

Local Development Scheme



LDF

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This Local Development Scheme was brought into effect on 12 April 2013

1 Introduction

- 1.1 The Council's Local Development Scheme (LDS) sets out the timetable and details of the documents to be prepared as part of the Rochford Local Development Framework (including Local Plans and Supplementary Planning Documents). The LDS must specify the documents that will be Development Plan Documents, including their subject matter and area, and the timetable for their preparation and revision. In addition, this LDS also includes Supplementary Planning Documents (SPDs) being prepared by the Council. Additional Supplementary Planning Documents may be added to the Council's Local Development Framework in the future.

2 The Plan-Making System

- 2.1 Rochford District Council is preparing a folder of planning policy documents collectively called the Local Development Framework (which includes Local Plans and Supplementary Planning Documents). The Local Development Framework will replace the Rochford District Replacement Local Plan (2006), and include documents which will form part of the development plan.
- 2.2 The development plan is made up of saved policies in the Rochford District Replacement Local Plan (2006) and the adopted Development Plan Documents in the Rochford District Local Development Framework. Planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 2.3 The introduction of the Localism Act 2011 and the Government's new national planning policy (in the form of the National Planning Policy Framework) has signalled changes to this planning system and the way in which plans are prepared. Such changes include a move away from producing Local Development Frameworks (LDFs) with a suite of development plan documents (DPDs), to producing new style Local Plans with fewer DPDs and supplementary documents.

3 Purpose of the Local Development Scheme

- 3.1 The Local Development Scheme (LDS) explains the Council's programme for the documents which comprise the Local Development Framework, as well as reporting on the status of planning policy documents.
- 3.2 It is intended that the programme will continue to be subject to regular review to take account of changing circumstances, the findings of the Annual Monitoring Report, and to ensure there continues to be a realistic and achievable programme for the preparation of both statutory and non-statutory policy documents.
- 3.3 The purpose of this Local Development Scheme is to:
- a) Provide a brief description of Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) to be prepared, including those which will be produced jointly in conjunction with other authorities, and the content and geographic area to which they relate;

- b) Explain how the different DPDs and SPDs relate to one another
 - c) Clarify the status of the Replacement Local Plan (2006) and set out which SPDs support saved policies within the Local Plan; and
 - d) Set out the timetable for preparing DPDs and SPDs, including the details of the key milestones.
- 3.4 Community and stakeholder involvement is a key component of the planning system. Public participation will take place at an early stage in the preparation of the various Development Plan Documents. The Local Development Scheme is the document which the public can use to find out what the Local Planning Authority is proposing to do and when, and at what stage they can expect to be involved in the planning process. The LDS is not the only way in which interested parties can find out when community involvement will take place, as the Council deploys a variety of methods to update the local community on opportunities to participate in the plan-making process.
- 3.5 The milestones in the production of Development Plan Documents, and the key elements which influence the timetable, are set out below.
1. **Initial evidence gathering** - prior to the commencement of the production of a DPD the Local Planning Authority will collate evidence that will help inform the preparation of a sustainability appraisal framework, a document that will assess the economic, social and environmental performance of the plan. This stage may also involve informal community involvement and consultation.
 2. **Initiate sustainability appraisal** - marks the formal commencement of the production of a Development Plan Document. This stage entails the production of the sustainability appraisal framework (comprising objectives and decision-aiding questions), which will be used to appraise the Development Plan Document as it is progressed.
 3. **Development of options** - a range of options for the DPD are developed for consultation, community involvement and appraisal. This stage culminates in the publication of a document for public participation.
 4. **Public participation** - public participation on options for the DPD. It is essential that consultation with members of the public, delivery bodies, statutory organisations and other stakeholders is undertaken at an early stage in the production of the Development Plan Document so that it can be most effective. Methods and scale of consultation undertaken at this stage will be appropriate to the issues being addressed by the particular DPD, but will be part of a process of continuous community involvement. Public participation will not be a one-off event and will be adapted to meet changing circumstances and address issues raised as part of community involvement. The results of community involvement and consultation at this stage will be used to develop the next iteration of the DPD.

5. Analysis of consultation responses - the Council will review the responses to public participation and consultation, and use the results to aid the development of the next iteration of the Development Plan Document.

