should not exceed that of the existing dwelling, unless a modest increase in height can be justified on design or visual amenity grounds. Where the existing dwelling is a bungalow it should be replaced by a bungalow; and
MM42	59	3.80	<p><i>Amend paragraph as follows:</i></p> <p>Applications to extend domestic gardens beyond the current designation of the residential fringe <u>designated residential area</u> will be considered and permitted only where the impact on the surrounding environment, or visual amenity (the value, attractiveness or desirability of a particular view) for neighbours or the public is minimal. The size of the proposed garden extension will also be taken into consideration. The proposed extension should not be out of proportion with the size of the existing garden, for example it should not be more than double the size of the existing garden area.</p>

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MM43	59	Policy DM22	<p><i>Amend the policy as follows:</i></p> <p>Extensions to domestic gardens which currently reside within, or would encroach onto the designated Green Belt land, will only be permitted provided that <u>Extensions to domestic gardens onto land within the Green Belt will only be permitted provided that:</u></p> <ul style="list-style-type: none"> (i) the proposal includes appropriate boundary treatment and would ensure a defensible and robust Green Belt boundary, for example where the extension would infill the residential fringe <u>designated residential area</u> inline with other gardens adjacent to the dwelling; (ii) the size of the proposed garden extension is appropriate <u>not out of proportion with the size of the existing garden</u>; (iii) the proposal would not impact on the openness or undeveloped character of the Green Belt <u>through the erection of fences, additional buildings and other built structures</u>; (iv) the proposal would not encroach on high quality agricultural land (particularly Grade 1 or 2); (v) the proposal would not adversely impact on other areas of open space; and (vi) the proposal would not adversely impact on the conservation value or protection of natural areas of local wildlife value, or sites of national and international importance, or the historic environment. <p>Planning permission for a garden extension into the Green Belt will be conditioned withdrawing permitted development rights relating to the provision of buildings and other structures within the curtilage of the dwelling.</p>
MM44	60	3.85	<p><i>Amend paragraph as follows:</i></p> <p>In the case of employment operations, alternative uses to the existing use could have a greater impact on the openness of the Green Belt or character of the Conservation Area through introducing additional activity or traffic movements for example. Redevelopment should therefore retain existing uses, where appropriate, or propose alternative employment uses if the new use would complement the surrounding</p>

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			land uses and have a positive impact on the appearance and value of the Conservation Area.
MM45	60	Policy DM23	<p><i>Amend policy as follows:</i></p> <p>Redevelopment will be considered acceptable within Conservation Areas situated in the Green Belt, provided that:</p> <ul style="list-style-type: none"> (i) it will make a positive contribution to the character and appearance of the Conservation Area and will contribute to the recommendations of the relevant Conservation Area Appraisal and Management Plan; (ii) the use of the building to be replaced is retained or is changed to one which is more appropriate in the Green Belt; (iii) (ii) the proposal would not adversely impact areas of biodiversity and geodiversity importance; and (iv) (iii) the proposal does not undermine the purposes of including the land within the Green Belt and is such that the impact on the openness of the Green Belt has been minimised. <p>Any development which is permitted should be of a scale, design and siting such that the character of the countryside is not harmed and nature conservation interests are protected.</p>
MM46	63	4.3	<p><i>Amend paragraph as follows:</i></p> <p>The Council is committed to improving the biodiversity and wildlife value of the District and to protect and enhance, where appropriate, local, national and international sites of nature conservation importance, as well as the Coastal Protection Belt and the Greater Thames Marshes Nature Improvement Area (which encompasses much of the eastern part of the District). The importance of protecting local historical and archaeological sites is also recognised within the Core Strategy.</p>
MM47	65	Policy DM24	<p><i>The third paragraph of the policy should be amended as follows:</i></p> <p>Permanent moorings and associated infrastructure, where permitted, should not cause disturbance or</p>

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			<p>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. <u>They should only be permitted where the Local Planning Authority is satisfied that the development has a tolerable level of safety for occupants in a flood event.</u></p>
MM48	67	Policy DM25	<p><i>Amend policy as follows:</i></p> <p>Development should seek to conserve and enhance existing trees and woodlands, particularly Ancient Woodland. <u>Development which would adversely affect, directly or indirectly, existing trees and/or woodlands will only be permitted if it can be proven that the reasons for the development outweigh the need to retain the feature and that mitigating measures can be provided for, which would reinstate the nature conservation value of the features.</u></p> <p>Where development would result in the <u>unavoidable</u> loss or deterioration of existing trees and/or woodlands, then appropriate mitigation measures should be implemented to offset any detrimental impact through the replacement of equivalent value and/or area as appropriate. Consideration should be given to the impact on <u>the landscape character area and the findings of the Rochford District Historic Environment Characterisation Project (2006)</u> when considering the potential loss of trees and/or woodland, and the replacement of these.</p> <p><u>Where existing trees and/or woodlands of ecological or landscape importance and should be retained, planning permission will be conditioned to ensure the retention and continued maintenance/management, where appropriate, of these features. On-site environmental enhancements including opportunities to create/enhance/restore habitats will also be sought.</u></p> <p>New woodland creation should be sought, where appropriate. In particular this should be encouraged within:</p> <ul style="list-style-type: none"> (i) schemes for the restoration of derelict or contaminated land and sites formerly used for mineral-extraction or industry;

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			<p>(ii) green infrastructure projects, particularly in areas where sustainable development is promoted;</p> <p>(iii) planting schemes along transport corridors; and</p> <p>(iv) schemes to expand and link areas of native woodland taking into account the most up-to-date Rochford Biodiversity Action Plan targets.</p> <p>Conditions will also be attached to planning permissions to encourage the proper management of these important trees and woodlands, where appropriate. In addition to, or instead of, the completion of a legal agreement will be required to secure the provision of a replacement trees and woodlands of equivalent value and/or area as appropriate, and to ensure the future management of these features.</p>
MM49	67	4.17	<p><i>Amend paragraph as follows:</i></p> <p>Existing landscape features such as ponds, hedgerows and tree belts have a vital role to play both in supporting local biodiversity and contributing to the quality and appearance of the local environment. <u>These local landscape features may not have protection offered by national and international nature conservation designations as set out in Core Strategy Policy ENV1, but merit additional protection through the planning process. Some important hedgerows, however, are also protected by the Hedgerow Regulations¹⁸.</u></p>
MM50	68	Policy DM26	<p><i>Amend last three paragraphs of the policy as follows:</i></p> <p>Development which would adversely affect, directly or indirectly, the landscape features listed above will only be permitted if it can be proven that the reasons for the development outweigh the need to retain the feature and that mitigating measures can be provided for, which would reinstate the nature conservation value of the features.</p> <p>Where a particular landscape feature is of ecological or landscape importance and should be retained, planning permission will be conditioned to ensure the retention and continued maintenance/management, where appropriate, of this landscape feature. <u>On-site environmental enhancements including opportunities to create/enhance/restore habitats, and to contribute to Water Framework Directive objectives,</u> will also be sought.</p>

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			Conditions will also be attached to planning permissions to encourage the proper management of these important landscape features, where appropriate. In addition to, or instead of, the completion of a legal agreement will be required to secure the provision of a replacement landscape feature of equivalent value, and to ensure the future management of this feature.
MM51	70	Policy DM27	<p><i>Amend policy as follows:</i></p> <p>Planning permission will only be granted for development provided it would not cause harm to priority species and habitats identified under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.</p> <p>In addition to the UK Biodiversity Action Plan, proposals for development should have regard to Local Biodiversity Action Plans, including those produced at District and County level.</p> <p><u>Proposals should not cause harm to priority species and habitats identified under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. Development will only be permitted where it can be demonstrated that the justification for the proposal clearly outweighs the need to safeguard the nature conservation value of the priority habitat, and/or the priority species or its habitat. In such cases the Local Planning Authority will impose conditions and/or seek the completion of a legal agreement in order to:</u></p> <ul style="list-style-type: none"> (i) secure the protection of individual members of the priority species and/or habitats; (ii) minimise the disturbance to the priority species and/or habitats; and (iii) provide adequate alternative habitats to sustain at least the current levels of population for protected species and/or provide a compensatory habitat to offset potential loss or disturbance of a priority habitat. <p><u>In addition to the UK Biodiversity Action Plan, proposals for development should have regard to Local Biodiversity Action Plans, including those produced at District and County level.</u></p>
MM52	72	4.37	<i>Insert footnote in the first sentence of the paragraph, as amended above, after ‘major development’:</i>