6. Production of pre-submission document - having regard to the evidence base, the results of previous consultation and community involvement, and appraisals of earlier iterations, the Local Planning Authority will prepare the pre-submission draft of the DPD with the aim of producing a “sound” document for submission to the Secretary of State.

7. Pre-submission consultation - at this stage the Council will publish what it considers to be a “sound” DPD i.e. one which is positively prepared, justified, effective, consistent with national policy, and legally compliant. A formal six-week consultation period provides an opportunity for stakeholders to comment on the soundness and legal compliance of the DPD.

8. Submission of DPD to Secretary of State - following pre-submission consultation, the response to this, together with the DPD, summary of previous community involvement and other supporting documents are submitted to the Secretary of State to be subjected to independent examination.

9. Examination - the submitted DPD is subject to independent examination conducted by the Planning Inspectorate (PINS) on behalf of the Secretary of State. The Planning Inspectorate will consider responses to the pre-submission consultation and determine whether the DPD is sound and legally compliant.

Within the first two weeks of submission, PINS will carry out initial scoping of the DPD in relation to procedure and content.

A pre-hearing meeting will take place approximately 8 weeks after submission. This meeting will examine procedural matters, but will also be used to identify the issues to be discussed at the subsequent hearings.

Following the pre-hearing meeting and completion of the desk based elements of the examination, hearings will be conducted where the appointed Planning Inspector will lead the debate on the issues identified in advance in order to determine the soundness of the DPD. The hearings are expected to begin 14 weeks from submission and last no longer than eight days.

The Inspector’s initial report is anticipated to be received 24 weeks from the date the DPD was submitted. The Council has two weeks to fact check the report. The Inspector’s final report is to be received 29 weeks after submission.

The risk of delays to the examination process need to be accounted for in the preparation of the LDS. These include the possible need for an exploratory meeting to be held after the pre-hearing meeting, in the event the appointed Planning Inspector identifies significant early concerns; and / or where post submission changes are identified as being required through examination. Suspension of the examination proceedings, for example where a major omission is identified in the submitted documents, could delay adoption of the plan by up to six months. This time has not

been built into the project plan, however, as suspension is only likely in exceptional circumstances.

10. **Publication of Inspector's report** – following the examination the Planning Inspectorate will submit a report to the Local Planning Authority on the DPD's soundness and legal compliance. Once a fact check of the document has been completed, the Local Planning Authority will then publish the report, which will include recommendations and reasons for recommendations.

11. **Adoption** - under the Council's constitution, a DPD must be adopted by a meeting of Full Council.

4 Rochford District Local Development Framework

4.1 Rochford District's Local Development Framework comprises Development Plan Documents, Supplementary Planning Documents, Statement of Community Involvement, Infrastructure Charging Schedule and Annual Monitoring Report.

Development Plan Documents

4.2 Development Plan Documents are statutory planning documents which form part of the development plan for an area. The Rochford Core Strategy is an adopted Development Plan Document and forms part of the Local Development Plan for the District. The Council also propose to produce other Development Plan Documents which will conform to, and expand upon, policies in the Core Strategy.

4.3 The plan-making process is changing to a system in which a Local Plan is produced, and other Development Plan Documents only produced where clearly justified. The Rochford Core Strategy was produced under the previous system, and at a time when Local Planning Authorities were required to include aspects of planning policy that may now be included in one Local Plan, within multiple DPDs. As such, the production of additional DPDs is still required to address the planning issues the Core Strategy could not.

Supplementary Planning Documents

4.4 Supplementary Planning Documents (SPDs) are non-statutory documents intended to expand policy or provide further detail to policies in a DPD. Some SPDs will be based on a review of existing SPDs. Others will be new, emerging as a result of policies within DPDs.

4.5 A number of SPDs have been adopted by the Council as follows:

- SPD 1 – Education Contributions
- SPD 2 – Housing Design
- SPD 3 – Playing Pitch Strategy
- SPD 4 – Shop Fronts – Security and design
- SPD 6 – Design Guidelines for Conservation Areas
- SPD 7 – Design, landscaping and Access Statements
- SPD 8 – Rural Settlement Areas.