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			<u>A development is considered major if 10 or more dwellings are proposed or the site area is 0.5 hectares or more.</u>
MM53	76	5.8	<p><i>Insert footnote in the first sentence of the paragraph after ‘major development’:</i></p> <p><u>A development is considered major if 10 or more dwellings are proposed or the site area is 0.5 hectares or more.</u></p>
MM54	80	Policy DM32	<p><i>Amend the first paragraph of the policy as follows:</i></p> <p>New and existing employment land should have a predominance of B1 (Business) and/or B2 (General Industrial) employment uses. New employment development will be expected to be <u>predominantly</u> B1 (Business) and/or B2 (General Industrial) employment uses. Alternative uses will be considered having regard to:</p> <ul style="list-style-type: none"> (i) the number of jobs likely to be provided; (ii) the viability of retaining B1 and B2 uses; (iii) the compatibility with existing uses; (iv) the impact on the vitality and vibrancy of the District’s town centres; (v) the proportion of alternative uses present; and (vi) wider sustainability issues (such as available transport methods). <p>New and existing Employment development land should be of a high quality, <u>incorporate</u> safe and inclusive design and any associated infrastructure should be appropriately phased. Potential noise and light pollution generated by proposed uses should be adequately mitigated against.</p> <p>Retail use is not normally permitted on employment land. However where the proposal passes our sequential approach to the location of retail development, then permission may be granted for businesses selling bulky goods.</p>

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MM55	81	Policy DM33	<p><i>Amend the policy as follows:</i></p> <p>Proposals for uses operating businesses from dwellings, which require planning permission, will be supported provided that the use:</p> <ul style="list-style-type: none"> (i) remains linked to the residential use, <u>and residential remains the primary use; such that it does not become a separate commercial unit;</u> (ii) <u>will not result in a residential dwelling that fails to meet the floorspace standards set out in Policy DM4;</u> (iii) <u>will not have a significant adverse effect on residential amenity;</u> (iii) <u>(iv) will not have a detrimental effect upon the visual character of the surrounding residential area;</u> and (iv) <u>(v) will not create on street parking or unacceptable highway problems.</u> <p>Where such uses are approved they will be subject to appropriate conditions, for example controlling the size and frequencies of delivery vehicles, times of deliveries, visits, etc. as well as a condition relating the use solely to the person who occupies the dwelling and undertakes the activity.</p>
MM56	84	7.8	<p><i>Amend paragraph as follows:</i></p> <p>Whilst encouraging appropriate non-retail uses within the District, such as banks, building societies and restaurants, we <u>the Council</u> will endeavour to ensure that the effect of dead frontage is minimised by requiring that such premises continue to use shop windows for display purposes. Where a non-retail use is proposed (such as A2, A3, A4, A5, sui generis or B1 uses) for ground floor locations in core <u>primary</u> shopping frontages, we <u>the Council</u> will have regard to the appropriateness of the use and the uses already present in the frontage. The proposal should not lead to or add to a concentration of non-retail uses in an individual frontage or parade. As a guide there should be no more than three non-retail uses within a single frontage to create a cluster of uses. <u>there should not be a cluster of any more than two immediately adjacent non-retail uses of the same Use Class. More than two Sui Generis uses adjacent to one another</u></p>

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			<u>may not necessarily be considered a cluster, provided they are distinct and different uses.</u>
MM57	84	Policy DM34	<p><i>Amend the policy as follows:</i></p> <p>The frontages within Rayleigh, Hockley and Rochford’s Primary Shopping Areas will comprise predominantly A1 retail use.</p> <p>The change of use of shopping frontages for non-retail purposes (in particular A3 use which includes restaurants and cafes), which make a positive contribution to the vibrancy and vitality of the town centres will be permitted providing that <u>the proposal would:</u></p> <ul style="list-style-type: none"> (i) the proposal would not have a detrimental impact on, or undermine, the dominance of A1 use businesses within the retail centre <u>not have a detrimental impact on, or undermine, the predominance of A1 uses, both within the town centre as a whole and within the primary shopping frontage;</u> (ii) the proposal would not create a cluster of similar non-retail businesses within the locality <u>not create a cluster of similar non-A1 uses of the same use class within a locality that undermines the retail character of the town centre;</u> and (iii) the proposal would positively contribute to the retail/non-retail offer and encourage people into the town centre <u>entail the provision of a non-A1 use which is considered to positively contribute to the overall offer and encourage people into the town centre.</u>
MM58	85	Policy DM35	<p><i>Amend the policy as follows:</i></p> <p>We <u>The Council will permit the use of the upper floors of shops and other commercial premises in town centres for residential purposes. However, residential development will only be permitted where this would not result in a net loss of leisure or commercial uses within town centre locations.</u> 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.</p>

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			Where an Air Quality Management Area (AQMA) is designated, residential conversion of upper floor town centre locations will be restricted until the applicable air quality target is achieved.
MM59	86	DM36	<p><i>Amend the policy as follows:</i></p> <p>We <u>The Council</u> will seek to ensure that retail premises in villages and neighbourhood shopping areas outside town centres are retained.</p> <p>The change of use of the ground floor of existing retail premises to non-retail use outside town centres will be permitted providing that the following conditions are met:</p> <ul style="list-style-type: none"> (i) the loss of the retail unit is justified because the unit is vacant or that an A1 retail use is not financially viable. In either case, applicants should be able to demonstrate that all reasonable attempts have been made to sell or let the premises for retail use, but without success; (ii) the proposed use would serve the day-to-day needs of local residents; (iii) the proposed use would not reduce the quality of life of residents living in the immediate vicinity of the premises, as a result of noise, on-street parking, disturbance, cooking smells, litter or other factors; (iv) the proposal would not result in the removal of any independent means of accessing the upper floor(s) of the premises or otherwise prevent an effective use being made of the upper floor(s); and (iv) where the proposal relates to premises with an existing shopfront, the shop window would continue to be used for display purposes. <p>The conversion of retail uses to residential is generally not supported.</p> <p>The change of use of existing non-retail units within villages and neighbourhood shopping areas (such as offices, hair dressers, takeaways and pubs), to residential use may be considered favourably (except if within the Green Belt) if it can be demonstrated that the loss of the existing use is justified because the unit is vacant, or the use is not financially viable. <u>Proposals to change non-retail units in the Green Belt to</u></p>

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			<p>residential use will be permitted provided that the proposal:</p> <ul style="list-style-type: none"> (i) is well related to a defined residential settlement; (ii) is well related to local services and facilities; (iii) has good connections to the strategic road network; (iv) would promote sustainable transport modes; (v) would not have a negative impact on areas of international, European and local nature conservation importance, or the historic environment; (vi) is located within the South Essex Coastal Towns landscape character area. <p>Applicants should be able to demonstrate that all reasonable attempts have been made to sell or let the premises for an alternative non-retail use or for retail use, but without success</p>

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AM1	5	Table 1 (Transport)	<p><i>Amend the paragraph in relation to transport (second column) as follows:</i></p> <p>The transport chapter addresses the issues of parking standards and traffic management in more detail. <u>The Planning Obligations and Standard Charges Document (Core Strategy Policy CLT1) will provide further information on transport requirements and funding.</u></p>
AM2	6	1.12	<p><i>Amend paragraph as follows:</i></p> <p>The Minerals and Waste Local Plans produced by Essex County Council also form part of the Development Plan for Rochford District. The Waste Local Plan provides the strategy and policies for waste planning in Essex and Southend until at least 2031, and identifies sites for development. The Minerals Local Plan provides the strategy and policies for minerals planning in Essex until 2029 and includes allocations of sites for development. The Local Planning Authority must have regard to the policies in these documents in the determination of the future development of the District. <u>Parts of Rochford District lie within a Minerals Safeguarding Area and therefore consultation with Essex County Council is required for development proposed within this Area.</u></p>
AM3	6	1.14	<p><i>Amend paragraph as follows:</i></p> <p>To support this, we <u>the Council has</u> have four <u>three</u> main corporate objectives. These are:</p> <ul style="list-style-type: none"> • Making a difference to our community • Making a difference to our environment • Making a difference to our local economy

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AM4	8	Bullet point 1	<p><i>Insert new bullet point above point 1:</i></p> <ul style="list-style-type: none"> • A Summary of Climate Change Risks for the East of England sets out the challenges facing the region.
AM5	10	Bullet point 6	<p><i>Amend bullet point as follows:</i></p> <ul style="list-style-type: none"> • Guidance Notes for the Reduction of Obtrusive Light (200512) developed by The Institution of Lighting Engineers Professionals identifies environmental zones and corresponding light thresholds.
AM6	10	Bullet point 8	<p><i>Insert new bullet point below point 8:</i></p> <ul style="list-style-type: none"> • Housing for People with Additional Needs Strategy 2013-2016 informs current and future developers and managers of housing, in both the social and private sectors, of the current understanding of supply and need for housing.
AM7	10	Bullet point 12	<p><i>Insert new bullet point below point 12:</i></p> <ul style="list-style-type: none"> • Planning and Climate Change Coalition (2012) Planning for Climate Change provides guidance for local authorities.
AM8	12	Bullet point 5	<p><i>Insert new bullet point below point 5:</i></p> <ul style="list-style-type: none"> • UK Climate Change Risk Assessment - Built Environment sets out the main priorities for adaptation in the UK under 5 key themes and describes the policy context, and action already in place to tackle some of the risks in each area.
AM9	14	Objective 1	<p><i>Amend objective as follows:</i></p> <ol style="list-style-type: none"> 1. Ensure the delivery of an adequate supply of sustainable dwellings to cater for the District's growing demand, as per the requirements of the East of England Plan and a 15 year housing land supply.