- Parking Standards: Design and Good Practice SPD
- Playing Pitch Strategy 2012 SPD

4.6 The following SPGs have been superseded by SPDs:

LPSPG1 – now SPD2 Housing Design

LPSPG2 – now Parking Standards: Design and Good Practice SPD

LPSPG3 – now SPD8 Rural Settlement Areas

LPSPG4 – covered in SPD2, SPD4 and SPD7

LPSPG5 – now SPD7 Design, Landscaping and Access Statements

LPSPG6 – now SPD7 Design, Landscaping and Access Statements

LPSPG7 – now SPD6 Design Guidelines for Conservation Areas

LPSPG8 – now SPD4 Shop Fronts – Security and Design

LPSPG10 – now SPD3 Playing Pitch Strategy

LPSPG17 – now SPD1 Educational Contributions

SPD3 – now Playing Pitch Strategy 2012 SPD

SPD5 – now Parking Standards: Design and Good Practice SPD

4.7 The following SPGs have been deleted:

LPSPG11 Wargames

LPSPG12 Clay pigeon shooting

LPSPG13 Local list

Local Development Framework progress

4.8 The previous Local Development Scheme (2009) was submitted to the Government on 7 January 2010.

4.9 The Local Development Scheme (2009) set out a timetable for the production of the Local Development Framework which included adoption of the Core Strategy in October 2010.

4.10 The Core Strategy was submitted for examination on 14 January 2010. Guidance from the Planning Inspectorate states that the time period between submission and their final report on soundness and legal compliance is six months. That being the case, the Council was on course to adopt as per the Local Development Scheme (2009) timetable.

- 4.11 However, a number of events, primarily at national level, caused considerable delays to the examination process. Most notably, statements and instructions issued by the Secretary of State for Communities and Local Government, followed later by Court judgements that these were unlawful. As such, the examination process was not concluded until November 2011, and the Core Strategy adopted on 13 December 2011.
- 4.12 The Rochford Core Strategy was produced prior to new national planning policy contained in the National Planning Policy Framework (NPPF). A review has been undertaken to determine whether the Rochford Core Strategy is compliant with the NPPF. This review concluded that generally the adopted Rochford Core Strategy is in compliance with the NPPF. The compliance review can be viewed in full online via the Council's website (www.rochford.gov.uk) or in paper format at Rochford Council Offices.
- 4.13 The Core Strategy examination delay consequently delayed progression of the rest of the Local Development Framework.
- 4.14 The Council is committed to an early review of the Core Strategy in relation to ensuring a 15-year housing land supply. The timetable for this review will be set out in due course.

Annual Monitoring Report

- 4.15 The Council will review the Local Development Scheme on an annual basis, and publish an Annual Monitoring Report (AMR) each year covering data for the period 1 April to 31 March.
- 4.16 The AMR will monitor progress on meeting the milestones set out in the LDS, and will explain whether this is a requirement for a review of the LDS.

Statement of Community Involvement (SCI)

- 4.17 The Statement of Community Involvement explains how the Council will ensure the planning process is accessible to all parts of the District's community. It sets out the processes and procedures that the Council will follow in order to engage with stakeholders, including the groups commonly referred to as 'hard to reach'.
- 4.18 In addition to explaining community involvement in the LDF, the SCI sets out the arrangements for consultation on different types of planning application and encourages developers to undertake consultations before submitting an application, particularly for major proposals or those likely to be controversial.
- 4.19 Rochford's SCI was adopted on 18 January 2007. However, new government regulations in relation to consultation have come into force since the adoption of the SCI. These will need to be considered when the Council undertakes community involvement. Elements of the SCI have been superseded by the new regulations, such as the number of stages of consultation that will be carried out. However, the techniques advocated and the principles of community involvement set out in the adopted SCI are still applicable. As such, it would be appropriate for a revised SCI to

be produced. In the short-term, the existing SCI will be amended with the addition of text explaining that elements of the SCI have been superseded by changes at the national level, but that the principle of community involvement set out in the document are nevertheless relevant and extant, and the Council's commitment to community involvement remains.

- 4.20 In the longer-term, the SCI will be reviewed and updated, and a revised SCI adopted. Following changes to regulations, the Statement of Community Involvement is no longer considered a Development Plan Document. As such, a revised Statement of Community Involvement would not be subject to an examination. It is nevertheless still important that the SCI reflects the views of the local community and other stakeholders on how they should be engaged with planning by the Council. Therefore, revisions to the SCI will be subject to consultation.