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AM10	16	2.6	<p><i>Amend paragraph as follows:</i></p> <p>The historic environment of the District contributes to the unique character and history of individual settlements, as well as the established local streetscene. The significant historic townscapes, village centres and other smaller areas which merit statutory protection are protected through Conservation Area designations, and the most nationally important buildings and items of street furniture of 'special interest' are protected through Listed Building status <u>and listed building status in the case of historic buildings meeting national criteria relating to their significance</u>. It is, however, also important to consider the impact of development and change on the wider area beyond the boundary of protected areas and on locally important unlisted buildings which are cherished by the local community.</p>
AM11	17	2.10	<p><i>Amend paragraph as follows:</i></p> <p>It is also important to promote and support the enhancement of the environmental quality of the District's countryside and settlements. As such, regard should be had to the landscape character areas, which define the different geographical regions with a recognisable pattern of landscape characteristics, which create a distinct sense of place. We <u>The Council</u> will also encourage the preparation of Village Design Statements and Parish Plans by local community groups throughout the District, which will provide developers with guidance on the local character of individual settlements and help ensure that developments are sensitive to the local area and designed in a way that would be acceptable to the local population. Village Design Statements will be expected to have been produced in consultation with the public to ensure that they reflect local opinions, and they must be endorsed by the Council before they can be used. It is also important to take into consideration the findings of the Rochford District Historic Environment Characterisation Project (2006); which provides a wealth of information on the importance of the historic environment within the District, depicting how historic patterns of development have influenced the variability of the historic environment, for example, in terms of archaeological conservation and value. This will enable the sensitivity of landscapes and the characteristics of local places to be fully considered in the context of individual planning applications.</p>

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AM12	17	2.11	<p><i>Amend paragraph as follows:</i></p> <p>We <u>The Council</u> are concerned about the potential impact of climate change and will therefore expect developers to implement appropriate initiatives to mitigate the impact of new developments. The design and construction of buildings can directly affect the environment in terms of energy use and the generation of greenhouse gases, and the subsequent impact on climate change through global warming. This will also affect the consumption of non-renewable natural materials. The implementation of appropriate measures to reduce the consumption of energy and natural resources will help achieve the wider objective of securing more sustainable forms of development within the District.</p>
AM13	17	2.12	<p><i>Amend paragraph as follows:</i></p> <p>We <u>The Council</u> will therefore expect that all new buildings are well designed, fit-for-purpose, appropriate for the site and its setting, and adaptable for long-term use. New buildings should achieve high environmental standards through energy and resource efficient sustainable design and make best use of sustainable construction techniques. All dwellings (i.e. domestic buildings) must achieve the required Code for Sustainable Homes and Lifetime Homes Standards and non-domestic buildings must aspire to achieve the appropriate BREEAM (Building Research Establishment Environmental Assessment Method) rating. Further information on the Code for Sustainable Homes Standard, Lifetime Homes Standard and the BREEAM rating can be found within Policy ENV9, H6 and ENV10 of the Core Strategy.</p>
AM14	17-18	2.13	<p><i>Amend paragraph as follows:</i></p> <p>Whilst aspiring for sustainable construction of new buildings, we <u>the Council</u> also actively encourage the provision of well designed high quality places, which is pivotal for both major and small-scale developments. Schemes should have a safe, inclusive layout with legible and well planned routes, blocks and spaces, integrated residential, commercial and community activity, safe public spaces and pedestrian routes without traffic conflict, secure private areas, attractive buildings and landscaped spaces. Existing features such as trees and woodlands should be retained, where possible, and appropriate mitigation measures taken (Policy DM25). Security principles set out in the national guidance ‘Secured By Design’²</p>

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			should be taken into account in the formulation of development proposals.
AM15	20	2.18	<p><i>Amend paragraph as follows:</i></p> <p>Density can impact on the character and form of development, and as such, we <u>the Council</u> will maintain a flexible approach towards the appropriate density of new developments to reflect the individual identities of each area. However, it is recognised within Policy H1 (The efficient use of land for housing) of the Core Strategy that some locations, namely town centres, are more sustainable in terms of infrastructure provision and access to amenities, and can thus accommodate higher density development.</p>
AM16	20	2.19	<p><i>Amend paragraph as follows:</i></p> <p>We <u>The Council</u> therefore do not seek to be overly prescriptive with regard to density but will encourage appropriate densities which reflect the character, scale and form of the locality to create cohesive, sustainable environments.</p>
AM17	20	2.21	<p><i>Amend paragraph as follows:</i></p> <p>Infilling can be defined as filling the small gaps between existing groups of dwellings with new development. Although gaps in the streetscene can add to the visual and recreational amenity value of places, we <u>the Council</u> consider the limited infilling of settlements to be acceptable where the development conforms to the existing street pattern and density of the immediate locality. We <u>The Council</u> will also permit an appropriate level of residential intensification within town centre areas where densities are higher due to their sustainable locations; this will help safeguard Green Belt land in the District. The suitable density for town centre locations is 75 dwellings per hectare as set out in Policy H1 (The efficient use of land for housing) of the Core Strategy. However, the appropriateness of infilling in residential areas will be determined on a case by case basis primarily having regard to residential intensification, ‘town cramming’ (i.e. where too much infill development in the existing residential area would be detrimental to the area’s character) and the impact on the character of the streetscene.</p>

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AM18	20	2.22	<p><i>Amend paragraph as follows:</i></p> <p>A restrictive approach is appropriate as infilling and residential intensification can have a negative impact on the amenity and character of settlements, and lead to increased traffic generation, and ‘town cramming’. As such, we <u>the Council</u> will seek to avoid these adverse effects.</p>
AM19	22	2.26	<p><i>Amend paragraph as follows:</i></p> <p>We <u>The Council</u> recognise the importance of ensuring high quality development in addition to providing enough dwellings to meet the District’s housing needs. Dwellings, whether comprising housing or flats, which are market or affordable, should be of an appropriate size and layout to provide suitable and comfortable accommodation for modern living.</p>
AM20	24	2.34	<p><i>Amend paragraph as follows:</i></p> <p>Whilst dwellings should be reasonably sized, they must also have a suitably designed internal layout to ensure comfortable habitation for potential occupants. Therefore we <u>the Council</u> will not only have regard to whether the minimum standard has been applied to all dwellings within the development, but will also determine if the internal layout is appropriate and fit for purpose. In determining the appropriate design and layout of dwellings, the need to comply with the Lifetime Homes Standard as per Policy H6 of the Core Strategy must be taken into consideration. The 16 Design Criteria (5 July 2010)⁷ for the Lifetime Homes Standard, or the most up to date criteria, should be applied to all new developments.</p>
AM21	25	Footnote 9	<p><i>Amend footnote as follows:</i></p> <p>The Institution of Lighting Engineers Professionals (Guidance Notes for the Reduction of Obtrusive Light) available from http://www.theilp.org.uk/uploads/File/Technical/RLP%202005.pdf https://www.theilp.org.uk/documents/obtrusive-light/</p>
AM22	26	2.42	<p><i>Amend paragraph as follows:</i></p>

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			The guidance produced by the Institute <u>Institution</u> of Lighting Engineers Professionals ¹⁰ recommends the setting of lighting limits before and after curfews (an agreed time, usually late evening, at which the level of artificial lighting should be reduced) within these environmental zones. However, the lower thresholds which would be applicable after curfews is not considered to be reasonable or appropriate as we <u>the Council</u> will seek to ensure that lighting is the minimum needed for security and working purposes in any case. Therefore the upper thresholds for each applicable environmental zone should be the maximum illumination permitted. Within the three environmental zones defined above the following thresholds should apply:
AM23	26	Footnote 10	<i>Amend footnote as follows:</i> The Institution of Lighting Engineers Professionals (Guidance Notes for the Reduction of Obtrusive Light) available from http://www.theilp.org.uk/uploads/File/Technical/RLP%202005.pdf https://www.theilp.org.uk/documents/obtrusive-light/
AM24	27	Table 4	<i>Amend table as follows:</i> Table 4 – Obtrusive Light Limitations for External Lighting Installations (amended from the guidance provided by The Institute <u>Institution</u> of Lighting Engineers Professionals)
AM25	27	2.43	<i>Amend paragraph as follows:</i> Further information on the application of these standards can be found within ‘Guidance Notes for the Reduction of Obtrusive Light’ developed by the Institute <u>Institution</u> of Lighting Engineers Professionals.
AM26	27	2.44	<i>Amend paragraph as follows:</i> Any lighting proposed should be the minimum necessary for safety and working purposes, and should be appropriately designed and installed in order to avoid unnecessary light spillage and trespass. The design, appearance and scale (i.e. the height) of proposed lighting and the impact on the character and appearance of an area will be carefully considered. In particular careful consideration will be given to lighting installations