Other Documents

- 4.21 In addition to the aforementioned document types, the Council will also produce an Infrastructure Charging Schedule. This document will expand upon the infrastructure requirements identified in the Core Strategy and other DPDs and detail a schedule of charges to be paid by developers to contribute towards the implementation of requisite infrastructure. The document will state how the emerging Community Infrastructure Levy legislation will be applied locally.
- 4.22 Details of all documents, including their geographical extent and relationship to other documents, are set out below.

Adopted Local Development Documents

The adopted Local Development Documents are set out in Appendix 1.

Documents Being Prepared

The documents which are being prepared as part of the Local Development Framework are set out below.

Document	Status	Description	Geographical Extent	Chain of conformity / relationship to other LDDs	Anticipated Adoption date
Allocations	DPD	Provides the detailed locations for new housing, employment and other land-use allocations proposed in the Core Strategy.	District wide	Will conform to Core Strategy	October 2013
Development Management Development Plan Document	DPD	Provides a suite of criteria based policies not considered appropriate for inclusion within the Core Strategy, required to ensure all new development accords with the Core Strategy and other relevant strategies.	District wide	Will conform to Core Strategy	February 2014

Rochford District Council – Local Development Framework Local Development Scheme

Document	Status	Description	Geographical Extent	Chain of conformity / relationship to other LDDs	Anticipated Adoption date
London Southend Airport and Environs Joint Area Action Plan	DPD	Contains a policy framework, site allocations and proposals to deliver economic development and growth in and around London Southend Airport in accordance with the vision and objectives in the Core Strategy and taking account of the broader objectives of the Thames Gateway South Essex regeneration area.	London Southend Airport and surrounding area	Will conform to Core Strategy	December 2013
Hockley Area Action Plan	DPD	Contains a policy framework and proposals to enhance and regenerate Hockley centre.	Hockley centre	Will conform to Core Strategy	October 2013
Rochford Town Centre Area Action Plan	DPD	Contains a policy framework and proposals to enhance and regenerate Rochford town centre.	Rochford town centre	Will conform to Core Strategy	March 2014
Rayleigh Town Centre Area Action Plan	DPD	Contains a policy framework and proposals to enhance and regenerate Rayleigh town centre	Rayleigh town centre	Will conform to Core Strategy	June 2014

Rochford District Council – Local Development Framework Local Development Scheme

Document	Status	Description	Geographical Extent	Chain of conformity / relationship to other LDDs	Anticipated Adoption date
Infrastructure Charging Schedule	DPD	Sets out the charge that will be levied on new development through the Community Infrastructure Levy.	District wide	Will conform to Core Strategy.	December 2014
Local List	SPD	Details buildings of local architectural or historical interest, and outlines the features that make such buildings worthy of protection.	District wide	Will conform to the Core Strategy DPD and Development Management Policies. Until adoption of Core Strategy, will conform to saved policies in Replacement Local Plan.	June 2013
Transportation Strategy	SPD	Provides details of transportation improvements to be implemented in the District, including how and when such improvements will be delivered.	District wide	Will conform to the Core Strategy.	September 2014

5 Project Management and Key Milestones

- 5.1 The project plan for the Local Development Framework, from which the production timetable set out within this document has been derived, was developed having regard to the following:
- resources available to the Local Planning Authority;
 - existing evidence base in place and the need for additional work on the evidence base work;
 - the impact on resources of other non-LDF work undertaken by the Council's Planning Policy team;
 - the structure of Council's decision-making procedures;
 - the need to have on-going involvement of key stakeholders;
 - the need to ensure public participation in the LDF, including formal and informal consultation;
 - the time and resources required to analyse consultation responses and to ensure views are adequately incorporated into the decision making process;
 - the need to produce sustainability appraisals and appropriate assessments of documents where appropriate
 - the requirement for relevant documents to be subject to independent examination, and the likely estimated lapse in time between the completion of the examination and the receipt of the Inspector's binding report.
- 5.2 The timetable for the production of LDDs is outlined in the Gantt chart in Appendix 2 of this document.