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			which may affect buildings, features and areas which are recognised for their historic and/or architectural importance (for example Listed Buildings and Conservation Areas) where government advice is that the special character of these areas, buildings and their settings should be protected from inappropriate development. The impact on locally listed buildings should also be carefully considered. The guidance produced by the Institute Institution of Lighting Engineers Professionals ¹¹ should be taken into consideration in the development and installation of any lighting proposals.
AM27	27	Footnote 11	<i>Amend footnote as follows:</i> The Institution of Lighting Engineers Professionals (Guidance Notes for the Reduction of Obtrusive Light) available from http://www.theilp.org.uk/uploads/File/Technical/RLP%202005.pdf https://www.theilp.org.uk/documents/obtrusive-light/
AM28	28-29	2.48	<i>Amend paragraph as follows:</i> The NPPF recognises the need to ensure the continued functioning and extension of existing telecommunications systems and the development of new networks whilst balancing the need to protect visual amenity and minimise environmental impacts. As such, we the Council will seek to ensure that, particularly in the more rural areas of the District, there are adequate telecommunications systems (either through the maintenance or extension of existing networks, or the provision of new networks). Adequate provision will be balanced against ensuring that there are no unacceptable effects on the natural and built environment, in particular sites of local, national and international nature conservation importance (including Sites of Special Scientific Interest (SSSIs), the Coastal Protection Belt, Ancient Woodland, Special Areas of Conservation (SACs), Special Landscape Areas (SLAs), Local Wildlife Sites (LoWS) and the Upper Roach Valley) or sites of historic significance (such as Conservation Areas and Listed Buildings), and the impact on visual and residential amenity is minimal.
AM29	29	2.49	<i>Amend paragraph as follows:</i> Where environmental improvements are to be encouraged, especially in the District's Conservation Areas, and other town and village centres, we the Council will seek the co-operation of telecommunication

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			providers in ensuring wherever possible that telephone cables are provided underground and that telephone boxes are sensitively designed and appropriately sited. Providers will be encouraged to dismantle all disused overhead lines.
AM30	30	2.55	<p><i>Amend paragraph as follows:</i></p> <p>We <u>The Council</u> recognise the importance of such buildings which contribute to the distinctive character of each area within the District and enhance the local environment. The setting of such buildings is considered to be of particular importance. We <u>The Council</u> do not want to be overly restrictive but aim to provide guidance and criteria which will help to protect special characteristics of locally listed buildings or items of street furniture and encourage sensitive alterations and modifications, where appropriate.</p>
AM31	31	2.56	<p><i>Amend paragraph as follows:</i></p> <p>We <u>The Council</u> will work with owners of buildings included in the Local List at all stages of the planning process, and encourage them to avoid proposals for demolition, unsympathetic alterations or changes which will diminish the value of their buildings in historic, architectural or townscape terms.</p>
AM32	31	2.57	<p><i>Amend paragraph as follows:</i></p> <p>Conservation Areas, as designated by the Council, are areas of special architectural or historic interest where we <u>the Council</u> have <u>has</u> a statutory duty to preserve or enhance their character and appearance. The character of an area derives from a number of elements; these can include the siting and design of its buildings, open spaces, views and features such as walls, the landscape, streetscene, materials and the activities that take place there.</p>
AM33	31	2.58	<p><i>Amend paragraph as follows:</i></p> <p>We <u>The Council</u> has <u>have</u> control over the demolition of most buildings (including walls and structures) within Conservation Areas by virtue of Section 74 of the Planning (Listed Building and Conservation Areas) Act 1990.</p>

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AM34	37	Heading (above 3.12)	<p><i>Amend heading as follows:</i></p> <p>Red Development of Previously Developed Land in the Green Belt</p>
AM35	42	3.36	<p><i>Amend paragraph as follows:</i></p> <p>The Council recognises the importance of encouraging and sustaining local economic growth throughout the District, but this needs to be weighed against the impact of business operations on the objectives of the Green Belt, in particular its openness as well as wider sustainability objectives. The Council will support lawfully established businesses in appropriate and accessible locations to encourage the vitality of the local economy and to fulfil the potential of local businesses. To preserve openness as far as possible and to protect the character of the Green Belt, existing lawfully established businesses will in principle be allowed to increase the gross floorspace of the original building where existing business operations are taking place. The ‘original building’ in this case refers to the floor area as at 1948 or later (depending on when the building was constructed). However, if no original plans or plans for extensions are evident in the planning records, then we <u>the Council</u> will assume that the current building is original. The size and scale of proposed extensions must be proportionate and will be determined on a case by case basis taking into consideration the NPPF.</p>
AM36	44-45	3.43	<p><i>Amend paragraph as follows:</i></p> <p>The NPPF sets out the government's planning policies for economic development in rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas. The guidance encourages the reuse of existing farm buildings in the interest of rural diversification where practicable. The Council supports this objective and the conversion of existing agricultural and rural buildings in the countryside, and Green Belt where this is appropriate. As such, it is necessary to set out a policy for the conversion of agricultural and rural buildings in the Green Belt which balances economic and Green Belt objectives. Where the ‘original building’ is mentioned, this refers to the floor area as at 1948 or later (depending on when the building was constructed). However, if no original plans or plans for</p>