6 Relationship With Other Development Plan Documents

- 6.1 The regulations allowed for the Rochford District Replacement Local Plan (2006) to be saved for a period of up to three years following adoption. This means that any policies not saved by way of direction from the Secretary of State expired on 15 June 2009. On 18 February 2009 Rochford District Council wrote to the Secretary of State requesting that a number of policies in the Plan be saved beyond this date. On 5 June 2009 the Secretary of State wrote to Rochford District Council and issued a direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004, saving a number of policies in the Rochford District Replacement Local Plan (2006).
- 6.2 The Core Strategy was adopted on 13 December 2011. This superseded a number of the policies in the Rochford District Replacement Local Plan (2006) that had been saved. Appendix 3 lists the policies in the Rochford District Replacement Local Plan (2006) that remain extant as at 1 March 2013.

6.3 Essex County Council remains the authority responsible for dealing with minerals and waste.

7 Monitoring And Review

7.1 This third review of the LDS covers the period 2012-2015. The LDS is reviewed annually as part of the Annual Monitoring Report.

7.2 The AMR is submitted to the Department for Communities and Local Government each December.

7.3 Each year the AMR will:

- show how the Council is performing against the timescales in the LDS for the preparation of DPDs and SPDs;
- consider the effectiveness of 'saved' policies in advance of the adoption of Local Development Documents;
- monitor development plan policies against a set of government, regional and local indicators; and
- provide an up to date list of documents in preparation and adopted, and provide details of future reviews of those documents.

7.4 Following adoption, each Local Development Document will be formally reviewed in the AMR, with the period for review being determined by the importance of the document and progress towards implementation of key policies, particularly those relating to the development of land.

7.5 Information on the progress of the LDF, including changes to the timetable where these occur, will be published on the Council's website.

Appendix 1 – Adopted Local Development Documents

Document	Status	Description	Geographical Extent	Chain of conformity / relationship to other LDDs	Adoption date
Core Strategy	DPD	Sets out the vision, objectives and spatial strategy for the district and the primary policies for achieving the vision. An early review of the Core Strategy is required in order to ensure a 15-year housing land supply.	District wide	Conforms with national planning policy guidance, the East of England Plan, and the Sustainable Community Strategy	December 2011
Statement of Community Involvement	LDD	Document setting out the arrangements for stakeholder involvement in the preparation of the LDF	District wide	N/A	January 2007
Educational Contributions	SPD	Identifies a cross-Essex approach to securing educational contributions from new housing development.	District wide	Conforms to saved policies within the Replacement Local Plan (2006), and the Core Strategy, and to the Rochford Core Strategy.	January 2007
Housing Design	SPD	Design guidance to ensure high quality design throughout the District, reflecting local character and distinctiveness.	District wide	Conforms to saved policies within the Replacement Local Plan (2006), and the Core Strategy, and to the Rochford Core Strategy	January 2007

Rochford District Council – Local Development Framework Allocations Submission Document

Document	Status	Description	Geographical Extent	Chain of conformity / relationship to other LDDs	Adoption date
Shop Fronts Security and Design	SPD	Provides guidance on the design standards for the appropriate secure design of shop fronts in the District.	District wide	Conforms to saved policies within the Replacement Local Plan (2006), and the Core Strategy, and to the Rochford Core Strategy	January 2007
Design Guidelines for Conservation Areas	SPD	Provides guidance on design in Conservation Areas throughout the District.	District wide	Conforms to saved policies within the Replacement Local Plan (2006), and the Core Strategy, and to the Rochford Core Strategy	January 2007
Design, Landscaping and Access Statements	SPD	Provides guidance on the information and documentation that the LPA will require with regard to Design Statements, Landscaping Statements and Access Statements.	District wide	Conforms to saved policies within the Replacement Local Plan (2006), and the Core Strategy, and to the Rochford Core Strategy	January 2007
Rural Settlement Areas	SPD	Identifies the dwellings lying within the Rural Settlement Areas.	District wide	Conforms to saved policies within the Replacement Local Plan (2006).	January 2007

Rochford District Council – Local Development Framework Allocations Submission Document

Document	Status	Description	Geographical Extent	Chain of conformity / relationship to other LDDs	Adoption date
Parking Standards: Design and Good Practice	SPD	Provides vehicle parking standards and specifications. Also includes guidance on travel plans and transport assessment. Produced by Essex County Council with the involvement of various Local Authorities in Essex.	District wide	Conforms to saved policies within the Replacement Local Plan (2006), and the Core Strategy, and to the Rochford Core Strategy	December 2010
Playing Pitch Strategy	SPD	Identifies the Council's strategy with regard to playing pitches and open space in the District.	District wide	Conforms to saved policies within the Replacement Local Plan (2006), and the Core Strategy, and to the Rochford Core Strategy	April 2012

Appendix 2 – Local Development Documents Production Timetable

	2012									2013									2014									2015								
	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M
Allocations DPD								■	■	■			■	■	■	■	■	■	■	■																
Development Management DPD													■	■		■	■	■	■	■	■	■	■													
London Southend Airport and Environs JAAP											■	■	■		■	■	■	■	■	■	■	■														
Hockley AAP				■				■	■	■			■	■	■	■	■	■	■	■																
Rochford Town Centre AAP									■				■	■	■		■	■	■	■	■	■	■													
Rayleigh Town Centre AAP									■				■	■	■		■	■	■	■	■	■	■													
Infrastructure Charging Schedule																								■	■		■	■	■	■	■	■	■			
Local List SPD															■																					
Transportation Strategy SPD													■	■	■	■	■	■	■	■				■	■											
Annual Monitoring Report									■																										■	

Key milestones

- Initiate sustainability appraisal
- Informal community involvement
- Formal consultation and community involvement
- Pre-submission consultation
- Submission to Secretary of State
- Examination
- Adoption
- Publication of Annual Monitoring Report

Appendix 3 – Saved Policies in the Rochford District Replacement Local Plan (2006) that remain extant as at 1 March 2012

Policy Number	Policy Subject
CS1	Moving towards sustainable development
CS2	Protecting and enhancing the built and natural environment
CS3	Reducing the need to travel
CS4	Accessible and high quality housing and services
CS5	Encouraging economic regeneration
CS6	Promoting good design and design statements
CS7	Conserving and enhancing heritage
CS8	Retaining character of place
CS9	Emphasising the value of landscaping
CS10	Energy & water consumption
HP6	Design and layout
HP10	Crime prevention
HP11	Flatted accommodation
HP12	Sheltered housing
HP15	Loss of dwellings
HP16	Sub-division of dwellings
HP17	Living over the shop
HP18	Enclosure of grass verges
HP19	Caravan parks
HP21	Planning Obligations
R2	Rural Settlement Areas within the Green Belt
R3	Agricultural and forestry dwellings
R4	Temporary agricultural dwellings
R5	The extension of dwellings in the Green Belt
R6	The replacement or rebuild of existing dwellings in the Green Belt
R7	The extension of domestic gardens
R8	New agricultural buildings
R9	The re-use and adaptation of existing rural buildings & farm diversification
R10	New retail uses

Rochford District Council – Local Development Framework Allocations Submission Document

Policy Number	Policy Subject
R11	Hall Road cemetery
R12	New Cemeteries
EB2	Making the best use of available land
EB3	Non-conforming uses
EB4	Working from home
EB6	Landscaping
TP4	Heavy lorry routes
TP5	Public transport
TP10	Aviation and noise
TP11	Area of Special Restraint
LT8	Indoor sports and leisure facilities
LT11	Leisure uses in shopping areas
LT13	Golf courses and extensions to existing facilities
LT14	Horse riding facilities
LT15	Water recreation facilities
LT16	Dry pits
LT20	Touring caravans and tents
LT21	Sports causing noise or disturbance
LT22	Floodlighting
BC2	Demolition within Conservation Areas
NR13	Creation of intertidal habitats
SAT4	Non-retail uses within Primary Shopping Frontages
SAT5	Non-retail uses within Secondary Shopping Frontages
SAT6	Neighbourhood and village shops
SAT7	Servicing
SAT8	Shop Fronts: Design and security
SAT9	Advertisements: General district-wide policy
SAT10	Advertisements within Conservation Areas
SAT11	Advertisements: Visual clutter
UT2	Non-mains disposal of foul water and sewage
UT4	Telecommunications development
PN7	Light pollution