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			extensions are evident in the planning records, then we <u>the Council</u> will assume that the current building is original.
AM37	70	4.30	<p><i>Replace sentence with the following paragraph:</i></p> <p>The Local Planning Authority or Essex County Council (the SUDS Approval Body or SAB from April 2014) is the authority responsible for the determination of planning applications for SUDS. This means that all new development which has surface water drainage implications will potentially require SAB approval and need to conform to National and Local Standards. Essex County Council will be strongly promoting the management of rainfall at the surface and therefore the use of above ground SUDS features (e.g. swales, filter strips, basins, ponds and wetlands etc.) will be required rather than pipes, soakaways and underground storage structures, as these bring more benefits to the community in their amenity and biodiversity value as well as being easier and more economical to maintain and need not be more expensive to install. Also, SUDS proposals which provide for limiting surface water runoff rates from the site to existing greenfield rates will be expected.</p>
AM38	72	4.37	<p><i>Amend paragraph as follows:</i></p> <p>Air quality assessments will be required to accompany all major planning applications <u>for major development</u> to assess the cumulative impact on local air quality. The guidance produced by Environmental Protection UK in 'Development Control: Planning for Air Quality (2010 Update)²⁰, or the most up to date guidance, should be referred to in the development of air quality assessments. Planning obligations should be sought to either mitigate the impact of development on local air quality or support the future monitoring of potentially significant road junctions, as appropriate. The approach taken should be proportional with the scale of the development and should be determined in consultation with the Council's Environmental Health team.</p>
AM39	80	6.8	<p><i>Amend paragraph as follows:</i></p> <p>However, we <u>the Council</u> recognise the necessity of maintaining a flexible approach to employment uses</p>

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			to reflect the current economic and employment situation and ensure that employment land remains vibrant with minimal vacancies. Alternative use classes will be permitted if they are an appropriate use which does not undermine existing employment uses and positively contributes to the viability of the employment land, and are compatible with existing employment uses in terms of, for example, health and safety considerations.
AM40	82	7.5	<p><i>Amend paragraph as follows:</i></p> <p>We <u>The Council</u> are currently preparing Area Action Plans for the each of the District's town centres. These Plans will be site specific and contain detailed policies to ensure the balance of appropriate uses and direct positive enhancements for each commercial centre, including specifying the suitable mix of retail and non-retail uses and enhancing accessibility to ensure vibrancy and vitality. However, whilst the town centre Area Action Plans will have specific planning policies it is necessary to have an overarching policy which ensures the appropriate mix of retail and non-retail uses within each of the town centres.</p>
AM41	82	7.6	<p><i>Amend paragraph as follows:</i></p> <p>It is considered necessary to retain and encourage a balanced mix of uses within the District's town centres to cater for a variety of user needs. Whilst we <u>the Council</u> want to retain the dominance of A1 uses (retail) with some A2 uses (financial and professional services) within core shopping frontage areas, we <u>the Council</u> also want to encourage other complementary uses to ensure a greater combination of uses and enhance the local appeal of these retail centres. To ensure the right balance between retail and non-retail uses is achieved regard must be had to shifts in consumer preferences and market changes.</p>
AM42	84	7.10	<p><i>Amend paragraph as follows:</i></p> <p>In considering the appropriate mix of retail and non-retail development, we <u>the Council</u> will have regard to evidence provided by the most up-to-date Retail and Leisure Study for the District available. Where an up-to-date Retail and Leisure Study is not available, then generally 75% retail development should be maintained.</p>

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Ref	Page	Policy/ Paragraph	Additional Modifications
AM43	84	7.14	<p><i>Amend paragraph as follows:</i></p> <p>We <u>The Council</u> consider that it is important to retain and enhance small rows of shops in addition to parades of shops which perform the same function within the defined settlements.</p>
AM44	99	After Appendix 1	<p><i>Insert new appendix after Appendix 1 as follows:</i></p> <p>Appendix 2 – Extant Local Development Plan Policies</p> <p>For clarity, upon adoption of the Development Management Document, the remaining saved policies in the 2006 Replacement Local Plan will expire.</p>